# 1976 <br> REVISED CODE of WASHINGTON 

Published under authority of chapter 1.08 RCW.

Containing all laws of a general and permanent nature up to and including the laws enacted in the 1975-'76 2nd extraordinary session which adjourned sine die March 26, 1976.

# REVISED CODE OF WASHINGTON 

1976 Edition

## CERTIFICATE

The 1976 edition of the Revised Code of Washington, published officially by the Statute Law Committee, is, in accordance with the provisions of RCW 1.08.037, certified to comply with the current specifications of the committee.
(signed)
Robert L. Charette, Chairman,
STATUTE LAW COMMITTEE

## REVISED CODE OF WASHINGTON

1. General provisions

Judicial
2. Courts of record
3. Justices of the peace and constables
4. Civil procedure
5. Evidence
6. Enforcement of judgments
7. Special proceedings and actions
8. Eminent domain
9. Crimes and punishments

9A. Washington criminal code
10. Criminal procedure
11. Probate law and procedure-_1965 Act
12. Justice courts-Civil procedure
13. Juvenile courts and juvenile delinquents
14. Aeronautics

Agriculture
15. Agriculture and marketing
16. Animals, estrays, brands and fences
17. Weeds, rodents and pests

Businesses and professions
18. Businesses and professions
19. Business regulations-Miscellaneous
20. Commission merchants-Agricultural products
21. Securities and investments
22. Warehousing and deposits

Corporations, associations and partnerships
23. Corporations and associations (Profit)

23A. Washington business corporation act
24. Corporations and associations (Nonprofit)
25. Partnerships
26. Domestic relations

## Education

27. Libraries, museums and historical activities

28A. Common school provisions
28B. Higher education
28C. Vocational education
29. Elections

Financial institutions
30. Banks and trust companies
31. Miscellaneous loan agencies
32. Mutual savings banks
33. Savings and loan associations

## Government

34. Administrative Law
35. Cities and towns

35A. Optional municipal code
36. Counties
37. Federal areas and jurisdiction
38. Militia and military affairs
39. Public contracts and indebtedness
40. Public documents, records and publications
41. Public employment, civil service and pensions
42. Public officers and agencies
43. State government-Executive
44. State government-Legislative
45. Townships

## Highways and motor vehicles

46. Motor vehicles
47. Public highways
48. Insurance

Labor
49. Labor regulations
50. Unemployment compensation
51. Industrial insurance

## Local service districts

52. Fire protection districts
53. Port districts
54. Public utility districts
55. Sanitary districts
56. Sewer districts
57. Water districts

Property rights and incidents
58. Boundaries and plats
59. Landlord and tenant
60. Liens
61. Mortgages and trust receipts
62. Negotiable instruments

62A. Uniform commercial code
63. Personal property
64. Real property and conveyances
65. Recording, registration and legal publication

Public health, safety and welfare
66. Alcoholic beverage control
67. Athletics, sports and entertainment
68. Cemeteries, morgues and human remains
69. Food, drugs, cosmetics and poisons
70. Public health and safety
71. Mental illness and inebriacy
72. State institutions
73. Veterans and veterans' affairs
74. Public assistance

Public resources
75. Food fish and shellfish
76. Forests and forest products
77. Game and game fish
78. Mines, minerals and petroleum
79. Public lands

## Public service

80. Public utilities
81. Transportation

## Taxation

82. Excise taxes
83. Inheritance and gift taxes
84. Property taxes

Waters
85. Diking and drainage
86. Flood control
87. Irrigation
88. Navigation and harbor improvements
89. Reclamation, soil conservation and land settlement
90. Water rights
91. Waterways

## PREFACE

Numbering system: The number of each section of this code is made up of three factors, in sequence as follows: Number of title; number of chapter within the title; number of section within the chapter. Thus RCW 1.04.020 is Title 1, chapter 4, section 20. The section factor of the number (.020) is originally a three-digit factor, constitutes a true decimal, and provides a facility for numbering new sections to be inserted between old sections already consecutively numbered, merely by adding a digit at the right hand end of the number, ad infinitum. In most chapters of the code, sections have been numbered by tens ( $.010, .020, .030, .040$, etc.) thus leaving nine vacant numbers between original sections so that for a time new sections may be inserted without extension of the section factor beyond three digits.

History of the Revised Code of Washington; Source Notes. The Revised Code of Washington was adopted by the legislature in 1950, see chapter 1.04 RCW. The original publication (1951) contained material variances from the language and organization of the session laws from which it was derived, including a variety of divisions and combinations of the session law sections. During the years 1953-1959, the Statute Law Committee in exercise of the powers contained in chapter 1.08 RCW completed a comprehensive study of these variances and by means of a series of administrative orders or reenactment bills, restored each title of the code so as to truly reflect its session law parentage, retaining however the general codification scheme originally adopted. An audit trail of this activity has been preserved in the concluding phrases of the source note of each section of the code so affected. The legislative source of each section is enclosed in brackets at the end of the section. Reference to session laws is abbreviated; thus " 1891 c $23 \S 1 ; 1854$ p 99 § 135" refers to section 1, chapter 23, Laws of 1891 and section 135, page 99, Laws of $1854^{\circ}$ ". "Prior" indicates a break in the statutory chain, usually a repeal and reenactment. "RRS or Rem. Supp.-" indicates the parallel citation in Remington's Revised Code, last published in 1949.

Where, prior to restoration, a section of this code constituted a consolidation of two or more sections of the session laws, or of sections separately numbered in Remington, the line of derivation is shown for each component section, each line of derivation being set off from the others by use of small Roman numerals, "(i)", "(ii)", etc.

Where, prior to restoration, only a part of a session law section was reflected in a particular RCW section the history note reference is followed by the word "part".
"Formerly" and its correlative form "FORMER PART OF SECTION" followed by an RCW citation preserves the record of original codification as it existed prior to restoration.
Index: Titles 1 through 91 are indexed in the RCW General Index. Separate indexes are provided for the Rules of Court and the State Constitution.

Sections repealed or decodified; Disposition table: Memorials to RCW sections repealed or decodified are no longer carried in place. They are now tabulated in numerical order in the table entitled "Disposition of former RCW sections".

Parallel tables: To convert a session law citation to its RCW number (laws of 1951 or later) consult the parallel tables. A similar table is included to relate the disposition in RCW of sections of Remington's Revised Statutes.

Errors or omissions: Although great care has been used in the production of this code, within the range of available time and facilities, it is inevitable in so large a work that there will be errors, both mechanical and of judgment. As such errors are detected, or are believed to exist in particular sections, by those who use this code, it is requested that a short notation, citing the section involved and the nature of the error, be mailed to the code reviser, Legislative Building, Olympia, so that correction may be made in any subsequent publication.

## CONSTITUTION OF THE UNITED STATES OF AMERICA

## DIGEST

## Preamble

## Article I Legislative

Sections

1. Legislative powers.
2. House of representatives, how constituted, power of impeachment.
3. The senate, how constituted, impeachment trials.
4. Election of senators and representatives.
5. Quorum, journals, meetings, adjournments.
6. Compensation, privileges, disabilities.
7. Procedure in passing bills and resolutions.
8. Powers of congress.
9. Limitations upon powers of congress.
10. Restrictions upon powers of states.

## Article II Executive

Sections

1. Executive power, election, qualifications of the president.
2. Powers of the president.
3. Powers and duties of the president.
4. Impeachment.

## Article III Judicial

Sections

1. Judicial power, tenure of office.
2. Jurisdiction.
3. Treason, proof and punishment.

## Article IV

Sections

1. Faith and credit among states.
2. Privileges and immunities, fugitives.
3. Admission of new states.
4. Guarantee of republican government.

## Article V Amendment of the Constitution

Article VI Debts, supremacy, oath
Article VII Ratification and establishment
Amendments:
No.

1. Freedom of religion, of speech, and of the press.
2. Right to keep and bear arms.
3. Quartering of soldiers.
4. Security from unwarrantable search and seizure.
5. Rights of accused in criminal proceedings.
6. Right to speedy trial, witnesses, etc.
7. Trial by jury in civil cases.
8. Bails, fines, punishments.
9. Reservation of rights of the people.
10. Powers reserved to states or people.
11. Restriction of judicial power.
12. Election of president and vice president.
13. Abolition of slavery.
14. Sections
15. Citizenship rights not to be abridged by states.
16. Apportionment of representatives in congress.
17. Persons disqualified from holding office.
18. What public debts are valid.
19. Negro suffrage.
20. Authorizing income taxes.
21. Popular election of senators.
22. National liquor prohibition.
23. Woman suffrage.
24. Sections
25. Terms of office.
26. Time of convening congress.
27. Death of president elect.
28. Election of the president.
29. Sections
30. National liquor prohibition repealed.
31. Transportation of liquor into "dry" states.
32. Terms of office of president.
33. Granting representation in the electoral college to the District of Columbia.
34. Failure to pay tax shall not deny right to vote for federal offices.
35. Succession to the presidency and vice presidency__Inability of president to discharge powers and duties of office.
36. Extending the right to vote to citizens eighteen years of age or older.

## The Constitution of the United States of America

## Preamble

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to
ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I

§ 1 LEGISLATIVE POWERS. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.
§ 2 HOUSE OF REPRESENTATIVES, HOW CONSTITUTED, POWER OF IMPEACHMENT. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other person.* The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.
*Note: Modified by Amendment XIV, Section 2.
§ 3 THE SENATE, HOW CONSTITUTED, IMPEACHMENT TRIALS. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be
chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.*

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The vice president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

The senate shall choose their other officers, and also a president pro tempore, in the absence of the vice president, or when he shall exercise the office of president of the United States.

The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried the chief justice shall preside: and no person shall be convicted without the concurrence of twothirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.
*Note: Provisions changed by Amendment XVII.

## § 4 ELECTION OF SENATORS AND REPRE-

 SENTATIVES. The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the places of choosing senators.The congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.*
*Note: Provision changed by Amendment XX, Section 2.
§ 5 QUORUM, JOURNALS, MEETINGS, ADJOURNMENTS. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.
Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.
Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.
§ 6 COMPENSATION, PRIVILEGES, DISABILITIES. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.
§ 7 PROCEDURE IN PASSING BILLS AND RESOLUTIONS. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by twothirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.
§ 8 POWERS OF CONGRESS. The congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all
duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;
To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;
To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court;
To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;
To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.
§ 9 LIMITATIONS UPON POWERS OF CONGRESS. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

## § 10 RESTRICTIONS UPON POWERS OF

STATES. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress.

No state shall, without the consent of congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

§ 1 EXECUTIVE POWER, ELECTION, QUALIFICATIONS OF THE PRESIDENT. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice president, chosen for the same term, be elected, as follows

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from twothirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice president.*

The congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice president, and the congress may by law provide for the case of removal, death, resignation or inability, both of the president and vice president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."
*Note: Provisions superseded by Amendment XII.
§ 2 POWERS OF THE PRESIDENT. The president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the congress may by law vest the appointment of such inferior officers, as they think proper in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.
§ 3 POWERS AND DUTIES OF THE PRESIDENT. He shall from time to time give to the congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.
§ 4 IMPEACHMENT. The president, vice president and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

## ARTICLE III

§ 1 JUDICIAL POWER, TENURE OF OFFICE. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.
§ 2 JURISDICTION. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties
made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.*

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the congress may by law have directed.
*Note: Clause changed by Amendment XI.

## § 3 TREASON, PROOF AND PUNISHMENT.

 Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

## ARTICLE IV

§ 1 FAITH AND CREDIT AMONG STATES. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.
§ 2 PRIVILEGES AND IMMUNITIES, FUGITIVES. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.
s 3 ADMISSIOV OF NEW STATES. New states may be admitted by the congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the congress.

The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.
§ 4 GUARANTEE OF REPUBLICAN GOVERNMENT. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

## ARTICLE V

Amendment of the Constitution. The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suff rage in the senate.

## ARTICLE VI

Debts, supremacy, oath. All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

## ARTICLE VII

Ratification and establishment. The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratif ying the same.

Done in convention by the unanimous consent of the states present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven and of the independence of the United States of America the twelfth.* In witness whereof we have hereunto subscribed our names,

GEO. WASHINGTON, President
New Hampshire
John Langdon Nicholas Gilman Massachusetts
Nathaniel Gorham Rufus King Connecticut
Wm. Saml. Johnson
Roger Sherman
New York
Alexander Hamilton
New Jersey
Wil. Livingston
David Brearley
Wm. Paterson
Jona. Dayton
Pennsylvania
B. Franklin

Thomas Mifflin Robt. Morris Geo. Clymer
Thos. FitzSimons Jared Ingersoll James Wilson Gouv. Morris
and Deputy from Virginia
Delaware
Geo. Read
Gunning Bedford, Jr.
John Dickinson
Richard Bassett
Jaco. Broom Maryland
James McHenry Dan of St. Thos. Jenifer

Danl. Carroll
Virginia
John Blair
James Madison, Jr.
North Carolina
Wm. Blount
Richd. Dobbs Spaight
Hu. Williamson
South Carolina
J. Rutledge

Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler
Georgia
William Few
Abr. Baldwin
*Note: The Constitution was submitted on September 17, 1787, by the Constitutional Convention, was ratified by the conventions of several states at various dates up to May 29, 1790, and became effective on March 4, 1789.

> Amendments to the Constitution of the United States
> 1791-1971

## AMENDMENT I

FREEDOM OF RELIGION, OF SPEECH, AND OF THE PRESS. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

## AMENDMENT II

RIGHT TO KEEP AND BEAR ARMS. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

## AMENDMENT III

QUARTERING OF SOLDIERS. No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

## AMENDMENT IV

SECURITY FROM UNWARRANTABLE SEARCH AND SEIZURE. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## AMENDMENT V

RIGHTS OF ACCUSED IN CRIMINAL PROCEEDINGS. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

## AMENDMENT VI

RIGHT TO SPEEDY TRIAL, WITNESSES, ETC. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

## AMENDMENT VII

TRIAL BY JURY IN CIVIL CASES. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

## AMENDMENT VIII

BAILS, FINES, PUNISHMENTS. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## AMENDMENT IX

RESERVATION OF RIGHTS OF THE PEOPLE. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## AMENDMENT X

POWERS RESERVED TO STATES OR PEOPLE. The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.*
*Note: The first ten amendments were all proposed by congress on September 25, 1789, and were ratified and adoption certified on December 15, 1791.

## AMENDMENT XI

RESTRICTION OF JUDICIAL POWERS. The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.*
*Note: Proposed by congress on March 4, 1794, and declared ratified on January 8, 1798.

## AMENDMENT XII

ELECTION OF PRESIDENT AND VICE PRESIDENT. The electors shall meet in their respective states, and vote by ballot for president and vice president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice president, and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice president, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate; the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them,
before the fourth day of March next following, then the vice president shall act as president, as in the case of the death or other constitutional disability of the president. The person having the greatest number of votes as vice president, shall be the vice president, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of president shall be eligible to that of vice president of the United States.*
*Note: Proposed by congress on December 9, 1803; declared ratified on September 25, 1804; supplemented by Amendment XX.

## AMENDMENT XIII

§ 1 ABOLITION OF SLAVERY. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
§ 2 POWER TO ENFORCE THIS ARTICLE. Congress shall have power to enforce this article by appropriate legislation.*
*Note: Proposed by congress on January 31, 1865; declared ratified on December 18, 1865.

## AMENDMENT XIV

§ 1 CITIZENSHIP RIGHTS NOT TO BE ABRIDGED BY STATES. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
§ 2 APPORTIONMENT OF REPRESENTATIVES IN CONGRESS. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice president of the United States, representatives in congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridges, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.
§ 3 PERSONS DISQUALIFIED FROM HOLDING OFFICE. No person shall be a senator or representative in congress, or elector of president and vice
president, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may by a vote of two-thirds of each house, remove such disability.
§ 4 WHAT PUBLIC DEBTS ARE VALID. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.
§ 5 POWER TO ENFORCE THIS ARTICLE. The congress shall have power to enforce, by appropriate legislation, the provisions of this article.*
*Note: Proposed by congress on June 13, 1866; declared ratified on July 28, 1868.

## AMENDMENT XV

§ 1 NEGRO SUFFRAGE. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.
§ 2 POWER TO ENFORCE THIS ARTICLE. The congress shall have power to enforce this article by appropriate legislation.*
*Note: Proposed by congress on February 26, 1869; declared ratified on March 30, 1870.

## AMENDMENT XVI

AUTHORIZING INCOME TAXES. The congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.*
*Note: Proposed by congress on July 12, 1909; declared ratified on February 25, 1913.

## AMENDMENT XVII

POPULAR ELECTION OF SENATORS. The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, That the legislature of any state may empower the executive thereof to make temporary appointments
until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution.*
*Note: Proposed by congress on May 13, 1912; declared ratified on May 31, 1913.

## AMENDMENT XVIII

§ 1 NATIONAL LIQUOR PROHIBITION. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.
§ 2 POWER TO ENFORCE THIS ARTICLE. The congress and the several states shall have concurrent power to enforce this article by appropriate legislation.
§ 3 RATIFICATION WITHIN SEVEN YEARS. This article shall be inoperative until it shall have been ratified as an amendment to the Constitution by the legislatures of the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the congress.*
*Note: Proposed by congress on December 18, 1917; declared ratified on January 29, 1919. Repealed by Amendment XXI.

## AMENDMENT XIX

WOMAN SUFFRAGE. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Congress shall have power to enforce this article by appropriate legislation.*
*Note: Proposed by congress on June 4, 1919; declared ratified on August 26, 1920.

## AMENDMENT XX

§ 1 TERMS OF OFFICE. The terms of the president and vice president shall end at noon on the 20th day of January, and the terms of senators and representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.
§ 2 TIME OF CONVENING CONGRESS. The congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.
§ 3 DEATH OF PRESIDENT ELECT. If, at the time fixed for the beginning of the term of the president, the president elect shall have died, the vice president elect shall become president. If a president shall not have been chosen before the time fixed for the beginning of his term, or if the president elect shall have failed to qualify, then the vice president elect shall act as president until a president shall have qualified; and the congress may by law provide for the case wherein neither a
president elect nor a vice president elect shall have qualified, declaring who shall then act as president, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a president or vice president shall have qualified.
§ 4 ELECTION OF THE PRESIDENT. The congress may by law provide for the case of the death of any of the persons from whom the house of representatives may choose a president whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the senate may choose a vice president whenever the right of choice shall have devolved upon them.
§ 5 Sections 1 and 2 shall take effect on the 15 th day of October following the ratification of this article.
§ 6 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission.*
*Note: Proposed by congress on March 2, 1932; declared ratified on February 6, 1933.

## AMENDMENT XXI

§ 1 NATIONAL LIQUOR PROHIBITION REPEALED. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.
§ 2 TRANSPORTATION OF LIQUOR INTO "DRY" STATES. The transportation or importation into any states, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.
§ 3 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the congress.*
*Note: Proposed by congress on February 20, 1933; declared ratified on December 5, 1933.

## AMENDMENT XXII

§ 1 TERMS OF OFFICE OF PRESIDENT. No person shall be elected to the office of the president more than twice, and no person who held the office of president, or acted as president, for more than two years of a term to which some other person was elected president, shall be elected to the office of president more than once. But this article shall not apply to any person holding the office of president when this article was proposed by the congress, and shall not prevent any person who may be holding the office of president, or acting as president, during the term within which this article becomes operative from holding the office of president or acting as president during the remainder of such term.
§ 2 WHEN OPERATIVE. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of threefourths of the several states within seven years from the date of its submission to the states by the congress.*

- Note: The certificate of adoption of the 22nd Amendment, dated March 1. 1951, was published in the Federal Register of March 3, 1951.


## AMENDMENT XXIII

§ 1 GRANTING REPRESENTATION IN THE ELECTORAL COLLEGE TO THE DISTRICT OF COLUMBIA. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.
§ 2 LEGISLATION. The Congress shall have power to enforce this article by appropriate legislation.*
*Note: The certificate of adoption of the 23rd Amendment, dated April 3, 1961, is published in Vol. 26 Federal Register, page 2808.

## AMENDMENT XXIV

§ 1 FAILURE TO PAY TAX SHALL NOT DENY RIGHT TO VOTE FOR FEDERAL OFFICES. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.
§ 2 The Congress shall have power to enforce this article by appropriate legislation.*
*Note: The certificate of adoption of the 24th Amendment dated February 4, 1964, is published in Vol. 29 Federal Register, page 1715.

## AMENDMENT XXV

## SUCCESSION TO THE PRESIDENCY AND VICE PRESIDENCY--INABILITY OF PRESIDENT TO DISCHARGE POWERS and duties OF OFFICE

§ 1 In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.
§ 2 Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.
§ 3 Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary. such powers and duties shall be discharged by the Vice President as Acting President.
§ 4 Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.
Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.*
*Note: The certificate of adoption of the 25th Amendment dated February 23, 1967 is published in Vol. 32 Federal Register, page 3287.

## AMENDMENT XXVI

## EXTENDING THE RIGHT TO VOTE TO CITIZENS EIGHTEEN YEARS OF AGE OR OLDER

§ 1 The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.
§ 2 The Congress shall have power to enforce this article by appropriate legislation.*
*Note: The certificate of adoption of the 26th Amendment dated July 5, 1971 is published in Vol. 36, No. 130, Federal Register, page 12726.

## ORGANIC ACT

Reviser's note: The original organic act to establish the territorial government of Washington is set forth herein. Note however that the Inic act was completely revised in the 1873 United States Revised Statutes which was enacted by Congress in 1874. The 1873 United States Revised Statutes contained a construction section (Title 74, section 5596) which has been construed by the United States Supreme Court (Dwight v. Merrit, 140 U.S. 213, 11 S.Ct. 768, 35 U.S. (L. ed.) 45) as abrogating or repealing all prior statutes on the same subject as those revised. As the twenty-one sections of the original organic act were rewritten and combined with the organic acts of other territories the disposition of the original sections into the 1873 United States Revised Statutes cannot be traced with absolute accuracy. A schedule of the disposition of the original organic act sections based on the audit contained in the United States Revised Statutes of 1878, is published herein following section 21 of the organic act.

AN ACT TO ESTABLISH THE TERRITORIAL GOVERNMENT OF WASHINGTON.
(Approved March 2, 1853.) [10 U.S. Statutes at Large, c 90 p 172.]
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, all that portion of Oregon Territory lying and being south of the forty-ninth degree of north latitude, and north of the middle of the main channel of the Columbia River, from its mouth to where the forty-sixth degree of north latitude crosses said river, near Fort Wallawalla, thence with said forty-sixth degree of latitude to the summit of the Rocky Mountains, be organized into and constitute a temporary government by the name of the Territory of Washington: Provided, That nothing in this act contained shall be construed to affect the authority of the government of the United States to make any regulation respecting the Indians of said Territory, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never been passed: Provided further, That the title to the land, not exceeding six hundred and forty acres, now occupied as missionary stations among the Indian tribes in said Territory, or that may have been so occupied as missionary stations prior to the passage of the act establishing the Territorial government of Oregon, together with the improvements thereon, be, and is hereby, confirmed and established to the several religious societies to which said missionary stations respectively belong.
Sec. 2. And be it further enacted, That the executive power and authority in and over said Territory of Washington shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside in said Territory, shall be the commander-in-chief of the militia thereof, shall perform the duties and receive
the emoluments of Superintendent of Indian Affairs; he may grant pardons and remit fines and forfeitures for offenses against the laws of said Territory, and respites for offenses against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, where, by law, such commissions shall be required, and shall take care that the laws be faithfully executed.
Sec. 3. And be it further enacted, That there shall be a Secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his Executive department; he shall transmit one copy of the laws and journals of the Legislative Assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semi-annually, on the first days of January and July in each year, to the President of the United States, and two copies of the laws to the President of the Senate and to the Speaker of the House of Representatives, for the use of Congress. And in case of the death, removal, resignation, or absence of the Governor from the Territory, the Secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or absence, or until another Governor shall be duly appointed and qualified to fill such vacancy.
Sec. 4. And be it further enacted, That the Legislative power and authority of said Territory shall be vested in a Legislative Assembly, which shall consist of a Council and House of Representatives. The Council shall consist of nine members, having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue three years. Immediately after they shall be assembled, in consequence of their first election, they shall be divided as equally as may be into three classes. The seats of the members of Council of the first class, shall be vacated at the expiration of the first year, of the second class at the expiration of the second year, and of the third class at the expiration of the third year, so that one third may be chosen every year; and if vacancies happen, by resignation or otherwise, the same shall be filled at the next ensuing election. The House of Representatives shall, at its first session, consist of eighteen members, possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. The number of representatives may be increased by the Legislative Assembly, from time to
time, in proportion to the increase of qualified voters: Provided. That the whole number shall never exceed thirty. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its qualified voters, as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district or county or counties, for which they may be elected, respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken, by such persons, and in such mode, as the Governor shall designate and appoint; and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner, both as to the persons who shall superintend such election and the returns thereof, as the Governor shall appoint and direct; and he shall at the same time declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act; and the Governor shall, by his proclamation, give at least sixty days' previous notice of such apportionment, and of the time, places, and manner of holding such election. The persons having the highest number of legal votes in each of said council districts for members of the Council shall be declared by the Governor to be duly elected to the Council, and the persons having the highest number of legal votes for the House of Representatives shall be declared by the Governor to be duly elected members of said House: Provided, That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the Legislative Assembly, the Governor shall order a new election; and the persons thus elected to the Legislative Assembly shall meet at such place, and on such day, within ninety days after such elections, as the Governor shall appoint. But thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council and House of Representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular session of the Legislative Assembly: Provided, That no session in any one year shall exceed the term of sixty days, except the first session, which shall not exceed one hundred days.

Sec. 5. And be it further enacted, That every white male inhabitant above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the Legislative Assembly: Provided, That the right of suffrage and of holding office shall be exercised only by citizens of the United States
above the age of twenty-one years, and those above that age who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act: And provided further, That no officer, soldier, seaman, mariner, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote in said Territory, by reason of being on service therein, unless said Territory is, and has been for the period of six months, his permanent domicil: Provided further, That no person belonging to the army or navy of the United States shall ever be elected to or hold any civil office or appointment in said Territory.

Sec. 6. And be it further enacted, That the Legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States. But no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of nonresidents be taxed higher than the lands or other property of residents. All the laws passed by the Legislative Assembly shall be submitted to the Congress of the United States, and, if disapproved, shall be null and of no effect: Provided, That nothing in this act shall be construed to give power to incorporate a bank or any institution with banking powers, or to borrow money in the name of the Territory, or to pledge the faith of the people of the same for any loan whatever, directly or indirectly. No charter granting any privileges of making, issuing, or putting into circulation any notes or bills in the likeness of bank-notes, or any bonds, scrip, drafts, bills of exchange, or obligations, or granting any other banking powers or privileges, shall be passed by the Legislative Assembly; nor shall the establishment of any branch or agency of any such corporation, derived from other authority, be allowed in said Territory; nor shall said Legislative Assembly authorize the issue of any obligation, scrip, or evidence of debt, by said Territory, in any mode or manner whatever, except certificates for service to said Territory. And all such laws, or any law or laws inconsistent with the provisions of this act, shall be utterly null and void. And all taxes shall be equal and uniform; and no distinctions shall be made in the assessments between different kinds of property, but the assessments shall be according to the value thereof. To avoid improper influences, which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in the title.

Sec. 7. And be it further enacted, That all township, district, and county officers not herein otherwise provided for, shall be appointed or elected in such manner as shall be provided by the Legislative Assembly of the Territory of Washington.

SEc. 8. And be it further enacted, That no member of the Legislative Assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected
and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first Legislative Assembly; and no person holding a commission or appointment under the United States shall be a member of the Legislative Assembly, or shall hold any office under the government of said Territory.

Sec. 9. And be it further enacted, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law: Provided, That justices of the peace shall not have jurisdiction of any case in which the title to land shall in any wise come in question, or where the debt or damages claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively shall possess chancery as well as common-law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said district court to the supreme court under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said supreme court, shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit court of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed two thousand dollars, and in all cases where the constitution of the United States, or acts of Congress, or a treaty of the United States, is brought in question; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the constitution of the United States and the laws of said Territory, as is vested in the circuit and district courts of the United States; writs of error and appeal in all such cases shall be made to the supreme court of said Territory the same as in other cases. Writs of error, and appeals from the final decisions of said supreme court, shall be allowed and may be taken to the supreme court of the

United States in the same manner as from the circuit courts of the United States, where the value of the property, or the amount in controversy, shall exceed two thousand dollars, and each of said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and also of all cases arising under the laws of said Territory, and otherwise. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of the Territory of Oregon receive for similar services.

Sec. 10. And be it further enacted, That there shall be appointed an attorney for said Territory, who shall continue in office for four years and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall receive the same fees and salary as is provided by law for the attorney of the United States for the Territory of Oregon. There shall also be a marshal for the Territory appointed, who shall hold his office for four years and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees, as are provided by law for the marshal of the Territory of Oregon, and shall, in addition, be paid the sum of two hundred dollars annually as a compensation for extra services.

Sec. 11. And be it further enacted, That the governor, secretary, chief justice, and associate justices, attorney, and marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge, or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws in force therein, or before the chief justice or some associate justice of the supreme court of the United States, to support the constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person before whom the same shall have been taken; and such certificates shall be received and recorded by the said Secretary among the executive proceedings; and the Chief Justice and Associate Justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted, by the person taking the same, to the Secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified and recorded in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as Governor, and
fifteen hundred dollars as Superintendent of Indian affairs. The Chief Justice, and Associate Justices, shall each receive an annual salary of two thousand dollars. The Secretary shall receive an annual salary of fifteen hundred dollars. The said salaries shall be paid quarterly. from the dates of the respective appointments, at the Treasury of the United States; but no such payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars each for every twenty miles' travel in going to and returning from said sessions, estimated according to the nearest usually traveled route. And a chief clerk, one assistant clerk, a ser-geant-at-arms, and door-keeper, may be chosen for each house; and the chief clerk shall receive five dollars per day, and the said other officers three dollars per day, during the session of the legislative assembly; but no other officers shall be paid by the United States: Provided, That there shall be but one session of the legislative assembly annually, unless, on an extraordinary occasion, the Governor shall deem it expedient and proper to call the legislature together. There shall be appropriated, annually, the sum of fifteen hundred dollars, to be expended by the Governor, to defray the contingent expenses of the Territory, including the salary of a clerk of the executive department; and there shall also be appropriated, annually, a sufficient sum to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the Governor and Secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall, semi-annually, account to the said Secretary for the manner in which the aforesaid sums of money shall have been expended; and no expenditure, to be paid out of money appropriated by Congress, shall be made by said legislative assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

Sec. 12. And be it further enacted, That the laws now in force in said Territory of Washington, by virtue of the legislation of Congress in reference to the Territory of Oregon, which have been enacted and passed subsequent to the first day of September, eighteen hundred and for$t y$-eight, applicable to the said Territory of Washington, together with the legislative enactments of the Territory of Oregon, enacted and passed prior to the passage of, and not inconsistent with, the provisions of this act, and applicable to the said Territory of Washington, be, and they are hereby, continued in force in said Territory of Washington until they shall be repealed or amended by future legislation.

Sec. 13. And be it further enacted, That the legislative assembly of the Territory of Washington shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at
said first session, or as soon thereafter as they shall deem expedient, the legislative assembly shall proceed to locate and establish the seat of government for said Territory, at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by said legislative assembly. And the sum of five thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Washington, to be there applied by the Governor to the erection of suitable buildings at the seat of government.

Sec. 14. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as have been heretofore exercised and enjoyed by the delegates from the several other Territories of the United States to the House of Representatives, but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time, and places, and be conducted in such manner, as the Governor shall appoint and direct; of which, and the time, place, and manner of holding such elections, he shall give at least sixty days' notice by proclamation; and at all subsequent elections the time, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly. The delegate from said Territory shall be entitled to receive the same per diem compensation and mileage at present allowed the delegate from the Territory of Oregon.

Sec. 15. And be it further enacted, That all suits, plaints, process, and proceedings, civil and criminal, at law and in chancery, and all indictments and informations, which shall be pending and undetermined in the courts established within and for said Territory of Oregon, by act of Congress, entitled "An act to establish the territorial government of Oregon," approved August fourteen, one thousand eight hundred and forty-eight, wherein the venue in said cases, suits at law, or in chancery, or criminal proceedings, shall be included within the limits hereinbefore declared and established for the said Territory of Washington; then, and in that case, said actions so pending in the Supreme or Circuit Courts of the Territory of Oregon shall be, by the clerks of said courts, duly certified to the proper courts of said Territory of Washington; and thereupon said causes shall, in all things concerning the same, be proceeded on, and judgments, verdicts, decrees, and sentences rendered thereon, in the same manner as if the said Territory had not been divided. All bonds, recognizances, and obligations of every kind whatsoever, valid, under the existing laws, within the limits of said Territory of Oregon, shall be held valid under this act, and all crimes and misdemeanors against the laws now in force within the said limits of the Territory of Washington may be prosecuted, tried, and punished in the courts established by this
act, and all penalties, forfeitures, actions, and causes of action, may be recovered and enforced, under this act, before the Supreme and Circuit Courts established by this act as aforesaid: Provided, That no right of action whatever shall accrue against any person for any act done in pursuance of any law heretofore passed by the legislative assembly of the Territory of Oregon, and which may be declared contrary to the Constitution or laws of the United States.
Sec. 16. And be it further enacted, That all justices of the peace, constables, sheriffs, and other judicial and ministerial officers, who shall be in office within the limits of said Territory of Washington when this act shall take effect, shall be and they are hereby authorized and required to continue to exercise and perform the duties of their respective offices, as officers of said Territory, until they or others shall be duly elected or appointed, and qualified, to fill their places in the manner herein directed, or until their offices shall be abolished.

Sec. 17. And be it further enacted, That the sum of five thousand dollars be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, to be expended, by and under the direction of the Governor of Washington, in the purchase of a library, to be kept at the seat of government for the use of the Governor, legislative assembly, Judges of the Supreme Court, secretary, marshal, and Attorney of said Territory, and such other persons, and under such regulations, as shall be prescribed by law.
Sec. 18. And be it further enacted, That until otherwise provided for by law, the Governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation, to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem expedient and proper.
Sec. 19. And be it further enacted, That all officers to be appointed by the President, by and with the advice and consent of the Senate, for the Territory of Washington, who, by virtue of the provisions of any law of Congress now existing, or which may be enacted during the present session of Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security at such time and place, and in such manner, as the Secretary of the Treasury may prescribe.

Sec. 20. And be it further enacted, That when the lands in said Territory shall be surveyed under the direction of the Government of the United States preparatory to bringing the same into market or otherwise disposing thereof, sections numbered sixteen and thirtysix in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to common schools in said Territory. And in all cases where said sections sixteen and thirty-six, or either
or any of them, shall be occupied by actual settlers prior to survey thereof, the County Commissioners of the counties in which said sections so occupied as aforesaid are situated, be, and they are hereby, authorized to locate other lands to an equal amount in sections, or fractional sections, as the case may be, within their respective counties, in lieu of said sections so occupied as aforesaid.

Sec. 21. And be it further enacted, That the Territory of Oregon and the Territory of Washington shall have concurrent jurisdiction over all offenses committed on the Columbia River, where said river forms a common boundary between said Territories.

Approved, March 2, 1853. [10 U.S. Statutes at Large, c 90 p 172.]

## Disposition of Organic Act of 1853:

| $\begin{aligned} & \text { Organic Act } \\ & \text { of } 1853 \\ & \text { (10 St. at } \\ & \text { Large 172) } \end{aligned}$ | 1873 Revised Statutes | Repealed by | Placement in United States Code |
| :---: | :---: | :---: | :---: |
| Section 1 | § 1839 |  | T. 48 § 1451 |
|  | § 1840 |  | T. 48 § 1452 |
|  | § 1898 | Repealed by 47 S.L. 1429 | T. 48 § 1453 |
| Section 2 <br> Section 3 | § 1841 |  | T. 48 § 1453 |
|  | § 1843 |  | T. 48 § 1454 |
|  | § 1844 |  | T. 48 § 1455 |
| Section 4 | § 1846 | Repealed by 47 S.L. 1429 and in part 20 S.L. 193 |  |
|  | § 1847 | Repealed by 47 S.L. 1429 and in part 20 S.L. 193 |  |
|  | § 1848 | Repealed by 47 S.L. 1429 and in part 20 S.L. 193 |  |
|  | § 1849 | Repealed by 47 S.L. 1429 and in part 20 S.L. 193 |  |
|  | §1922 | Repealed by 47 S.L. 1429 and in part 20 S.L. 193 |  |
|  | §1923 | Repealed by 47 S.L. 1429 and in part 20 S.L. 193 |  |
| Section 5 | § 1859 | Repealed by 47 S.L. 1429 |  |
| Section 6 | $\S 1860$ $\S 1850$ | Repealed by 47 S.L. 1429 |  |
|  | § 1851 | Repealed by 47 S.L. 1429 |  |
|  | §1924 | Repealed by 47 S.L. 1429 |  |


| Organic Act of 1853 ( 10 St. at Large 172) | 1873 Revised Statutes | Repealed by | Placement in United States Code |
| :---: | :---: | :---: | :---: |
| Section 7 | § 1857 |  | T. 48 § 1458 |
| Section 8 | $\begin{aligned} & \S 1854 \\ & \S 1860 \end{aligned}$ |  | T. 48 § 1460 |
| Section 9 | $\begin{aligned} & \S 1854 \\ & \S 1868 \\ & \S 1864 \end{aligned}$ |  | $\begin{aligned} & \mathrm{T} .48 \S 1460 \mathrm{a} \\ & \mathrm{~T} .48 \S 1463 \\ & \mathrm{~T} .48 \S 1463 \mathrm{a} \end{aligned}$ |
|  | $\begin{aligned} & \S \S 702,1865, \\ & 1866,1867, \\ & 1869,1870 \\ & 1871,1872, \\ & 1883,1907, \\ & 1909,1910, \\ & 1911,1912, \\ & 1926 \end{aligned}$ | Repealed by 47 S.L. 1429 |  |
| Section 10 | $\begin{gathered} \S \S 1875,1876 \\ 1881,1882 \end{gathered}$ | Repealed by 47 S.L. 1429 |  |
| Section 11 | § 1877 | Repealed by 47 S.L. 1429 |  |
|  | § 1878 |  | T. 48 § 1465 |
|  | §1938 | Repealed by 47 S.L. 1429 |  |
|  | §1940 | Repealed by 47 S.L. 1429 |  |
|  | § 1941 | Repealed by 47 S.L. 1429 |  |
| Section 12 | §1852 | Repealed by 47 S.L. 1429 |  |
| Section 13 | § 1885 | Repealed by 47 S.L. 1429 |  |
|  | § 1944 | Repealed by 47 S.L. 1429 |  |
| Section 14 | § 1862 | Repealed by 47 S.L. 1429 |  |
|  | §1863 | Repealed by 47 S.L. 1429 |  |
|  | § 1906 | Repealed by 47 S.L. 1429 |  |
| Section 15 | No record | No record | No record |
| Section 16 | No record | No record | No record |
| Section 17 | §1953 | Repealed by 47 S.L. 1429 |  |
| Section 18 | $\begin{aligned} & \S 1873 \\ & \$ \S 1913,1918 \end{aligned}$ | Repealed by 47 S.L. 1429 | T. 48 § 1453a |
| Section 19 | § 1951 | Repealed by 47 S.L. 1429 |  |
| Section 20 | § 1947 | Repealed by 47 S.L. 1429 |  |
| Section 21 | §1950 | Repealed by 47 S.L. 1429 |  |

## ENABLING ACT

AN ACT to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States.
(Approved February 22, 1889.) [25 U.S. Statutes at Large, c 180 p 676.]
[President's proclamation declaring Washington a state: 26 St. at Large, Proclamations, p 10, Nov. 11, 1889.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the area of the United States now constituting the Territories of Dakota, Montana, and Washington, as at present described, may become the States of North Dakota, South Dakota, Montana, and Washington, respectively, as hereinafter provided.

Sec. 2. The area comprising the Territory of Dakota shall, for the purposes of this act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory; and the delegates elected as hereinafter provided to the constitutional convention in districts north of said parallel shall assemble in convention, at the time prescribed in this act, at the city of Bismarck; and the delegates elected in districts south of said parallel shall, at the same time, assemble in convention at the city of Sioux Falls.
Sec. 3. That all persons who are qualified by the laws of said Territories to vote for representatives to the legislative assemblies thereof, are hereby authorized to vote for and choose delegates to form conventions in said proposed States; and the qualifications for delegates to such conventions shall be such as by the laws of said Territories respectively persons are required to possess to be eligible to the legislative assemblies thereof; and the aforesaid delegates to form said conventions shall be apportioned within the limits of the proposed States, in such districts as may be established as herein provided, in proportion to the population in each of said counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from the best information obtainable, in each of which districts three delegates shall be elected, but no elector shall vote for more than two persons for delegates to such conventions; that said apportionments shall be made by the governor, the chief-justice, and the secretary of said Territories; and the governors of said Territories shall, by proclamation, order an election of the delegates aforesaid in each of said proposed States, to be held on the Tuesday after the second Monday in May, eighteen hundred and eighty-nine, which proclamation shall be issued on the fifteenth day of April, eighteen hundred and eighty-nine;
and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected to such convention issued in the same manner as is prescribed by the laws of the said Territories regulating elections therein for Delegates to Congress; and the number of votes cast for delegates in each precinct shall also be returned. The number of delegates to said conventions respectively shall be seventy-five; and all persons resident in said proposed States, who are qualified voters of said Territories as herein provided, shall be entitled to vote upon the election of delegates, and under such rules and regulations as said conventions may prescribe, not in conflict with this act, upon the ratification or rejection of the constitutions.

Sec. 4. That the delegates to the conventions elected as provided for in this act shall meet at the seat of government of each of said Territories, except the delegates elected in South Dakota, who shall meet at the city of Sioux Falls, on the fourth day of July, eighteen hundred and eighty-nine, and, after organization, shall declare, on behalf of the people of said proposed States, that they adopt the Constitution of the United States; whereupon the said conventions shall be, and are hereby, authorized to form constitutions and States governments for said proposed states, respectively. The constitutions shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said conventions shall provide, by ordinances irrevocable without the consent of the United States and the people of said States:
First. That perfect toleration of religious sentiment shall be secured and that no inhabitant of said States shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting said proposed States do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands belonging to citizens of the United States residing without the said States shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the States on lands or property therein belonging to or which may hereafter be purchased by the United States
or reserved for its use. But nothing herein, or in the ordinances herein provided for, shall preclude the said States from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation; but said ordinances shall provide that all such lands shall be exempt from taxation by said States so long and to such extent as such act of Congress may prescribe.

Third. That the debts and liabilities of said Territories shall be assumed and paid by said States, respectively.

Fourth. That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all the children of said States, and free from sectarian control.

Sec. 5. That the convention which shall assemble at Bismarck shall form a constitution and State government for a State to be known as North Dakota, and the convention which shall assemble at Sioux Falls shall form a constitution and State government for a State to be known as South Dakota: Provided, That at the election for delegates to the constitutional convention in South Dakota, as hereinbefore provided, each elector may have written or printed on his ballot the words "For the Sioux Falls constitution," or the words "Against the Sioux Falls constitution," and the votes on this question shall be returned and canvassed in the same manner as for the election provided for in section three of this act; and if a majority of all votes cast on this question shall be "for the Sioux Falls constitution" it shall be the duty of the convention which may assemble at Sioux Falls, as herein provided, to resubmit to the people of South Dakota, for ratification or rejection at the election hereinafter provided for in this act, the constitution framed at Sioux Falls and adopted November third, eighteen hundred and eighty-five, and also the articles and propositions separately submitted at the election, including the question of locating the temporary seat of government, with such changes only as relate to the name and boundary of the proposed State, to the re-apportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of this act; and if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution irrespective of the articles separately submitted, the State of South Dakota shall be admitted as a State in the Union under said constitution as hereinafter provided; but the archives, records, and books of the Territory of Dakota shall remain at Bismarck, the capital of North Dakota, until an agreement in reference thereto is reached by said States. But if at the election for delegates to the constitutional convention in South Dakota a majority of all the votes cast at that election shall be "against the Sioux Falls constitution", then and in that event it shall be the duty of the convention which will assemble at the city of Sioux Falls on the fourth day of July, eighteen hundred and eighty-
nine, to proceed to form a constitution and State government as provided in this act the same as if that question had not been submitted to a vote of the people of South Dakota.

Sec. 6. It shall be the duty of the constitutional conventions of North Dakota and South Dakota to appoint a joint commission, to be composed of not less than three members of each convention, whose duty it shall be to assemble at Bismarck, the present seat of government of said Territory, and agree upon an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also adjust and agree upon the amount of the debts and Iiabilities of the Territory, which shall be assumed and paid by each of the proposed States of North Dakota and South Dakota; and the agreement reached respecting the Territorial debts and liabilities shall be incorporated in the respective constitutions, and each of said States shall obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States respectively.

Sec. 7. If the constitutions formed for both North Dakota and South Dakota shall be rejected by the people at the elections for the ratification or rejection of their respective constitutions as provided for in this act, the Territorial government of Dakota shall continue in existence the same as if this act had not been passed. But if the constitution formed for either North Dakota or South Dakota shall be rejected by the people, that part of the Territory so rejecting its proposed constitution shall continue under the Territorial government of the present Territory of Dakota, but shall, after the State adopting its constitution is admitted into the Union, be called by the name of the Territory of North Dakota or South Dakota, as the case may be: Provided, That if either of the proposed States provided for in this act shall reject the constitution which may be submitted for ratification or rejection at the election provided therefor, the governor of the Territory in which such proposed constitution was rejected shall issue his proclamation reconvening the delegates elected to the convention which formed such rejected constitution, fixing the time and place at which said delegates shall assemble; and when so assembled they shall proceed to form another constitution or to amend the rejected constitution, and shall submit such new constitution or amended constitution to the people of the proposed State for ratification or rejection, at such time as said convention may determine; and all the provisions of this act, so far as applicable, shall apply to such convention so reassembled and to the constitution which may be formed, its ratification or rejection, and to the admission of the proposed State.

SEc. 8. That the constitutional convention which may assemble in South Dakota shall provide by ordinance for resubmitting the Sioux Falls constitution of eighteen hundred and eighty-five, after having amended the same as provided in section five of this act, to the people of South Dakota for ratification or rejection at an election to be held therein on the first Tuesday in October,
eighteen hundred and eighty-nine; but if said constitutional convention is authorized and required to form a new constitution for South Dakota it shall provide for submitting the same in like manner to the people of South Dakota for ratification or rejection at an election to be held in said proposed State on the said first Tuesday in October. And the constitutional conventions which may assemble in North Dakota, Montana, and Washington shall provide in like manner for submitting the constitutions formed by them to the people of said proposed States, respectively, for ratification or rejection at elections to be held in said proposed States on the said first Tuesday in October. At the elections provided for in this section the qualified voters of said proposed States shall vote directly for or against the proposed constitutions, and for or against any articles or propositions separately submitted. The returns of said elections shall be made to the secretary of each of said Territories, who with the governor and chief-justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast shall be for the constitution the governor shall certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitutions and governments of said proposed States are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the President of the United States to issue his proclamation announcing the result of the election in each, and thereupon the proposed States which have adopted constitutions and formed State governments as herein provided shall be deemed admitted by Congress into the Union under and by virtue of this act on an equal footing with the original States from and after the date of said proclamation.

Sec. 9. That until the next general census, or until otherwise provided by law, said States shall be entitled to one Representative in the House of Representatives of the United States, except South Dakota, which shall be entitled to two; and the Representatives to the fifty-first Congress, together with the governors and other officers provided for in said constitutions, may be elected on the same day of the election for the ratification or rejection of the constitutions; and until said State officers are elected and qualified under the provisions of each constitution and the States, respectively, are admitted into the Union, the Territorial officers shall continue to discharge the duties of their respective offices in each of said Territories.

Sec. 10. That upon the admission of each of said States into the Union sections numbered sixteen and thirty-six in every township of said proposed States, and where such sections, or any parts thereof, have been sold or otherwise disposed of by or under the authority of any act of Congress, other lands equivalent thereto, in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said States for the support of common schools, such indemnity lands to be
selected within said States in such manner as the legislature may provide, with the approval of the Secretary of the Interior: Provided, That the sixteenth and thirtysixth sections embraced in permanent reservations for national purposes shall not, at any time, be subject to the grants nor to the indemnity provisions of this act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to, and become a part of, the public domain.

SEc. 11. That all lands herein granted for educational purposes shall be disposed of only at public sale, and at a price not less than ten dollars per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the legislatures shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company; and such land shall not be subject to pre-emption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

Reviser's note: Section 11 has at various times been amended by Congress as follows:

## (1) August 11, 1921:

AN ACT To amend an Act approved February 22, 1889, entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States," approved February 22, 1889, be, and the same hereby is, amended by adding the following: Provided, however, That the State may, upon such terms as it may prescribe, grant such easements or rights in such lands as may be acquired in, to, or over the lands of private properties through proceedings in eminent domain: And provided further, That any of such granted lands found, after title thereto has vested in the State, to be mineral in character, may be leased for a period not longer than twenty years upon such terms and conditions as the legislature may prescribe. [42 U.S. Statutes at Large, c 61 p 158. Approved, August 11, 1921.]

## (2) May 7, 1932:

AN ACT To amend section 11 of the Act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act approved February 22, 1889 (25 Stat. 676), be, and the same is hereby, amended to read as follows:
"That all lands granted by this Act shall be disposed of only at public sale after advertising-tillable lands capable of producing agricultural crops for not less than $\$ 10$ per acre and lands principally valuable for grazing purposes for not less than $\$ 5$ per acre. Any of the said lands may be exchanged for other lands, public or private, of equal value and as near as may be of equal area, but if any of the said lands are exchanged with the United States such exchange shall be limited to surveyed, nonmineral, unreserved public lands of the United States within the State.
"The said lands may be leased under such regulations as the legislature may prescribe; but leases for grazing and agricultural purposes

## Enabling Act

shall not be for a term longer than five years: mineral leases, including leases for exploration for oil and gas and the extraction thereof, for a term not longer than twenty years; and leases for development of hydroelectric power for a term not longer than fifty years.
"The State may also, upon such terms as it may prescribe, grant such easements or rights in any of the lands granted by this Act, as may be acquired in privately owned lands through proceedings in eminent domain: Provided, however, That none of such lands, nor any estate or interest therein, shall ever be disposed of except in pursuance of general laws providing for such disposition, nor unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, has been paid or safely secured to the State.
"With the exception of the lands granted for public buildings, the proceeds from the sale and other permanent disposition of any of the said lands and from every part thereof, shall constitute permanent funds for the support and maintenance of the public schools and the various State institutions for which the lands have been granted. Rentals on leased lands, interest on deferred payments on lands sold, interest on funds arising from these lands, and all other actual income, shall be available for the maintenance and support of such schools and institutions. Any State may, however, in its discretion, add a portion of the annual income to the permanent funds.
"The lands hereby granted shall not be subject to preemption, homestead entry, or any other entry under the land laws of the United States whether surveyed or unsurveyed, but shall be reserved for the purposes for which they have been granted."

Sec. 2. Anything in the said Act approved February 22, 1889, inconsistent with the provisions of this Act is hereby repealed. [47 U.S. Statutes at Large c 172 p 150 . Approved, May 7, 1932.]

## (3) June 25, 1938:

AN ACT To increase the period for which leases may be made for grazing and agricultural purposes of public lands donated to the States of North Dakota, South Dakota, Montana, and Washington by the Act of February 22, 1889, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the second paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, as reads "but leases for grazing and agricultural purposes shall not be for a term longer than five years", is amended to read as follows: "but leases for grazing and agricultural purposes shall not be for a term longer than ten years ${ }^{\text {n }}$. [ $52 \mathrm{U} . \mathrm{S}$. Statutes at Large c 700 p 1198. Approved, June 25, 1938.]

## (4) April 13, 1948:

AN ACT To authorize the States of Montana, North Dakota, South Dakota, and Washington to lease their State lands for production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, for such terms of years and on such conditions as may be from time to time provided by the legislatures of the respective States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: That the second paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, is amended to read as follows: "Except as otherwise provided herein, the said lands may be leased under such regulations as the legislature may prescribe. Leases for the production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, shall be for such term of years and on such conditions as may be from time to time provided by the legislatures of the respective States; leases for grazing and agricultural purposes shall be for a term not longer than ten years; and leases for development of hydroelectric power shall be for a term not longer than fifty years." [62 U.S. Statutes at Large c 183 p 170. Approved April 13, 1948.]

## (5) June 28, 1952:

AN ACT To authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth paragraph of section 11 of the Act relating to the admission into the

Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended (47 Stat. 151), is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this section, each of the States of North Dakota, South Dakota, and Washington may pool the moneys received by it from oil and gas and other mineral leasing of said lands. The moneys so pooled shall be apportioned among the public schools and the various State institutions in such manner that the public schools and each of such institutions shall receive an amount which bears the same ratio to the total amount apportioned as the number of acres (including any that may have been disposed of) granted for such public schools or for such institutions bears to the total number of acres (including any that may have been disposed of) granted by this Act. Not less than 50 per centum of each such amount shall be covered into the appropriate permanent fund." [66 U.S. Statutes at Large c 480 p 283. Approved June 28, 1952.]

## (6) May 31, 1962:

AN ACT To amend the Act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States and to make donations of public lands to such States ${ }^{n}$, approved February 22,1889 ( 25 Stat. 676, as amended), is amended by inserting before the period at the end of the first sentence in the fourth paragraph of section 11 a comma and the following: "except that proceeds from the sale and other permanent disposition of the two hundred thousand acres granted to the State of Washington for State charitable, educational, penal, and reformatory institutions may be used by such State for the construction of any such institution". [Public Law 87-473. 76 U.S. Statutes at Large p 91. Approved May 31, 1962.]

## (7) June 30, 1967:

AN ACT To authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the fourth paragraph of section 11 of the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States ${ }^{n}$, approved February 22, 1889 ( 25 Stat. 676), as amended, is amended to read as follows: ${ }^{\text {n }}$ Rentals on leased land, proceeds from the sale of timber and other crops, interest on deferred payments on land sold, interest on funds arising from these lands, and all other actual income, shall be available for the acquisition and construction of facilities, including the retirement of bonds authorized by law for such purposes, and for the maintenance and support of such schools and institutions." [Public Law 90-41. 81 U.S. Statutes at Large p 106. Approved June 30, 1967.]

## (8) October 16, 1970:

AN ACT To amend section 11 of the Act approved February 22, 1889 ( 25 Stat. 676) as amended by the Act of May 7, 1932 (47 Stat. 150), and as amended by the Act of April 13, 1948 ( 62 Stat. 170) relating to the admission to the Union of the States of North Dakota, South Dakota, Montana, and Washington, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the first paragraph of section 11 of the Act approved February 22, 1889 ( 25 Stat. 676), as amended by the Act of May 7, 1932 (47 Stat. 150), is hereby amended to read as follows:
"Any of the said lands may be exchanged for other lands, public or private, of equal value and as near as may be of equal area, but if any
of the said lands are exchanged with the of the said lands are exchanged with the United States such exchange shall be limited to Federal lands that are surveyed, nonmineral, unreserved public lands within the State, or are reserved public lands within the State that are subject to exchange under the laws governing the
administration of such Federal reserved administration of such Federal reserved public lands."
and that a new paragraph be added immediately following the above, as follows:
"All exchanges heretofore made under section 11 of the Act approved February 22, 1889 ( 25 Stat. 676), as amended by the Act approved May 7, 1932 (47 Stat. 150), for reserved public lands of the United States that were subject to exchange under law pursuant to which they were being administered and the requirements thereof have been met, are hereby approved to the same extent as though the lands exchanged were unreserved public lands."
and that the present paragraph 2 of section 11 be amended to read as follows:
"The said lands may be leased under such regulations as the legislature may prescribe." [Public Law 91-463. 84 U.S. Statutes at Large p 987. Approved October 16, 1970.]

SEC. 12. That upon the admission of each of said States into the Union, in accordance with the provisions of this act, fifty sections of the unappropriated public lands within said States, to be selected and located in legal subdivisions as provided in section ten of this act, shall be, and are hereby, granted to said States for the purpose of erecting public buildings at the capital of said States for legislative, executive, and judicial purposes.

## Reviser's note: Section 12 has been amended by Congress as follows:

AN ACT To amend section 12 of the Act approved February 22, 1889 (25 Stat. 676) relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, by providing for the use of public lands granted to the States therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvement of public buildings at the capital of said States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22,1889 , is amended to read as follows:
"That upon the admission of each of said States into the Union, in accordance with the provisions of this act, fifty sections of unappropriated public lands within such States, to be selected and located in legal subdivisions as provided in section 10 of this Act, shall be, and are hereby, granted to said States for public buildings at the capital of said States for legislative, executive, and judicial purposes, including construction, reconstruction, repair, renovation, furnishings, equipment, and any other permanent improvement of such buildings and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

Sec. 2. This Act shall take effect as of February 22, 1889. [Public Law 85-6. 71 U.S. Statutes at large p 5. Approved February 26, 1957.]

Sec. 13. That five per centum of the proceeds of the sales of public lands lying within said States which shall be sold by the United States subsequent to the admission of said States into the Union, after deducting all the expenses incident to the same, shall be paid to the said States, to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said States, respectively.
Sec. 14. That the lands granted to the Territories of Dakota and Montana by the act of February eighteenth, eighteen hundred and eighty-one, entitled "An act to grant lands to Dakota, Montana, Arizona, Idaho, and Wyoming for university purposes, ${ }^{\text {" }}$ are hereby vested in the States of South Dakota, North Dakota, and Montana, respectively, if such States are admitted into the Union, as provided in this act, to the extent of the full quantity of seventy-two sections to each of said States, and any portion of said lands that may not have been selected by either of said Territories of Dakota or

Montana may be selected by the respective States aforesaid; but said act of February eighteenth, eighteen hundred and eighty-one, shall be so amended as to provide that none of said lands shall be sold for less than ten dollars per acre, and the proceeds shall constitute a permanent fund to be safely invested and held by said States severally, and the income thereof be used exclusively for university purposes. And such quantity of the lands authorized by the fourth section of the act of July seventeenth, eighteen hundred and fifty-four, to be reserved for university purposes in the Territory of Washington, as, together with the lands confirmed to the vendees of the Territory by the act of March fourteenth, eighteen hundred and sixty-four, will make the full quantity of seventy-two entire sections, are hereby granted in like manner to the State of Washington for the purposes of a university in said State. None of the lands granted in this section shall be sold at less than ten dollars per acre; but said lands may be leased in the same manner as provided in section eleven of this act. The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said States, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university. The section of land granted by the act of June sixteenth, eighteen hundred and eighty, to the Territory of Dakota, for an asylum for the insane shall, upon the admission of said State of South Dakota into the Union, become the property of said State.

Sec. 15. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March second, eighteen hundred and eighty-one, together with the buildings thereon, be, and the same is hereby, granted, together with any unexpended balances of the moneys appropriated therefor by said act, to said State of South Dakota, for the purposes therein designated; and the States of North Dakota and Washington shall, respectively, have like grants for the same purpose, and subject to like terms and conditions as provided in said act of March second, eighteen hundred and eighty-one, for the Territory of Dakota. The penitentiary at Deer Lodge City, Montana, and all lands connected therewith and set apart and reserved therefor, are hereby granted to the State of Montana.

SEc. 16. That ninety thousand acres of land, to be selected and located as provided in section 10 of this act, are hereby granted to each of said States, except to the State of South Dakota, to which one hundred and twenty thousand acres are granted, for the use and support of agricultural colleges in said States, as provided in the acts of Congress making donations of lands for such purpose.

Sec. 17. That in lieu of the grant of land for purposes of internal improvement made to new States by the eighth section of the act of September fourth, eighteen hundred and forty-one, which act is hereby repealed as to the States provided for by this act, and in lieu of any
claim or demand by the said States, or either of them, under the act of September twenty-eighth, eighteen hundred and fifty, and section twenty-four hundred and seventy-nine of the Revised Statutes, making a grant of swamp and overflowed lands to certain States, which grant it is hereby declared is not extended to the States provided for in this act, and in lieu of any grant of saline lands to said States, the following grants of land are hereby made, to wit:

To the State of South Dakota: For the school of mines, forty thousand acres; for the reform school, forty thousand acres; for the deaf and dumb asylum, forty thousand acres; for the agricultural college, forty thousand acres; for the university, forty thousand acres; for State normal schools, eighty thousand acres; for public buildings at the capital of said State, fifty thousand acres, and for such other educational and charitable purposes as the legislature of said State may determine, one hundred and seventy thousand acres; in all five hundred thousand acres.

To the State of North Dakota a like quantity of land as in this section granted to the State of South Dakota, and to be for like purposes, and in like proportion as far as practicable.

To the State of Montana: For the establishment and maintenance of a school of mines, one hundred thousand acres; for State normal schools, one hundred thousand acres; for agricultural colleges, in addition to the grant hereinbefore made for that purpose, fifty thousand acres; for the establishment of a State reform school, fifty thousand acres; for the establishment of a deaf and dumb asylum, fifty thousand acres; for public buildings at the capital of the State, in addition to the grant hereinbefore made for that purpose, one hundred and fifty thousand acres.

To the State of Washington: For the establishment and maintenance of a scientific school, one hundred thousand acres; for State normal schools, one hundred thousand acres; for public buildings at the State capital, in addition to the grant hereinbefore made for that purpose, one hundred thousand acres; for State charitable, educational, penal, and reformatory institutions, two hundred thousand acres.

That the States provided for in this act shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated, and disposed of exclusively for the purposes herein mentioned, in such manner as the legislatures of the respective States may severally provide.

Sec. 18. That all mineral lands shall be exempted from the grants made by this act. But if sections sixteen and thirty-six, or any subdivisions or portion of any smallest subdivision thereof in any township shall be found by the Department of the Interior to be mineral lands, said States are hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said States, in lieu thereof, for the use and the benefit of the common schools of said States.

Sec. 19. That all lands granted in quantity or as indemnity by this act shall be selected, under the direction of the Secretary of the Interior, from the surveyed, unreserved, and unappropriated public lands of the United States within the limits of the respective States entitled thereto. And there shall be deducted from the number of acres of land donated by this act for specific objects to said States the number of acres in each heretofore donated by Congress to said Territories for similar objects.

Sec. 20. That the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to each of said Territories for defraying the expenses of the said conventions, except to Dakota, for which the sum of forty thousand dollars is so appropriated, twenty thousand dollars each for South Dakota and North Dakota, and for the payment of the members thereof, under the same rules and regulations and at the same rates as are now provided by law for the payment of the Territorial legislatures. Any money hereby appropriated not necessary for such purpose shall be covered into the Treasury of the United States.

SEc. 21. That each of said States, when admitted as aforesaid, shall constitute one judicial district, the names thereof to be the same as the names of the States, respectively; and the circuit and district courts therefor shall be held at the capital of such State for the time being, and each of said districts shall, for judicial purposes, until otherwise provided, be attached to the eighth judicial circuit, except Washington and Montana, which shall be attached to the ninth judicial circuit. There shall be appointed for each of said districts one district judge, one United States attorney, and one United States marshal. The judge of each of said districts shall receive a yearly salary of three thousand five hundred dollars, payable in four equal installments, on the first days of January, April, July, and October of each year, and shall reside in the district. There shall be appointed clerks of said courts in each district, who shall keep their offices at the capital of said State. The regular terms of said courts shall be held in each district, at the place aforesaid, on the first Monday in April and the first Monday in November of each year, and only one grand jury and one petit jury shall be summoned in both said circuit and district courts. The circuit and district courts for each of said districts, and the judges thereof, respectively, shall possess the same powers and jurisdiction, and perform the same duties required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations. The Marshal, district attorney, and clerks of the circuit and district courts of each of said districts, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States; and shall, for the services they may perform, receive the fees and compensation allowed by law to other similar officers and persons performing similar duties in the State of Nebraska.

SEC. 22. That all cases of appeal or writ of error heretofore prosecuted and now pending in the Supreme Court of the United States upon any record from the supreme court of either of the Territories mentioned in this act, or that may hereafter lawfully be prosecuted upon any record from either of said courts may be heard and determined by said Supreme Court of the United States. And the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court hereby established within the State succeeding the Territory from which such record is or may be pending, or to the supreme court of such State, as the nature of the case may require: Provided, That the mandate of execution or of further proceedings shall, in cases arising in the Territory of Dakota, be directed by the Supreme Court of the United States to the circuit or district court of the district of South Dakota, or to the supreme court of the State of South Dakota, or to the circuit or district court of the district of North Dakota, or to the supreme court of the State of North Dakota, or to the supreme court of the Territory of North Dakota, as the nature of the case may require. And each of the circuit, district, and State courts, herein named, shall, respectively, be the successor of the supreme court of the Territory, as to all such cases arising within the limits embraced within the jurisdiction of such courts respectively with full power to proceed with the same, and award mesne or final process therein; and that from all judgments and decrees of the supreme court of either of the Territories mentioned in this act, in any case arising within the limits of any of the proposed States prior to admission, the parties to such judgment shall have the same right to prosecute appeals and writs of error to the Supreme Court of the United States as they shall have had by law prior to the admission of said State into the Union.

Sec. 23. That in respect to all cases, proceedings, and matters now pending in the supreme or district courts of either of the Territories mentioned in this act at the time of the admission into the Union of either of the States mentioned in this act, and arising within the limits of any such State, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the saidcircuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and in respect to all other cases, proceedings and matters pending in the supreme or district courts of any of the Territories mentioned in this act at the time of the admission of such Territory into the Union, arising within the limits of said proposed State, the courts established by such State shall, respectively, be the successors of said supreme and district Territorial courts; and all the files, records, indictments, and proceedings relating to any such cases, shall be transferred to such circuit, district, and State courts, respectively, and the same shall be proceeded with therein in due course of law; but no writ, action, indictment, cause or proceeding now pending, or that prior to the admission of any of the States mentioned in this act, shall be pending in any

Territorial court in any of the Territories mentioned in this act, shall abate by the admission of any such State into the Union, but the same shall be transferred and proceeded with in the proper United States circuit, district or State court, as the case may be: Provided, however, That in all civil actions, causes, and proceedings, in which the United States is not a party, transfers shall not be made to the circuit and district courts of the United States, except upon written request of one of the parties to such action or proceeding filed in the proper court; and in the absence of such request such cases shall be proceeded with in the proper State courts.

Sec. 24. That the constitutional conventions may, by ordinance, provide for the election of officers for full State governments, including members of the legislatures and Representatives in the fifty-first Congress; but said State governments shall remain in abeyance until the States shall be admitted into the Union, respectively, as provided in this act. In case the constitution of any of said proposed States shall be ratified by the people, but not otherwise, the legislature thereof may assemble, organize, and elect two senators of the United States; and the governor and secretary of state of such proposed State shall certify the election of the Senators and Representatives in the manner required by law; and when such State is admitted into the Union, the Senators and Representatives shall be entitled to be admitted to seats in Congress, and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the officers of the State governments formed in pursuance of said constitutions, as provided by the constitutional conventions, shall proceed to exercise all the functions of such State officers; and all laws in force made by said Territories, at the time of their admission into the Union, shall be in force in said States, except as modified or changed by this act or by the constitutions of the States, respectively.

Sec. 25. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislatures of said Territories or by Congress, are hereby repealed.
Approved, February 22, 1889. [25 U.S. Statutes at Large, c 180 p 676.1

## THE CONSTITUTION OF THE STATE OF WASHINGTON


#### Abstract

This Constitution was framed by a convention of seventy-five delegates, chosen by the people of the Territory of Washington at an election held May 14, 1889, under section 3 of the Enabling Act. The convention met at Olympia on the fourth day of July, 1889 , and adjourned on the twenty-second day of August, 1889. The Constitution was ratified by the people at an election held on October 1, 1889, and on November 11, 1889, in accordance with section 8 of the Enabling Act, the president of the United States proclaimed the admission of the State of Washington into the Union.


## TABLE OF CONTENTS

(A) Constitution of the State of Washington
(B) Constitutional Amendments (in order of adoption)
(C) Index to State Constitution.

In part (A), for convenience of the reader, the latest constitutional amendments have been integrated with the currently effective original sections of the Constitution with the result that the Constitution is herein presented in its currently amended form.
All current sections, whether original sections or constitutional amendments, are carried in Article and section order and are printed in regular type.
Following each section which has been amended, the original section and intervening amendments (if any) are printed in italics.
Appended to each amendatory section is a history note stating the amendment number and date of its approval as well as the citation to the session law wherein may be found the legislative measure proposing the amendment; e.g. "[AMENDMENT 27, 1951 House Joint Resolution No. 8, p 961. Approved November 4, 1952.]"
In part (B), the constitutional amendments are also printed separately, in order of their adoption.
(A) Constitution of the State of Washington

## PREAMBLE

Article I——DECLARATION OF RIGHTS

## Sections

Political power.
2 Supreme law of the land.
3 Personal rights.
4 Right of petition and assemblage.
5 Freedom of speech.
6 Oaths-Mode of administering.
7 Invasion of private affairs or home prohibited.
8 Irrevocable privilege, franchise or immunity prohibited.
9 Rights of accused persons.

10 Administration of justice.
11 Religious freedom.
12 Special privileges and immunities prohibited.
13 Habeas corpus.
14 Excessive bail, fines and punishments.
15 Convictions, effect of.
16 Eminent domain.
17 Imprisonment for debt.
18 Military power, limitation of.
19 Freedom of elections.
20 Bail, when authorized.
21 Trial by jury.
22 Rights of the accused.
23 Bill of attainder, ex post facto law, etc.
24 Right to bear arms.
25 Prosecution by information.
26 Grand jury.
27 Treason, defined, etc.
28 Hereditary privileges abolished.
29 Constitution mandatory.
30 Rights reserved.
31 Standing army.
32 Fundamental principles.
33 Recall of elective officers.
34 Same.

## Article II-LEGISLATIVE DEPARTMENT

## Sections

1 Legislative powers, where vested.
1 A Initiative and referendum, signatures required.
2 House of representatives and senate.
3 The census.
4 Election of representatives and term of office.
5 Elections, when to be held.
6 Election and term of office of senators.
7 Qualifications of legislators.
8 Judges of their own election and qualificationQuorum.
9 Rules of procedure.
10 Election of officers.
11 Journal, publicity of meetings-Adjournments.
12 Sessions, when-Duration.
13 Limitation on members holding office in the state.
14 Same, federal or other office.
15 Vacancies in legislature and in partisan county elective office.
16 Privileges from arrest.
17 Freedom of debate.
18 Style of laws.

19 Bill to contain one subject.
20 Origin and amendment of bills.
21 Yeas and nays.
22 Passage of bills.
23 Compensation of members.
24 Lotteries and divorce.
25 Extra compensation prohibited.
26 Suits against the state.
27 Elections-V'iva voce vote.
28 Special legislation.
29 Convict labor.
30 Bribery or corrupt solicitation.
31 Laws, when to take effect.
32 Laws, how signed.
33 Alien ownership.
34 Bureau of statistics, agriculture and immigration.
35 Protection of employees.
36 When bills must be introduced.
37 Revision or amendment.
38 Limitation on amendments.
39 Free transportation to public officer prohibited.
40 Highway funds.
41 Laws, effective date. Initiative, referendumAmendment or repeal.
42 Governmental continuity during emergency periods.

## Article III——THE EXECUTIVE

Sections
1 Executive department.
Governor, term of office.
3 Other executive officers, terms of office.
4 Returns of elections, canvass, etc.
5 General duties of governor.
6 Messages.
7 Extra legislative sessions.
8 Commander-in-chief.
9 Pardoning power.
10 Vacancy in office of governor.
11 Remission of fines and forfeitures.
12 Veto power.
13 Vacancy in appointive office.
14 Salary.
15 Commissions, how issued.
16 Lieutenant governor, duties and salary.
17 Secretary of state, duties and salary.
18 Seal.
19 State treasurer, duties and salary.
20 State auditor, duties and salary.
21 Attorney general, duties and salary.
22 Superintendent of public instruction, duties and salary.
23 Commissioner of public lands-Compensation.
24 Records, where kept, etc.
25 Qualifications, compensation, offices which may be abolished.

## Article IV__THE JUDICIARY

## Sections

1 Judicial power, where vested.
2 Supreme court.
2(alemporary performance of judicial duties.

3 Election and terms of supreme judges.
3(aRetirement of supreme court and superior court judges.
4 Jurisdiction.
5 Superior court——Election of judges, terms of, etc.
6 Jurisdiction of superior courts.
7 Exchange of judges-_Judge pro tempore.
8 Absence of judicial officer.
9 Removal of judges, attorney general, etc.
10 Justices of the peace.
11 Courts of record.
12 Inferior courts.
13 Salaries of judicial officers-How paid, etc.
14 Salaries of supreme and superior court judges.
15 Ineligibility of judges.
16 Charging juries.
17 Eligibility of judges.
18 Supreme court reporter.
19 Judges may not practice law.
20 Decisions, when to be made.
21 Publication of opinions.
22 Clerk of the supreme court.
23 Court commissioners.
24 Rules for superior courts.
25 Reports of superior court judges.
26 Clerk of the superior court.
27 Style of process.
28 Oath of judges.
29 Election of superior court judges.
30 Court of appeals.
Article V——IMPEACHMENT

## Sections

1 Impeachment——Power of and procedure.
2 Officers liable to.
3 Removal from office.

## Article VI——ELECTIONS AND ELECTIVE RIGHTS

## Sections

1 Qualifications of electors.
1 A Voter qualifications for presidential elections.
2 School elections-Franchise, how extended.
3 Who disqualified.
4 Residence, contingencies affecting.
5 Voter-When privileged from arrest.
6 Ballot.
7 Registration.
8 Elections, time of holding.
Article VII——REVENUE AND TAXATION
Sections
Taxation.
2 Forty mill limit.
3 Taxation of federal agencies and property.
4 No surrender of power or suspension of tax on corporate property.
5 Taxes, how levied.
6 Taxes, how paid.
7 Annual statement.
8 Tax to cover deficiencies.

9 Special assessments or taxation for local improvements.
10 Retired persons property tax exemption.
11 Taxation based on actual use.

## Article VIII_—STATE, COUNTY AND MUNICIPAL INDEBTEDNESS

## Sections

1 Limitation of state debt.
2 Powers extended in certain cases.
3 Special indebtedness, how authorized.
4 Moneys disbursed only by appropriations.
5 Credit not to be loaned.
6 Limitations upon municipal indebtedness.
7 Credit not to be loaned.
8 Port expenditures-Industrial development-_ Promotion.
9 State building authority.

## Article IX——EDUCATION

## Sections

Preamble.
Public school system.
Funds for support.
Sectarian control or influence prohibited.
5 Loss of permanent fund to become state debt.
Article X——MILITIA

## Sections

1 Who liable to military duty.
2 Organization-Discipline-Officers-_Power to call out.
3 Soldiers' home.
4 Public arms.
5 Privilege from arrest.
6 Exemption from military duty.

## Article XI——COUNTY, CITY AND TOWNSHIP ORGANIZATION

## Sections

1 Existing counties recognized.
2 County seats-Location and removal.
3 New counties.
4 County government and township organization.
5 County government.
6 Vacancies in township, precinct or road district offices.
7 Tenure of office limited to two terms.
8 Salaries and limitations affecting.
9 State taxes not to be released or commuted.
10 Incorporation of municipalities.
11 Police and sanitary regulations.
12 Assessment and collection of taxes in municipalities.
13 Private property, when may be taken for public debt.
14 Private use of public funds prohibited.
15 Deposit of public funds.
16 Combined city-county.

## Article XII——CORPORATIONS OTHER THAN MUNICIPAL

## Sections

1 Corporations, how formed. .
2 Existing charters.
3 Existing charters not to be extended nor forfeiture remitted.
4 Liability of stockholders.
5 Term "corporation," defined——Right to sue and be sued.
6 Limitations upon issuance of stock.
7 Foreign corporations.
8 Alienation of franchise not to release liabilities.
9 State not to loan its credit or subscribe for stock.
10 Eminent domain affecting.
11 Stockholder liability.
12 Receiving deposits by bank after insolvency.
13 Common carriers, regulation of.
14 Prohibition against combinations by carriers.
15 Prohibition against discriminating charges.
16 Prohibition against consolidating of competing lines.
17 Rolling stock, personalty for purpose of taxation.
18 Maximum rates for transportation.
19 Telegraph and telephone companies.
20 Prohibition against free transportation for public officers.
21 Express companies.
22 Monopolies and trusts.

## Article XIII——STATE INSTITUTIONS

## Sections

1 Educational, reformatory and penal institutions.
Article XIV—_SEAT OF GOVERNMENT
Sections
1 State capital, location of.
2 Change of state capital.
3 Restrictions on appropriations for capitol buildings.
Article XV_—HARBORS AND TIDE WATERS

## Sections

1 Harbor line commission and restraint on disposition.
2 Leasing and maintenance of wharves, docks, etc.
3 Extension of streets over tide lands.
Article XVI——SCHOOL AND GRANTED LANDS

## Sections

1 Disposition of.
2 Manner and terms of sale.
3 Limitations on sales.
4 How much may be offered in certain casesPlatting of.
5 Investment of permanent common school fund.

## Article XVII——TIDE LANDS

## Sections

1 Declaration of state ownership.
2 Disclaimer of certain lands.

Article XVIII——STATE SEAL
Sections
1 Seal of the state.

> Article XIX——EXEMPTIONS

Sections
1 Exemptions-Homesteads, etc.

> Article XX——PUBLIC HEALTH AND VITAL STATISTICS

## Sections

1 Board of health and bureau of vital statistics.
2 Regulations concerning medicine, surgery and pharmacy.
Article XXI——WATER AND WATER RIGHTS

## Sections

1 Public use of water

## Article XXII——LEGISLATIVE APPORTIONMENT

Sections
1 Senatorial apportionment.
2 Apportionment of representatives.

## Article XXIII__AMENDMENTS

Sections
1 How made.
2 Constitutional conventions.
3 Submission to the people.

## Article XXIV_—BOUNDARIES

## Sections

1 State boundaries.
Article XXV__JURISDICTION

## Sections

1 Authority of the United States.
Article XXVI——COMPACT WITH THE UNITED STATES
Article XXVII——SCHEDULE

## Sections

1 Existing rights, actions and contracts saved.
2 Laws in force continued.
3 Debts, fines, etc., to inure to the state.
4 Recognizances.
5 Criminal prosecutions and penal actions.
6 Retention of territorial officers.
7 Constitutional officers, when elected.
8 Change of courts-Transfer of causes.
9 Seals of courts and municipalities.
10 Probate court, transfer of.
11 Duties of first legislature.
12 Election contests for superior judges, how decided.
13 Representation in congress.
14 Duration of term of certain officers.

15 Election on adoption of Constitution, how to be conducted.
16 When Constitution to take effect.
17 Separate articles.
18 Ballot.
19 Appropriation.

## Article XXVIII——COMPENSATION OF STATE OFFICERS

## Sections

1 Compensation of state officers.
Article XXIX_-INVESTMENTS OF PUBLIC PENSION AND RETIREMENT FUNDS

Sections
1 May be invested as authorized by law.
Article XXX——COMPENSATION OF PUBLIC

## Sections

1 Authorizing compensation increase during term.
Article XXXI__SEX EQUALITY——RIGHTS
AND RESPONSIBILITY

## Sections

1 Equality not denied because of sex.
2 Enforcement power of legislature.

## PREAMBLE

We, the people of the State of Washington, grateful to the Supreme Ruler of the Universe for our liberties, do ordain this constitution.

## ARTICLE I <br> DECLARATION OF RIGHTS

§ 1 POLITICAL POWER. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.
§ 2 SUPREME LAW OF THE LAND. The Constitution of the United States is the supreme law of the land.
§ 3 PERSONAL RIGHTS. No person shall be deprived of life, liberty, or property, without due process of law.
§ 4 RIGHT OF PETITION AND ASSEMBLAGE. The right of petition and of the people peaceably to assemble for the common good shall never be abridged.
§ 5 FREEDOM OF SPEECH. Every person may freely speak, write and publish on all subjects, being re sponsible for the abuse of that right.
§ 6 OATHS——MODE OF ADMINISTERING. The mode of administering an oath, or affirmation, shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.
§ 7 INVASION OF PRIVATE AFFAIRS OR HOME PROHIBITED. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.
§ 8 IRREVOCABLE PRIVILEGE, FRANCHISE OR IMMUNITY PROHIBITED. No law granting irrevocably any privilege, franchise or immunity, shall be passed by the legislature.
§ 9 RIGHTS OF ACCUSED PERSONS. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.
§ 10 ADMINISTRATION OF JUSTICE. Justice in all cases shall be administered openly, and without unnecessary delay.
§ 11 RELIGIOUS FREEDOM. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment: Provided, however, That this article shall not be so construed as to forbid the employment by the state of a chaplain for such of the state custodial, correctional and mental institutions as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. [AMENDMENT 34, 1957 Senate Joint Resolution No. 14, p 1299. Approved November 4, 1958.]

[^0]his religious belief to affect the weight of his testimony. [AMENDMENT 4, 1903 p 283 § 1. Approved November, 1904.]

Original text-Art. 1 § 11 Religious Freedom-Absolute freedom of conscience in all matters of religious sentiment, belief, and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person, or property, on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for, or applied to any religious worship, exercise or instruction, or the support of any religious establishment. No religious qualification shall be required for any public office, or employment, nor shall any person be incompetent as a witness, or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.
§ 12 SPECIAL PRIVILEGES AND IMMUNITIES PROHIBITED. No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens, or corporations.
§ 13 HABEAS CORPUS. The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion the public safety requires it.
§ 14 EXCESSIVE BAIL, FINES AND PUNISHMENTS. Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.
§ 15 CONVICTIONS, EFFECT OF. No conviction shall work corruption of blood, nor forfeiture of estate.
§ 16 EMINENT DOMAIN. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question and determined as such, without regard to any legislative assertion that the use is public: Provided, That the taking of private property by the state for land reclamation and settlement purposes is hereby declared to be for public use. [AMENDMENT 9, 1919 p 385 § 1. Approved November, 1920.]

Original text——Art. 1 § 16 Eminent Domain_—Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes or ditches on or across the lands of others for agricultural, domestic or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having first been made, or paid into court for the owner, and no right of way shall be appropriated to the use of any corporation other
than municipal, until full compensation therefor be first made in money, or ascertained and paid into the court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.
§ 17 IMPRISONMENT FOR DEBT. There shall be no imprisonment for debt, except in cases of absconding debtors.
§ 18 MILITARY POWER, LIMITATION OF. The military shall be in strict subordination to the civil power.
§ 19 FREEDOM OF ELECTIONS. All Elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.
§ 20 BAIL, WHEN AUTHORIZED. All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses when the proof is evident, or the presumption great.
§ 21 TRIAL BY JURY. The right of trial by jury shall remain inviolate, but the legislature may provide for a jury of any number less than twelve in courts not of record, and for a verdict by nine or more jurors in civil cases in any court of record, and for waiving of the jury in civil cases where the consent of the parties interested is given thereto.
§ 22 RIGHTS OF THE ACCUSED. In criminal prosecutions the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trail by an impartial jury of the county in which the offense is charged to have been committed and the right to appeal in all cases: Provided, The route traversed by any railway coach, train or public conveyance, and the water traversed by any boat shall be criminal districts; and the jurisdiction of all public offenses committed on any such railway car, coach, train, boat or other public conveyance, or at any station or depot upon such route, shall be in any county through which the said car, coach, train, boat or other public conveyance may pass during the trip or voyage, or in which the trip or voyage may begin or terminate. In no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed. [AMENDMENT 10, 1921 p 79 § 1. Approved November, 1922.]

Original text-Art. 1 § 22 Rights of Accused Persons-In criminal prosecution, the accused shall have the right to appear and defend in person, and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to
have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, and the right to appeal in all cases, and, in no instance, shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.
§ 23 BILL OF ATTAINDER, EX POST FACTO LAW, ETC. No bill of attainder, ex post facto law, or law impairing the obligations of contracts shall ever be passed.
§ 24 RIGHT TO BEAR ARMS. The right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.
§ 25 PROSECUTION BY INFORMATION. Offenses heretofore required to be prosecuted by indictment may be prosecuted by information, or by indictment, as shall be prescribed by law.
§ 26 GRAND JURY. No grand jury shall be drawn or summoned in any county, except the superior judge thereof shall so order.
§ 27 TREASON, DEFINED, ETC. Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.
§ 28 HEREDITARY PRIVILEGES ABOLISHED. No hereditary emoluments, privileges, or powers, shall be granted or conferred in this state.
§ 29 CONSTITUTION MANDATORY. The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.
§ 30 RIGHTS RESERVED. The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.
§ 31 STANDING ARMY. No standing army shall be kept up by this state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.
§ 32 FUNDAMENTAL PRINCIPLES. A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

## § 33 RECALL OF ELECTIVE OFFICERS. Every

 elective public officer of the state of Washington expect [except] judges of courts of record is subject to recall and discharge by the legal voters of the state, or of the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts ofmalfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof, hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election, is filed with the officer with whom a petition for nomination, or certificate for nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided. [AMENDMENT 8, 1911 p 504 § 1. Approved November, 1912.]
§ 34 SAME. The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: Provided, That the authority hereby conferred upon the legislature shall not be construed to giant to the legislature any exclusive power of lawmaking nor in any way limit the initiative and referendum powers reserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class, school district boards in cities of the first class; county officers of counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein mentioned, and state senators and representatives, thirty-five per cent. [AMENDMENT 8, 1911 p 504 § 1. Approved November, 1912.

## ARTICLE II LEGISLATIVE DEPARTMENT

§ 1 LEGISLATIVE POWERS, WHERE VESTED. The legislative authority of the state of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the state of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any bill, act or law passed by the legislature.
(a) Initiative: The first power reserved by the people is the initiative. Ten per centum, but in no case more than fifty thousand, of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. [Note: Signature requirements superseded by Art. 2 Sec. 1(A), AMENDMENT 30.] Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he
shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measures shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.
(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted. Six per centum, but in no case more than thirty thousand, of the legal voters shall be required to sign and make a valid referendum petition. [Note: Signature requirements superseded by Art. 2 Sec. 1(A), AMENDMENT 30.]
(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill appröved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon. [Note: Subsection (c) is expressly superseded by Art. 2 Sec. 41, AMENDMENT 26.]
(d) The filing of a referendum petition against one or more items, sections or parts of any act, law or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filled with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures
initiated by or referred to the people. All elections on measures referred to the people of the state shall be had at the biennial regular elections, except when the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: Provided, That the vote cast upon such question or measure shall equal one-third of the total votes cast at such election and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any member of the legislature of the right to introduce any measure. The whole number of electors who voted for governor at the regular gubernatorial election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. [Note: Cf. Art. 2 Sec. 1(A), AMENDMENT 30.] All such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon. [Note: This paragraph is expressly superseded by subsection (e) of this section, which was added by AMENDMENT 36.]
(e) The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred. The secretary of state shall send one copy of publication to each individual place of residence in the state and shall make such additional distribution as he shall determine necessary to reasonably assure that each voter will have an opportunity to study the measures prior to election. These provisions supersede the provisions set forth in the last paragraph of section 1 of this article as amended by the seventh amendment to the Constitution of this state. [AMENDMENT 7, 1911 p 136 § 1. Approved November, 1912; Subsection (e) added by AMENDMENT 36, 1961 Senate Joint Resolution No. 9, p 2751. Approved November, 1962.]

> Original text-Art. 2, § 1. Legislative Powers, Where Vest-ED-The legislative powers shall be vested in a senate and house of representatives, which shall be called the legislature of the State of Washington.

Note: Art. 2, Sec. 31 was also stricken by AMENDMENT 7.
§ 1 A INITIATIVE AND REFERENDUM, SIGNATURES REQLIRED. Hereafter, the number of valid signatures of legal voters required upon a petition for an initiative measure shall be equal to eight percentum of
the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. Hereafter, the number of valid signatures of legal voters required upon a petition for a referendum of an act of the legislature or any part thereof, shall be equal to four percentum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. These provisions supersede the requirements specified in section 1 of this article as amended by the seventh amendment to the Constitution of this state. [AMENDMENT 30, 1955 Senate Joint Resolution No. 4, p 1860. Approved November, 1956.]
§ 2 HOUSE OF REPRESENTATIVES AND SENATE. The house of representatives shall be composed of not less than sixty-three nor more than ninety-nine members. The number of senators shall not be more than one-half nor less than one-third of the number of members of the house of representatives. The first legislature shall be composed of seventy members of the house of representatives, and thirty-five senators.
§ 3 THE CENSUS. The legislature shall provide by law for an enumeration of the inhabitants of the state in the year one thousand eight hundred and ninety-five and every ten years thereafter; and at the first session after such enumeration, and also after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and house of representatives, according to the number of inhabitants, excluding Indians not taxed, soldiers, sailors and officers of the United States army and navy in active service.

## § 4 ELECTION OF REPRESENTATIVES AND

 TERM OF OFFICE. Members of the house of representatives shall be elected in the year eighteen hundred and eighty-nine at the time and in the manner provided by this Constitution, and shall hold their offices for the term of one year and until their successors shall be elected.§ 5 ELECTIONS, WHEN TO BE HELD. The next election of the members of the house of representatives after the adoption of this Constitution shall be on the first Tuesday after the first Monday of November, eighteen hundred and ninety, and thereafter, members of the house of representatives shall be elected biennially and their term of office shall be two years; and each election shall be on the first Tuesday after the first Monday in November, unless otherwise changed by law.
§ 6 ELECTION AND TERM OF OFFICE OF SENATORS. After the first election the senators shall be elected by single districts of convenient and contiguous territory, at the same time and in the same manner as members of the house of representatives are required to be elected; and no representative district shall be divided in the formation of a senatorial district. They shall be elected for the term of four years, one-half of their number retiring every two years. The senatorial districts
shall be numbered consecutively, and the senators chosen at the first election had by virtue of this Constitution, in odd numbered districts, shall go out of office at the end of the first year; and the senators, elected in the even numbered districts, shall go out of office at the end of the third year.
§ 7 QUALIFICATIONS OF LEGISLATORS. No person shall be eligible to the legislature who shall not be a citizen of the United States and a qualified voter in the district for which he is chosen.
§ 8 JUDGES OF THEIR OWN ELECTION AND QUALIFICATION--QUORUM. Each house shall be the judge of the election, returns and qualifications of its own members, and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day and may compel the attendance of absent members, in such manner and under such penalties as each house may provide.

## Governmental continuity during emergency periods: Art. 2 § 42.

§ 9 RULES OF PROCEDURE. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be expelled a second time for the same offense.
§ 10 ELECTION OF OFFICERS. Each house shall elect its own officers; and when the lieutenant governor shall not attend as president, or shall act as governor, the senate shall choose a temporary president. When presiding, the lieutenant governor shall have the deciding vote in case of an equal division of the senate.
§ 11 JOURNAL, PUBLICITY OF MEET-INGS--ADJOURNMENTS. Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other.
§ 12 SESSIONS, WHEN-—DURATION. The first legislature shall meet on the first Wednesday after the first Monday in November, A. D., 1889. The second legislature shall meet on the first Wednesday after the first Monday in January, A. D., 1891, and sessions of the legislature shall be held biennially thereafter, unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the sessions shall not be more than sixty days.

## Extraordinary sessions to reconsider vetos: Art. 3 \& 12.

Sessions to convene on the second Monday in January: RCW 44.04.010.
§ 13 LIMITATION ON MEMBERS HOLDING OFFICE IN THE STATE. No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.
§ 14 SAME, FEDERAL OR OTHER OFFICE. No person, being a member of congress, or holding any civil or military office under the United States or any other power, shall be eligible to be a member of the legislature; and if any person after his election as a member of the legislature, shall be elected to congress or be appointed to any other office, civil or military, under the government of the United States, or any other power, his acceptance thereof shall vacate his seat, provided, that officers in the militia of the state who receive no annual salary, local officers and postmasters, whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.
§ 15 VACANCIES IN LEGISLATURE AND IN PARTISAN COUNTY ELECTIVE OFFICE. Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: Provided, That the person appointed to fill the vacancy must be from the same legislative district, county or county commissioner district and the same political party as the legislator or partisan county elective officer whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district, county or county commissioner district and of the same political party as the legislator or partisan county elective officer whose office has been vacated, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. [AMENDMENT 52,
part. 1967 Senate Joint Resolution No. 24, part. Approved November 5, 1968.]

Governmental continuity during emergency periods: Art. 2 § 42. Vacancies in county, etc., offices, how filled: Art. 11 § 6.

Amendment 32 (1956)_-Art. $2 \S 15$ Vacancies in Legislature and in Partisan County Elective Office. Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: Provided, That the person appointed to fill the vacancy must be from the same legislative district and the same political party as the legislator whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. [AMENDMENT 32, 1955 Senate Joint Resolution No. 14, p 1862. Approved November, 1956.]

Amendment 13 (1930)——Art. 2 § 15 Vacancies in Legisla-tURE-Such vacancies as may occur in either house of the legislature shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in the office of joint senator, the vacancy shall be filled by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial district. [AMENDMENT 13, 1929 p 690. Approved November, 1930.]

Original text-Art. $2 \S 15 W_{\text {rits of }}$ Election to Fill Vacan-CIEs-The governor shall issue writs of election to fill such vacancies as may occur in either house of the legislature.
§ 16 PRIVILEGES FROM ARREST. Members of the legislature shall be privileged from arrest in all cases except treason, felony and breach of the peace; they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.
§ 17 FREEDOM OF DEBATE. No member of the legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate.
§ 18 STYLE OF LAWS. The style of the laws of the state shall be: "Be it enacted by the Legislature of the State of Washington." And no laws shall be enacted except by bill.
§ 19 BILL TO CONTAIN ONE SUBJECT. No bill shall embrace more than one subject, and that shall be expressed in the title.
§ 20 ORIGIN AND AMENDMENT OF BILLS. Any bill may originate in either house of the legislature, and a bill passed by one house may be amended in the other.
§ 21 YEAS AND NAYS. The yeas and nays of the members of either house shall be entered on the journal, on the demand of one-sixth of the members present.
§ 22 PASSAGE OF BILLS. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor.

## Governmental continuity during emergency periods: Art. $2 \S 42$.

§ 23 COMPENSATION OF MEMBERS. Each member of the legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route.
Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
§ 24 LOTTERIES AND DIVORCE. The legislature shall never grant any divorce. Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon. [AMENDMENT 56, 1971 Senate Joint Resolution No. 5, p 1828. Approved November 7, 1972.]

Original text-Art. 2, § 24. Lotteries and Divorce-The legislature shall never authorize any lottery or grant any divorce.
§ 25 EXTRA COMPENSATION PROHIBITED. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office. Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted. [AMENDMENT 35, 1957 Senate Joint Resolution No. 18, p 1301. Approved November, 1958.]

## Compensation of state officers: Art. 28.

Increase during term of certain officers, authorized: Art. $30 \$ 1$.
Increase or diminution of compensation during term of office prohibited.
county, city, town or municipal officers: Art. 11 § 8.
judicial officers: Art. 4 § 13.
state officers: Art. 3 § 25.
Original text_Art. 2 \& 25 Extra Compensation, Prohibi-ted-The legislature shall never grant any extra compensation to any public officer, agent, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office.
§ 26 SUITS AGAINST THE STATE. The legislature shall direct by law, in what manner, and in what courts, suits may be brought against the state.
§ 27 ELECTIONS——VIVA VOCE VOTE. In all elections by the legislature the members shall vote viva voce, and their votes shall be entered on the journal.
§ 28 SPECIAL LEGISLATION. The legislature is prohibited from enacting any private or special laws in the following cases:

1. For changing the names of persons, or constituting one person the heir at law of another.
2. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands shall have been or may be granted by congress.
3. For authorizing persons to keep ferries wholly within this state.
4. For authorizing the sale or mortgage of real or personal property of minors, or others under disability.
5. For assessment or collection of taxes, or for extending the time for collection thereof.
6. For granting corporate powers or privileges.
7. For authorizing the apportionment of any part of the school fund.
8. For incorporating any town or village or to amend the charter thereof.
9. From giving effect to invalid deeds, wills or other instruments.
10. Releasing or extinguishing in whole or in part, the indebtedness, liability or other obligation, of any person, or corporation to this state, or to any municipal corporation therein.
11. Declaring any person of age or authorizing any minor to sell, lease, or encumber his or her property.
12. Legalizing, except as against the state, the unauthorized or invalid act of any officer.
13. Regulating the rates of interest on money.
14. Remitting fines, penalties or forfeitures.
15. Providing for the management of common schools.
16. Authorizing the adoption of children.
17. For limitation of civil or criminal actions.
18. Changing county lines, locating or changing county seats, provided, this shall not be construed to apply to the creation of new counties.
Corporations for municipal purposes shall not be created by special laws: Art. 11 § 10.
§ 29 CONVICT LABOR. After the first day of January eighteen hundred and ninety the labor of convicts of this state shall not be let out by contract to any person, copartnership, company or corporation, and the legislature shall by law provide for the working of convicts for the benefit of the state.
§ 30 BRIBERY OR CORRUPT SOLICITATION. The offense of corrupt solicitation of members of the legislature, or of public officers of the state or any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged
with having committed the offense of bribery or corrupt solicitation, or practice of solicitation, and shall not be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used against him in any judicial proceeding-except for perjury in giving such testimony-and any person convicted of either of the offenses aforesaid, shall as part of the punishment therefor, be disqualified from ever holding any position of honor, trust or profit in this state. A member who has a private interest in any bill or measure proposed or pending before the legislature, shall disclose the fact to the house of which he is a member, and shall not vote thereon.
§ 31 LAWS, WHEN TO TAKE EFFECT. (This section stricken by AMENDMENT 7, see Art. 2 §§ 1 and 41.)

> Original text-Art. $2 \S 31$ Laws, WHEN to TAKE EfFECT-No law, except appropriation bills, shall take effect until ninety days after the adjournment of the session at which it was enacted, unless in case of an emergency (which emergency must be expressed in the preamble or in the body of the act) the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered on the journals.
§ 32 LAWS, HOW SIGNED. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session, and under such rules as the legislature shall prescribe.
§ 33 ALIEN OWNERSHIP. [This section repealed by AMENDMENT 42, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

[^1]Amendment 24 (1950)——Art. 2 § 33 Alien Ownership-The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts, and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibition. [AMENDMENT 24, 1949 Senate Joint Resolution No. 9, p 999. Approved November, 1950.]

Original text-Art. 2 § 33 Ownership of Lands by Aliens, Prohibited-Exceptions-The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly or in trust for such alien shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, caal, or fire-clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered on alien for the purposes of this prohibition.
§ 34 BUREAU OF STATISTICS, AGRICULTURE AND IMMIGRATION. There shall be established in the office of the secretary of state, a bureau of statistics, agriculture and immigration, under such regulations as the legislature may provide.
§ 35 PROTECTION OF EMPLOYEES. The legislature shall pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life or deleterious to health; and fix pains and penalties for the enforcement of the same.
§ 36 WHEN BILLS MUST BE INTRODUCED. No bill shall be considered in either house unless the time of its introduction shall have been at least ten days before the final adjournment of the legislature, unless the legislature shall otherwise direct by a vote of twothirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.
§ 37 REVISION OR AMENDMENT. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.
§ 38 LIMITATION ON AMENDMENTS. No amendment to any bill shall be allowed which shall change the scope and object of the bill.
§ 39 FREE TRANSPORTATION TO PUBLIC OFFICER PROHIBITED. It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.
§ 40 HIGHWAY FUNDS. All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes, shall be paid into the state treasury and placed in a special fund to be used exclusively for highway purposes. Such highway purposes shall be construed to include the following:
(a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;
(b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets; including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3) policing by the state of public highways, (4) operation of movable span bridges, (5) operation of ferries which are a part of any public highway, county road, or city street;
(c) The payment or refunding of any obligation of the State of Washington, or any political subdivision thereof, for which any of the revenues described in section 1 may have been legally pledged prior to the effective date of this act;
(d) Refunds authorized by law for taxes paid on motor vehicle fuels;
(e) The cost of collection of any revenues described in this section:

Provided, That this section shall not be construed to include revenue from general or special taxes or excises not levied primarily for highway purposes, or apply to vehicle operator's license fees or any excise tax imposed on motor vehicles or the use thereof in lieu of a property tax thereon, or fees for certificates of ownership of motor vehicles. [AMENDMENT 18, 1943 House Joint Resolution No. 4, p 938. Approved November, 1944.]

## § 41 LAWS, EFFECTIVE DATE, INITIATIVE,

 REFERENDUM--AMENDMENT OR REPEAL. No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: Provided, That any such act, law or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon. These provisions supersede the provisions of subsection (c) of section 1 of this article as amended by the seventh amendment to the Constitution of this state. [AMENDMENT 26, 1951 Substitute Senate Joint Resolution No. 7, p 959. Approved November 4, 1952.]Reviser's note: In third sentence, comma between "general" and "regular" omitted in conformity with enrolled resolution.

## § 42 GOVERNMENTAL CONTINUITY DURING

 EMERGENCY PERIODS. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack, shall have the power and the duty, immediately upon and after adoption of this amendment, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents and legal successors ofwhich may become unavailable for carrying on the powers and duties of such offices; the legislature shall likewise enact such other measures as may be necessary and proper for insuring the continuity of governmental operations during such emergencies. Legislation enacted under the powers conferred by this amendment shall in all respects conform to the remainder of the Constitution: Provided, That if, in the judgment of the legislature at the time of disaster, conformance to the provisions of the Constitution would be impracticable or would admit of undue delay, such legislation may depart during the period of emergency caused by enemy attack only, from the following sections of the Constitution.
Article 14, Sections 1 and 2, Seat of Government;
Article 2, Sections 8, 15 (Amendments 13 and 32), and 22, Membership, Quorum of Legislature and Passage of Bills;
Article 3, Section 10 (Amendment 6), Succession to Governorship: Provided, That the legislature shall not depart from Section 10, Article III, as amended by Amendment 6 of the state Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed;

Article 3, Section 13, Vacancies in State Offices;
Article 11, Section 6, Vacancies in County Office;
Article 11, Section 2, Seat of County Government;
Article 3, Section 24, State Records. [AMENDMENT 39, 1961 House Joint Resolution No. 9, p 2758. Approved November, 1962.]
Continuity of government act: Chapter 42.14 RCW.

## ARTICLE III THE EXECUTIVE

§ 1 EXECUTIVE DEPARTMENT. The executive department shall consist of a governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and a commissioner of public lands, who shall be severally chosen by the qualified electors of the state at the same time and place of voting as for the members of the legislature.
§ 2 GOVERNOR, TERM OF OFFICE. The supreme executive power of this state shall be vested in a governor, who shall hold his office for a term of four years, and until his successor is elected and qualified.

## § 3 OTHER EXECUTIVE OFFICERS, TERMS

 OF OFFICE. The lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and commissioner of public lands, shall hold their offices for four years respectively, and until their successors are elected and qualified.§ 4 RETURNS OF ELECTIONS, CANVASS, ETC. The returns of every election for the officers named in the first section of this article shall be sealed up and transmitted to the seat of government by the returning
officers, directed to the secretary of state, who shall deliver the same to the speaker of the house of representatives at the first meeting of the house thereafter, who shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses; but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses. Contested elections for such officers shall be decided by the legislature in such manner as shall be determined by law. The terms of all officers named in section one of this article shall commence on the second Monday in January after their election until otherwise provided by law.
§ 5 GENERAL DUTIES OF GOVERNOR. The governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.
§ 6 MESSAGES. He shall communicate at every session by message to the legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.
§ 7 EXTRA LEGISLATIVE SESSIONS. He may, on extraordinary occasions, convene the legislature by proclamation, in which shall be stated the purposes for which the legislature is convened.

## Extraordinary sessions to reconsider vetoes: Art. 3 \& 12.

§ 8 COMMANDER-IN-CHIEF. He shall be com-mander-in-chief of the military in the state except when they shall be called into the service of the United States.
§ 9 PARDONING POWER. The pardoning power shall be vested in the governor under such regulations and restrictions as may be prescribed by law.
§ 10 VACANCY IN OFFICE OF GOVERNOR. In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor; and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of the governor shall devolve upon the secretary of state. In addition to the line of succession to the office and duties of governor as hereinabove indicated, if the necessity shall arise, in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor and in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. In case of the death, disability, failure or refusal of the person regularly elected to the office of governor to qualify at the time provided by law, the duties of the office shall devolve upon the person regularly elected to and qualified for the office of lieutenant governor, who shall act as governor until the disability be removed, or a governor be elected; and in case of the death, disability,
failure or refusal of both the governor and the lieutenant governor elect to qualify, the duties of the governor shall devolve upon the secretary of state; and in addition to the line of succession to the office and duties of governor as hereinabove indicated. if there shall be the failure or refusal of any officer named above to qualify, and if the necessity shall arise by reason thereof, then in that event in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor in the order named, viz: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. Any person succeeding to the office of governor as in this section provided, shall perform the duties of such office only until the disability be removed, or a governor be elected and qualified; and if a vacancy occur more than thirty days before the next general election occurring within two years after the commencement of the term, a person shall be elected at such election to fill the office of governor for the remainder of the unexpired term. [AMENDMENT 6, 1909 p 642 § 1. Approved November, 1910.]

## Governmental continuity during emergency periods: Art. 2 § 42.

Original text-_Art. 3 § 10 Vacancy In_-In case of the removal, resignation, death, or disability of the governor, the duties of the office shall devolve upon the lieutenant governor, and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of governor shall devolve upon the secretary of state, who shall act as governor until the disability be removed or a governor elected.
§ 11 REMISSION OF FINES AND FORFEITURES. The governor shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same, and also the names of all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted and the reasons for the remission.
§ 12 Veto powers. Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall be presented to him, it shall be come a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor, within twenty days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of secretary of state,
who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor: Provided, That within forty-five days next after the adjournment, Sundays excepted, the legislature may, upon petition by a two-thirds majority or more of the membership of each house, reconvene in extraordinary session, not to exceed five days duration, solely to reconsider any bills vetoed. If any bill presented to the governor contain several sections or appropriation items, he may object to one or more sections or appropriation items while approving other portions of the bill: Provided, That he may not object to less than an entire section, except that if the section contain one or more appropriation items he may object to any such appropriation item or items. In case of objection he shall append to the bill, at the time of signing it, a statement of the section or sections, appropriation item or items to which he objects and the reasons therefor; and the section or sections, appropriation item or items so objected to shall not take effect unless passed over the governor's objection, as hereinbefore provided. The provisions of Article II, section 12 insofar as they are inconsistent herewith are hereby repealed. [AMENDMENT 62, 1974 Senate Joint Resolution No. 140. Approved November 5, 1974.]

Veto power withheld from initiated and referred measures: Art. 2 \& 1.
Original text-Art. $3 \S 12$ Veto power-_Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, twothirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor, within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor. If any bill presented to the governor contain several sections or items, he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section, or sections, item or items to which he objects and the reasons therefor, and the section or sections, item or items so objected to, shall not take effect unless passed over the governor's objection, as hereinbefore provided.

Veto power does not extend to initiated or referred measures: Art. 2 § 1(d).

## § 13 VACANCY IN APPOINTIVE OFFICE.

 When, during a recess of the legislature, a vacancy shall happen in any office, the appointment to which is vested in the legislature, or when at any time a vacancy shal have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this Constitution, the governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.[^2]Governmental continuity during emergency periods: Art. 2 § 42.
§ 14 SALARY. The governor shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum.

Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
§ 15 COMMISSIONS, HOW ISSUED. All commissions shall issue in the name of the state, shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.
§ 16 LIEUTENANT GOVERNOR, DUTIES AND SALARY. The lieutenant governor shall be presiding officer of the state senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
§ 17 SECRETARY OF STATE, DUTIES AND SALARY. The secretary of state shall keep a record of the official acts of the legislature, and executive department of the state, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.
Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
$\S 18$ SEAL. There shall be a seal of the state kept by the secretary of state for official purposes, which shall be called, "The Seal of the State of Washington."
Design of the Seal: Art. 18 § 1 .
State seal: RCW 1.20.080.
§ 19 STATE TREASURER, DUTIES AND SALARY. The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed four thousand dollars per annum.
Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
§ 20 STATE AUDITOR, DUTIES AND SALARY. The auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.
Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
§ 21 ATTORNEY GENERAL, DUTIES AND SALARY. The attorney general shall be the legal adviser of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed thirty-five hundred dollars per annum.

Compensation of state officers: Art. 28 § 1, Art. 30.
Salaries of elective state officers: RCW 43.03.010.
§ 22 SUPERINTENDENT OF PUBLIC INSTRUCTION, DUTIES AND SALARY. The superintendent of public instruction shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum.

## Compensation of state officers: Art. 28 § 1, Art. 30. <br> Salaries of elective state officers: RCW 43.03.010.

## § 23 COMMISSIONER OF PUBLIC LANDS——

 COMPENSATION. The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct.§ 24 RECORDS, WHERE KEPT, ETC. The governor, secretary of state, treasurer, auditor, superintendent of public instruction, commissioner of public lands and attorney general shall severally keep the public records, books and papers relating to their respective offices, at the seat of government, at which place also the governor, secretary of state, treasurer and auditor shall reside.
Governmental continuity during emergency periods: Art. 2 § 42.
§ 25 QUALIFICATIONS, COMPENSATION, OFFICES WHICH MAY BE ABOLISHED. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands. [AMENDMENT 31, 1955 Senate Joint Resolution No. 6, p 1861. Approved November, 1956.]

Authorizing compensation increase during term: Art. 30 § 1.
Increase or diminution of compensation during term of office prohibited.
county, city, town or municipal officers: Art. 11 § 8. judicial officers: Art. 4 § 13.
public officers: Art. 2 § 25.
Original text-Art. 3 § 25 Qualifications-No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office, and the state treasurer shall be ineligible for the term succoeding that for which he was elected. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands.

# ARTICLE IV THE JUDICIARY 

§ 1 JUDICIAL POWER, WHERE VESTED. The judicial power of the state shall be vested in a supreme court, superior courts, justices of the peace, and such inferior courts as the legislature may provide.
Court of appeals: Art. 4 § 29.
§ 2 SUPREME COURT. The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum, and pronounce a decision. The said court shall always be open for the transaction of business except on nonjudicial days. In the determination of causes all decisions of the court shall be given in writing and the grounds of the decision shall be stated. The legislature may increase the number of judges of the supreme court from time to time and may provide for separate departments of said court.
§ $2(\mathrm{a})$ TEMPORARY PERFORMANCE OF JUDICIAL DUTIES. When necessary for the prompt and orderly administration of justice a majority of the Supreme Court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the Supreme Court, and to authorize any superior court judge to perform judicial duties in any superior court of this state. (AMENDMENT 38, 1961 House Joint Resolution No. 6, p 2757. Approved November, 1962.]

## § 3 ELECTION AND TERMS OF SUPREME

 JUDGES. The judges of the supreme court shall be elected by the qualified electors of the state at large at the general state election at the times and places at which state officers are elected, unless some other time be provided by the legislature. The first election of judges of the supreme court shall be at the election which shall be held upon the adoption of this Constitution and the judges elected thereat shall be classified by lot, so that two shall hold their office for the term of three years, two for the term of five years, and one for the term of seven years. The lot shall be drawn by the judges who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the secretary of state, and filed in his office. The judge having the shortest term to serve not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all sessions of the supreme court, and in case there shall be two judges having in like manner the same short term, the other judges of the supreme court shall determine which of them shall be chief justice. In case of the absence of the chief justice, the judge having in like manner the shortest or next shortest term to serve shall preside. After the first election the terms of judges elected shall be six years from and after the second Monday in January next succeeding their election. If a vacancy occur in the office of a judge of the supreme court the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election,and the judge so elected shall hold the office for the remainder of the unexpired term. The term of office of the judges of the supreme court, first elected, shall commence as soon as the state shall have been admitted into the Union, and continue for the term herein provided, and until their successors are elected and qualified. The sessions of the supreme court shall be held at the seat of government until otherwise provided by law.

## § 3(a) RETIREMENT OF SUPREME COURT

 AND SUPERIOR COURT JUDGES. A judge of the supreme court or the superior court shall retire from judicial office at the end of the calendar year in which he attains the age of seventy-five years. The legislature may, from time to time, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of seventy years, as the legislature deems proper. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to, or at the time of approval and ratification of this provision. Notwithstanding the limitations of this section, the legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties. [AMENDMENT 25, 1951 House Joint Resolution No. 6, p 960. Approved November 4, 1952.]§ 4 JURISDICTION. The supreme court shall have original jurisdiction in habeas corpus, and quo warranto and mandamus as to all state officers, and appellate jurisdiction in all actions and proceedings, excepting that its appellate jurisdiction shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property does not exceed the sum of two hundred dollars ( $\$ 200$ ) unless the action involves the legality of a tax, impost, assessment, toll, municipal fine, or the validity of a statute. The supreme court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any part of the state upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the supreme court, or before any superior court of the state or any judge thereof.
§ 5 SUPERIOR COURT——ELECTION OF JUDGES, TERMS OF, ETC. There shall be in each of the organized counties of this state a superior court for which at least one judge shall be elected by the qualified electors of the county at the general state election: Provided, That until otherwise directed by the legislature one judge only shall be elected for the counties of Spokane and Stevens; one judge for the county of Whitman; one judge for the counties of Lincoln, Okanogan, Douglas and Adams; one judge for the counties of Walla Walla and Franklin; one judge for the counties of Columbia, Garfield and Asotin; one judge for the counties of Kittitas, Yakima and Klickitat; one judge
for the counties of Clarke, Skamania, Pacific, Cowlitz and Wahkiakum; one judge for the counties of Thurston, Chehalis, Mason and Lewis; one judge for the county of Pierce; one judge for the county of King; one judge for the counties of Jefferson, Island, Kitsap, San Juan and Clallam; and one judge for the counties of Whatcom, Skagit and Snohomish. In any county where there shall be more than one superior judge, there may be as many sessions of the superior court at the same time as there are judges thereof, and whenever the governor shall direct a superior judge to hold court in any county other than that for which he has been elected, there may be as many sessions of the superior court in said county at the same time as there are judges therein or assigned to duty therein by the governor, and the business of the court shall be so distributed and assigned by law or in the absence of legislation therefor, by such rules and orders of court as shall best promote and secure the convenient and expeditious transaction thereof. The judgments, decrees, orders and proceedings of any session of the superior court held by any one or more of the judges of such court shall be equally effectual as if all the judges of said court presided at such session. The first superior judges elected under this Constitution shall hold their offices for the period of three years, and until their successors shall be elected and qualified, and thereafter the term of office of all superior judges in this state shall be for four years from the second Monday in January next succeeding their election and until their successors are elected and qualified. The first election of judges of the superior court shall be at the election held for the adoption of this Constitution. If a vacancy occurs in the office of judge of the superior court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.
Supreme court may authorize superior court judge to perform judicial duties in any superior court: Art. 4 § 2(a).
§ 6 JURISDICTION OF SUPERIOR COURTS. The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to one thousand dollars, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction
in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days. [AMENDMENT 28, part, 1951 Substitute House Joint Resolution No. 13, p 962. Approved November 2, 1952.]

## Note: Amendment 28 also amended Art. 4 § 10.

Original text——Art. 4 § 6 Jurisdiction of Superior Courts-The superior court shall have original jurisdiction in all cases in equity, and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand, or the value of the property in controversy amounts to one hundred dollars, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer, of proceedings in insolvency; of actions to prevent or abate a nuisance, of all matters of probate, of divorce, and for annulment of marriage, and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court, and said court shall have the power of naturalization, and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justice's and other inferior courts in their respective counties as may be prescribed by law. They shall be always open except on non-judicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and non-judicial days.
§ 7 EXCHANGE OF JUDGES——JUDGE PRO TEMPORE. The judge of any superior court may hold a superior court in any county at the request of the judge of the superior court thereof, and upon the request of the governor it shall be his duty to do so. A case in the superior court may be tried by a judge, pro tempore, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court and sworn to try the case.
§ 8 ABSENCE OF JUDICIAL OFFICER. Any judicial officer who shall absent himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office: Provided, That in cases of extreme necessity the governor may extend the leave of absence such time as the necessity therefor shall exist.
§ 9 REMOVAL OF JUDGES, ATTORNEY GENERAL, ETC. Any judge of any court of record, the attorney general, or any prosecuting attorney may be removed from office by joint resolution of the legislature, in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause stated in such resolution. But no removal shall be made unless the officer complained of shall have been
served with a copy of the charges against him as the ground of removal, and shall have an opportunity of being heard in his defense. Such resolution shall be entered at length on the journal of both houses and on the question of removal the ayes and nays shall also be entered on the journal.
§ 10 JUSTICES OF THE PEACE. The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: Provided, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be prescribed by the legislature. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use. [AMENDMENT 28, part, 1951 Substitute House Joint Resolution No. 13, p 926. Approved November 2, 1952.]

Note: Amendment 28 also amended Art. 4 § 6.
Original text-Art. $4 \S 10$ Justices of the Peace-_The legislature shall determine the number of justices of the peace to be elected in incorporated cities or towns and in precincts, and shall prescribe by law the powers, duties and jurisdiction of justices of the peace, Provided, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. In incorporated cities or towns having more than five thousand inhabitants the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use.
§ 11 COURTS OF RECORD. The supreme court and the superior courts shall be courts of record, and the legislature shall have power to provide that any of the courts of this state, excepting justices of the peace, shall be courts of record.
§ 12 INFERIOR COURTS. The legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this Constitution.
§ 13 SALARIES OF JUDICIAL OFFICERS—— HOW PAID, ETC. No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the supreme court and judges of the superior courts shall severally at stated times, during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the supreme court shall be paid by the state. One-half of the salary of each of the superior court judges shall be paid by the state, and the other one-half by the county or counties for which he is elected. In
cases where a judge is provided for more than one county, that portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of their taxable property, to be determined by the assessment next preceding the time for which such salary is to be paid.

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Authorizing compensation increase during term: Art. 30 § 1 .
Increase or diminution of compensation during term of office
    prohibited
        county, city or municipal officers: Art. 11 § 8.
        public officers: Art. 2 § 25.
    state officers: Art. 3 § 25.
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§ 14 SALARIES OF SUPREME AND SUPERIOR COURT JUDGES. Each of the judges of the supreme court shall receive an annual salary of four thousand dollars $(\$ 4,000)$; each of the superior court judges shall receive an annual salary of three thousand dollars $(\$ 3,000)$, which said salaries shall be payable quarterly. The legislature may increase the salaries of judges herein provided.

Salaries of supreme court judges: RCW 2.04.090.
Salaries of superior court judges; RCW 2.08.090.
§ 15 INELIGIBILITY OF JUDGES. The judges of the supreme court and the judges of the superior court shall be ineligible to any other office or public employment than a judicial office, or employment, during the term for which they shall have been elected.
§ 16 CHARGING JURIES. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.
§ 17 ELIGIBILITY OF JUDGES. No person shall be eligible to the office of judge of the supreme court, or judge of a superior court, unless he shall have been admitted to practice in the courts of record of this state, or of the Territory of Washington.
§ 18 SUPREME COURT REPORTER. The judges of the supreme court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.
§ 19 JUDGES MAY NOT PRACTICE LAW. No judge of a court of record shall practice law in any court of this state during his continuance in office.
§ 20 DECISIONS, WHEN TO BE MADE. Every cause submitted to a judge of a superior court for his decision shall be decided by him within ninety days from the submission thereof; Provided, That if within said period of ninety days a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a hearing.
§ 21 PUBLICATION OF OPINIONS. The legislature shall provide for the speedy publication of opinions of the supreme court, and all opinions shall be free for publication by any person.
§ 22 CLERK OF THE SUPREME COURT. The judges of the supreme court shall appoint a clerk of that court who shall be removable at their pleasure, but the legislature may provide for the election of the clerk of the supreme court, and prescribe the term of his office. The clerk of the supreme court shall receive such compensation by salary only as shall be provided by law.
§ 23 COURT COMMISSIONERS. There may be appointed in each county, by the judge of the superior court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the superior court at chambers, subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.
§ 24 RULES FOR SUPERIOR COURTS. The judges of the superior courts, shall from time to time, establish uniform rules for the government of the superior courts.
§ 25 REPORTS OF SUPERIOR COURT JUDGES. Superior judges, shall on or before the first day of November in each year, report in writing to the judges of the supreme court such defects and omissions in the laws as their experience may suggest, and the judges of the supreme court shall on or before the first day of January in each year report in writing to the governor such defects and omissions in the laws as they may believe to exist.
§ 26 CLERK OF THE SUPERIOR COURT. The county clerk shall be by virtue of his office, clerk of the superior court.
§ 27 STYLE OF PROCESS. The style of all process shall be, "The State of Washington," and all prosecutions shall be conducted in its name and by its authority.
§ 28 OATH OF JUDGES. Every judge of the supreme court, and every judge of a superior court shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Washington, and will faithfully and impartially discharge the duties of judge to the best of his ability, which oath shall be filed in the office of the secretary of state.
§ 29 ELECTION OF SUPERIOR COURT JUDGES. Notwithstanding any provision of this Constitution to the contrary, if, after the last day as provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single position of superior court judge in any county containing a population of one hundred thousand or more, no primary or election shall be held as to such position, and a certificate of election shall be issued to such candidate. If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his name
printed on the general election ballot for any single position, no election shall be held as to such position, and a certificate of election shall be issued to such candidate: Provided, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect of the office, then such single position shall be subject to the general election. Provisions for the contingency of the death or disqualification of a sole candidate between the last date for withdrawal and the time when the election would be held but for the provisions of this section and such other provisions as may be deemed necessary to implement the provisions of this section, may be enacted by the legislature. [AMENDMENT 411965 ex.s. Substitute Senate Joint Resolution No. 6, p 2815. Approved November 8, 1966.]
§ 30 COURT OF APPEALS. (1) Authorization. In addition to the courts authorized in section 1 of this article, judicial power is vested in a court of appeals, which shall be established by statute.
(2) Jurisdiction. The jurisdiction of the court of appeals shall be as provided by statute or by rules authorized by statute.
(3) Review of Superior Court. Superior court actions may be reviewed by the court of appeals or by the supreme court as provided by statute or by rule authorized by statute.
(4) Judges. The number, manner of election, compensation, terms of office, removal and retirement of judges of the court of appeals shall be as provided by statute.
(5) Administration and Procedure. The administration and procedures of the court of appeals shall be as provided by rules issued by the supreme court.
(6) Conflicts. The provisions of this section shall supersede any conflicting provisions in prior sections of this article. [AMENDMENT 50, 1967 Senate Joint Resolution No. 6. Approved November 5, 1968.]

Note: This section which was adopted as Sec. 29 is herein renumbered Sec. 30 to avoid confusion with Sec. 29 , supra.

## ARTICLE V IMPEACHMENT

§ 1 IMPEACHMENT——POWER OF AND PROCEDURE. The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. When the governor or lieutenant governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without a concurrence of two-thirds of the senators elected.
§ 2 OFFICERS LIABLE TO. The governor and other state and judicial officers, except judges and justices of courts not of record, shall be liable to impeachment for high crimes or misdemeanors, or malfeasance in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit, in the state. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.
§ 3 REMOVAL FROM OFFICE. All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

## ARTICLE VI ELECTIONS AND ELECTIVE RIGHTS

§ 1 Qualifications of electors. All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections. [AMENDMENT 63, 1974 Senate Joint Resolution No. 143. Approved November 5, 1974.]

Amendment 5 (1909)_—Art. 6 § 1 Qualifications of Electors. All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States, they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote, they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex. [AMENDMENT 5, 1909 p 26 § 1. Approved November, 1910.]

Amendment 2 (1896)——Art. 6 § 1 Qualifications of Voters. All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States, they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote, they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not effect [affect] the right of franchise of any person who is now a qualified elector of this state. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provisions of this section. [AMENDMENT 2, 1895 p 60 § 1. Approved November, 1896.]

Original text——Art. 6 \& 1 Qualifications of Electors_-All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States, They shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or
precinct thirty days immediately preceding the election at which they offer to vote, Provided, that Indians not taxed shall never be allowed the elective franchise, Provided, further; that all male persons who at the time of the adoption of this Constitution are qualified electors of the Territory, shall be electors.
§ 1A VOTER QUALIFICATIONS FOR PRESIDENTIAL ELECTIONS. In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: Provided, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots. [AMENDMENT 46, 1965 ex.s. Substitute House Joint Resolution No. 4, p 2820. Approved November 8, 1966.]

## § 2 SCHOOL ELECTIONS——FRANCHISE HOW EXTENDED. This section stricken by AMENDMENT 5, see Art. 6 § 1.

Original text-Art. 6 § 2 School Elections-Franchise, How Extended_-The legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.
§ 3 WHO DISQUALIFIED. All idiots, insane persons, and persons convicted of infamous crime unless restored to their civil rights are excluded from the elective franchise.
§ 4 RESIDENCE, CONTINGENCIES AFFECTING. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poorhouse or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

## § 5 VOTER - WHEN PRIVILEGED FROM ARREST. Voters shall in all cases except treason, felo-

 ny, and breach of the peace be privileged from arrest during their attendance at elections and in going to, and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.§ 6 BALLOT. All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.
§ 7 REGISTRATION. The legislature shall enact a registration law, and shall require a compliance with such law before any elector shall be allowed to vote; Provided, that this provision is not compulsory upon the legislature except as to cities and towns having a population of over five hundred inhabitants. In all other cases the legislature may or may not require registration as a pre-requisite to the right to vote, and the same system of registration need not be adopted for both classes.
§ 8 ELECTIONS, TIME OF HOLDING. The first election of county and district officers not otherwise provided for in this Constitution shall be on the Tuesday next after the first Monday in November 1890, and thereafter all elections for such officers shall be held biennially on the Tuesday next succeeding the first Monday in November. The first election of all state officers not otherwise provided for in this Constitution, after the election held for the adoption of this Constitution, shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November.
Cf. Art. 27 § 14.

## ARTICLE VII REVENUE AND TAXATION

§ 1 TAXATION. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class: Provided, That the legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or an ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred ( $\$ 300.00$ ) dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual bona fide owner. [AMENDMENT 14, 1929 p 499 § 1. Approved November, 1930.]

Reviser's note: Amendment 14 amended Art. 7 by striking all of $\S \S$ 1, 2, 3 and 4. Subsequently, Amendment 17 added à new § 2, and Amendment 19 added $a \cdot$ new § 3.

Original text-Art. 7 § 1 Annual State Tax_-All property in the state, not exempt under the laws of the United States, or under this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue to def ray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of
paying the state debt, if there be any, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.


#### Abstract

Amendment 3 (1900)_—Art. 7 §2, was amended by adding the following proviso: "And provided further, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred dollars (\$300) for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual and bona fide owner." [AMENDMENT 3, 1899 p 121 § 1. Approved November, 1900.]

Original text-Art. 7 § 2 Taxation-Uniformity and Equality-Exemption-The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property, Provided, that a deduction of debts from credits may be authorized: Provided, further, that the property of the United States and of the state, counties, school districts and other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation.


Original text-Art. 7 § 3 Assessment of Corporate ProperTY - The legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

[^3]§ 2 LIMITATION ON LEVIES. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one per centum of the true and fair value of such property in money: Provided, however, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only
(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not of tener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the
last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty percentum of the total votes cast in such taxing district in the last preceding general election;
(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not of tener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: Provided, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, And provided further, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;
(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [(i) AMENDMENT 59, 1971 House Joint Resolution No. 47, p 1834. Approved November, 1972. (ii) AMENDMENT 55, 1971 Senate Joint Resolution No. 1, p 1827. Approved November, 1972.]

Note: Article 7 § 2 was twice amended in different respects at the November 1972 general election by the ratification of both S.J.R. No. 1. (AMENDMENT 55) and H.J.R. No. 47. (AMENDMENT 59.) 1971 HJR No. 47 contained the following paragraph:
"Be It Further Resolved, That the foregoing amendment shall be submitted to the qualified electors of the state in such a manner that they may vote for or against it separately from the proposed amendment to Article VII, section 2, (Amendment 17) of the Constitution of the State of Washington contained in Senate Joint Resolution No. 1: Provided, That if both proposed amendments are approved and ratified, both shall become part of the Constitution" [1971 House Joint Resolution No. 47, part, p 1834]
The section as printed above reflects the content of both amendments.

Amendment 17 (1944)_—Art. 7 Sec. 2 Forty Mill Limit-_ Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation, shall be fifty per centum of the true and fair value of such property in money: Provided, however, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate
limitation or any specific limitation imposed by law in conformuty therewith may be exceeded only
(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;
(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: Provided, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, and Provided further, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;
(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [AMENDMENT 17, 1943 House Joint Resolution No. 1, p 936. Approved November, 1944.]

Original Section 2, as amended by Amendment 3, was stricken by Amendment 14: The original section and Amendment 3, are set out following Art. 7, Sec. 1, above.
§ 3 TAXATION OF FEDERAL AGENCIES AND PROPERTY. The United States and its agencies and instrumentalities, and their property, may be taxed under any of the tax laws of this state, whenever and in such manner as such taxation may be authorized or permitted under the laws of the United States, notwithstanding anything to the contrary in the Constitution of this state. [AMENDMENT 19, 1945 House Joint Resolution No. 9, p 932. Approved November, 1946.]

Reviser's note: Original section 3 was stricken by Amendment 14. The original section is set out following Art. 7 § 1 , above.

## § 4 NO SURRENDER OF POWER OR SUSPENSION OF TAX ON CORPORATE PROPERTY.

Reviser's note: § 4 was stricken by Amendment 14. It is set out following Art. 7 § 1, above.
§ 5 TAXES, HOW LEVIED. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same to which only it shall be applied.
§ 6 TAXES, HOW PAID. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.
§ 7 ANNUAL STATEMENT. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the legislature may provide.
§ 8 TAX TO COVER DEFICIENCIES. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.
§ 9 SPECIAL ASSESSMENTS OR TAXATION FOR LOCAL IMPROVEMENTS. The legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.
§ 10 RETIRED PERSONS PROPERTY TAX EXEMPTION. Notwithstanding the provisions of Article 7, section 1 (Amendment 14) and Article 7, section 2 (Amendment 17), the following tax exemption shall be allowed as to real property:
The legislature shall have the power, by appropriate legislation, to grant to retired property owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief to those property owners below a specific level of income and those fulfilling certain minimum residential requirements. [AMENDMENT 47, 1965 ex.s. House Joint Resolution No. 7, p 2821. Approved November 8, 1966.]
§ 11 TAXATION BASED ON ACTUAL USE. Nothing in this Article VII as amended shall prevent the legislature from providing, subject to such conditions as it may enact, that the true and fair value in money (a) of farms, agricultural lands, standing timber and timberlands, and (b) of other open space lands which are used for recreation or for enjoyment of their scenic or natural beauty shall be based on the use to which such property is currently applied, and such values shall be used in computing the assessed valuation of such property in the same manner as the assessed valuation is computed for all property. [AMENDMENT 53, 1967 House Joint Resolution No. 1. Approved November 5, 1968.]

## ARTICLE VIII STATE, COUNTY AND MUNICIPAL INDEBTEDNESS

§ 1 STATE DEBT. (a) The state may contract debt, the principal of which shall be paid and discharged within thirty years from the time of contracting thereof, in the manner set forth herein.
(b) The aggregate debt contracted by the state shall not exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than nine percent of the arithmetic mean of its general state revenues for the three immediately preceding fiscal years as certified by the treasurer. The term "fiscal year" means that period of time commencing July 1 of any year and ending in June 30 of the following year.
(c) The term "general state revenues" when used in this section, shall include all state money received in the treasury from each and every source whatsoever except: (1) Fees and revenues derived from the ownership or operation of any undertaking, facility, or project; (2) Moneys received as gifts, grants, donations, aid, or assistance or otherwise from the United States or any department, bureau, or corporation thereof, or any person, firm, or corporation, public or private, when the terms and conditions of such gift, grant, donation, aid, or assistance require the application and disbursement of such moneys otherwise than for the general purposes of the state of Washington; (3) Moneys to be paid into and received from retirement system funds, and performance bonds and deposits; (4) Moneys to be paid into and received from trust funds including but not limited to moneys received from taxes levied for specific purposes and the several permanent and irreducible funds of the state and the moneys derived therefrom but excluding bond redemption funds; (5) Proceeds received from the sale of bonds or other evidences of indebtedness.
(d) In computing the amount required for payment of principal and interest on outstanding debt under this section, debt shall be construed to mean borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be repaid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation, or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, but shall not include obligations for the payment of current expenses of state government, nor shall it include debt hereafter incurred pursuant to section 3 of this article, obligations guaranteed as provided for in subsection ( f ) of this section, principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority.
(e) The state may, without limitation, fund or refund, at or prior to maturity, the whole or any part of any existing debt or of any debt hereafter contracted pursuant to section 1 , section 2 , or section 3 of this article, including any premium payable with respect thereto and
interest thereon, or fund or refund, at or prior to maturity, the whole or any part of any indebtedness incurred or authorized prior to the effective date of this amendment by any entity of the type described in subsection (g) of this section, including any premium payable with respect thereto and any interest thereon. Such funding or refunding shall not be deemed to be contracting debt by the state.
(f) Notwithstanding the limitation contained in subsection (b) of this section, the state may pledge its full faith, credit, and taxing power to guarantee the payment of any obligation payable from revenues received from any of the following sources: (1) Fees collected by the state as license fees for motor vehicles; (2) Excise taxes collected by the state on the sale, distribution or use of motor vehicle fuel; and (3) Interest on the permanent common school fund: Provided, That the legislature shall, at all times, provide sufficient revenues from such sources to pay the principal and interest due on all obligations for which said source of revenue is pledged.
(g) No money shall be paid from funds in custody of the treasurer with respect to any debt contracted after the effective date of this amendment by the Washington state building authority, the capitol committee, or any similar entity existing or operating for similar purposes pursuant to which such entity undertakes to finance or provide a facility for use or occupancy by the state of any agency, department or instrumentality thereof.
(h) The legislature shall prescribe all matters relating to the contracting, funding or refunding of debt pursuant to this section, including: The purposes for which debt may be contracted; by a favorable vote of three-fifths of the members elected to each house, the amount of debt which may be contracted for any class of such purposes; the kinds of notes, bonds, or other evidences of debt which may be issued by the state; and the manner by which the treasurer shall determine and advise the legislature, any appropriate agency, officer, or instrumentality of the state as to the available debt capacity within the limitation set forth in this section. The legislature may delegate to any state officer, agency, or instrumentality any of its powers relating to the contracting, funding or refunding of debt pursuant to this section except its power to determine the amount and purposes for which debt may be contracted.
(i) The full faith, credit, and taxing power of the state of Washington are pledged to the payment of the debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and installments of principal of all such debt as the same falls due, but in any event, any court of record may compel such payment.
(j) Notwithstanding the limitations contained in subsection (b) of this section, the state may issue certificates of indebtedness in such sum or sums as may be necessary to meet temporary deficiencies of the treasury, to preserve the best interests of the state in the conduct of the various state institutions, departments, bureaus, and agencies during each fiscal year; such certificates may be issued only to provide for appropriations already made by the legislature and such certificates must be retired
and the debt discharged other than by refunding within twelve months after the date of incurrence.
(k) Bonds, notes, or other obligations issued and sold by the state of Washington pursuant to and in conformity with this article shall not be invalid for any irregularity or defect in the proceedings of the issuance or sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder thereof. [AMENDMENT 60, part, 1971 House Joint Resolution No. 52, part, p 1836. Approved November, 1972.]

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## § 2 POWERS EXTENDED IN CERTAIN CASES.

 In addition to the above limited power to contract debts the state may contract debts to repel invasion, suppress insurrection, or to defend the state in war, but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised and to no other purpose whatever.
## § 3 SPECIAL INDEBTEDNESS, HOW AUTHOR-

 IZED. Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein. No such law shall take effect until it shall, at a general election, hereafter or a special election called for that purpose, have been submitted to the people and have received a majority of all the votes cast for and against it at such election. [AMENDMENT 60, part, 1971 House Joint Resolution No. 52, part, p 1836. Approved November, 1972.]Amendment 48 (1966)——Art. 8, Sec. 3. Special Indebtedness, How Authorized-Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general eloction, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and notice that such law will be submitted to the people shall be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: Provided, That faij. ure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. [AMENDMENT 48, 1965 ex.s. House Joint Resolution No. 39, p 2822. Approved November 8, 1966.]

Original text-Art. 8, Sec. 3. Special Indebtedness How Au-THORIZED-Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the
votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, if one be published therein, throughout the state, for three months next preceding the election at which it is submitted to the people.
§ 4 MONEYS DISBURSED ONLY BY APPROPRIATIONS. No moneys shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within one calendar month after the end of the next ensuing fiscal biennium, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum. [AMENDMENT 11, 1921 p $80 \S$ 1. Approved November, 1922.]
Original text-Art. 8 § 4 Moneys Disbursed Only By Appro-PRIATIONS-No moneys shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law, nor unless such payment be made within two years from the first day of May next after the passage of such appropriation act, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.
§ 5 CREDIT NOT TO BE LOANED. The credit of the state shall not, in any manner be given or loaned to, or in aid of, any individual, association, company or corporation.
§ 6 LIMITATIONS UPON MUNICIPAL INDEBTEDNESS. No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half percentum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five percentum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: Provided further, That (a) any city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five percentum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality and (b) any school district with such assent, may be allowed to become indebted to a larger amount but not exceeding five percentum additional for capital outlays. [AMENDMENT 27, 1951 House Joint Resolution No. 8, p 961. Approved November 4, 1952.]

Provisions of Art. 7 § 2 (Limitation on Levies) also subject to limitations contained in Art. 8 § 6: Art. 7 § 2 (b).

Original text-Art. 8 § 6 Limitations Upon Municipal In-DEBTEDNESS-No county, city, town, school district or other municipal corporation, shall for any purpose become indebted in any manner to an amount exceeding one and one-half percentum of the taxable property in such county, city, town, school district or other municipal corporation, without the assent of three-fifths of the voters therein, voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state, and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes, Provided, That no part of the indebtedness allowed in this section, shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes. Provided further; that any city or town, with such assent may be allowed to become indebted to a larger amount but not exceeding five per centum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality.
§ 7 CREDIT NOT TO BE LOANED. No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.

## § 8 PORT EXPENDITURES——INDUSTRIAL

 DEVELOPMENT--PROMOTION. The use of public funds by port districts in such manner as may be prescribed by the legislature for industrial development or trade promotion and promotional hosting shall be deemed a public use for a public purpose, and shall not be deemed a gift within the provisions of section 7 of this Article. [AMENDMENT 45, 1965 ex.s. Senate Joint Resolution No. 25, p 2819. Approved November 8, 1966.]§ 9 STATE BUILDING AUTHORITY. The legislature is empowered notwithstanding any other provision in this Constitution, to provide for a state building authority in corporate and politic form which may contract with agencies or departments of the state government to construct upon land owned by the state or its agencies, or to be acquired by the state building authority, buildings and appurtenant improvements which such state agencies or departments are hereby empowered to lease at reasonable rental rates from the Washington state building authority for terms up to seventy-five years with provisions for eventual vesting of title in the state or its agencies. This section shall not be construed as authority to provide buildings through lease or otherwise to nongovernmental entities. The legislature may authorize the state building authority to borrow funds solely upon its own credit and to issue bonds or other evidences of indebtedness therefor to be repaid from its revenues and to secure the same by pledging its income or mortgaging its leaseholds. The provisions of sections 1 and 3 of this article shall not apply to indebtedness incurred pursuant to this section. [AMENDMENT 51,

## 1967 Senate Joint Resolution No. 17. Approved November 5. 1968.]

Note: This section which was adopted as Sec. 8, is herein renumbered Sec. 9, to avoid confusion with Sec. 8, supra.

## ARTICLE IX EDUCATION

§ 1 PREAMBLE. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.
§ 2 PLBLIC SCHOOL SYSTEM. The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools, and technical schools as may hereafter be established. But the entire revenue derived from the common school fund and the state tax for common schools shall be exclusively applied to the support of the common schools.
§ 3 FUNDS FOR SUPPORT. The principal of the common school fund as the same existed on June 30, 1965, shall remain permanent and irreducible. The said fund shall consist of the principal amount thereof existing on June 30, 1965, and such additions thereto as may be derived after June 30, 1965, from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of stone, minerals, or property other than timber and other crops from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating stone, minerals or property other than timber and other crops from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund.

There is hereby established the common school construction fund to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: (1) Those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for
specific purposes; (2) the interest accruing on said permanent common school fund from and after July 1, 1967, together with all rentals and other revenues derived therefrom and from lands and other property devoted to the permanent common school fund from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.
The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section during the period after the effective date of this amendment and prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.
To the extent that the moneys in the common school construction fund are in excess of the amount necessary to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct. [AMENDMENT 43, 1965 ex.s. Senate Joint Resolution No. 22, part 1, p 2817. Approved November 8, 1966.]
Original text-Art. 9 § 3. Funds For Support. The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools, the proceeds of lands and other property which revert to the state by escheat and forfeiture, the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law, the proceeds of the sale of timber, stone, minerals, or other property from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating timber, stone, minerals or other property from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund. The interest accruing on said fund together with all rentals and other revenues derived therefrom and from lands and other property devoted to the common school fund shall be exclusively applied to the current use of the common schools.

## § 4 SECTARIAN CONTROL OR INFLUENCE

 PROHIBITED. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.
## § 5 LOSS OF PERMANENT FUND TO BECOME

 STATE DEBT. All losses to the permanent common school or any other state educational fund, which shall be occasioned by defalcation, mismanagement or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanentfunded debt against the state in favor of the particular fund sustaining such loss, upon which not less than six per cent annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized and limited elsewhere in this Constitution.

Investment of permanent school fund: Art. 16 § 5.

## ARTICLE X MILITIA

§ 1 WHO LIABLE TO MILITARY DUTY. All able-bodied male citizens of this state between the ages of eighteen (18) and forty-five (45) years except such as are exempt by laws of the United States or by the laws of this state, shall be liable to military duty.
§ 2 ORGANIZATION--DISCIPLINE——OFFICERS——POWER TO CALL OUT. The legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the legislature shall from time to time direct and shall be commissioned by the governor. The governor shall have power to call forth the militia to execute the laws of the state to suppress insurrections and repel invasions.
§ 3 SOLDIERS' HOME. The legislature shall provide by law for the maintenance of a soldiers' home for honorably discharged Union soldiers, sailors, marines and members of the state militia disabled while in the line of duty and who are bona fide citizens of the state.
§ 4 PUBLIC ARMS. The legislature shall provide by law, for the protection and safe keeping of the public arms.
§ 5 PRIVILEGE FROM ARREST. The militia shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at musters and elections of officers, and in going to and returning from the same.
§ 6 EXEMPTION FROM MILITARY DUTY. No person or persons, having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace: Provided, such person or persons shall pay an equivalent for such exemption.

## ARTICLE XI COUNTY, CITY AND TOWNSHIP ORGANIZATION

§ 1 EXISTING COUNTIES RECOGNIZED. The several counties of the Territory of Washington existing at the time of the adoption of this Constitution are hereby recognized as legal subdivisions of this state.
§ 2 COUNTY SEATS--LOCATION AND REMOVAL. No county seat shall be removed unless threefifths of the qualified electors of the county, voting on the proposition at a general election shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.
Governmental continuity during emergency periods: Art. 2 § 42.
§ 3 NEW COUNTIES. No new counties shall be established which shall reduce any county to a population less than four thousand $(4,000)$, nor shall a new county be formed containing a less population than two thousand $(2,000)$. There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor and then only under such other conditions as may be prescribed by a general law applicable to the whole state. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken: Provided, That in such accounting neither county shall be charged with any debt or liability then existing incurred in the purchase of any county property, or in the purchase or construction of any county buildings then in use, or under construction, which shall fall within and be retained by the county: Provided further, That this shall not be construed to affect the rights of creditors.
§ 4 COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION. The legislature shall establish a system of county government, which shall be uniform throughout the state except as hereinafter provided, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

Any county may frame a "Home Rule" charter for its own government subject to the Constitution and laws of this state, and for such purpose the legislative authority of such county may cause an election to be had, at which election there shall be chosen by the qualified voters of said county not less than fifteen (15) nor more than twenty-five (25) freeholders thereof, as determined by the legislative authority, who shall have been residents of said county for a period of at least five (5) years preceding their election and who are themselves qualified electors, whose duty it shall be to convene within thirty (30) days after their election and prepare and propose a charter for such county. Such proposed charter shall be submitted to the qualified electors of said county, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said county and shall become the organic law thereof, and supersede any
existing charter, including amendments thereto, or any existing form of county government, and all special laws inconsistent with such charter. Said proposed charter shall be published in two (2) legal newspapers published in said county, at least once a week for four (4) consecutive weeks prior to the day of submitting the same to the electors for their approval as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election and shall be given for at least ten (10) days before the day of election in all election districts of said county. Said elections may be general or special elections and except as herein provided, shall be governed by the law regulating and controlling general or special elections in said county. Such charter may be amended by proposals therefor submitted by the legislative authority of said county to the electors thereof at any general election after notice of such submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.

Any home rule charter proposed as herein provided, may provide for such county officers as may be deemed necessary to carry out and perform all county functions as provided by charter or by general law, and for their compensation, but shall not affect the election of the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, or the jurisdiction of the courts.

Notwithstanding the foregoing provision for the calling of an election by the legislative authority of such county for the election of freeholders to frame a county charter, registered voters equal in number to ten (10) per centum of the voters of any such county voting at the last preceding general election, may at any time propose by petition the calling of an election of freeholders. The petition shall be filed with the county auditor of the county at least three (3) months before any general election and the proposal that a board of freeholders be elected for the purpose of framing a county charter shall be submitted to the vote of the people at said general election, and at the same election a board of freeholders of not less than fifteen (15) or more than twenty-five (25), as fixed in the petition calling for the election, shall be chosen to draft the new charter. The procedure for the nomination of qualified electors as candidates for said board of freeholders shall be prescribed by the legislative authority of the county, and the procedure for the framing of the charter and the submission of the charter as framed shall be the same as in the case of a board of freeholders chosen at an election initiated by the legislative authority of the county.

In calling for any election of freeholders as provided in this section the legislative authority of the county shall apportion the number of freeholders to be elected in accordance with either the legislative districts or the county commissioner districts, if any, within said county, the number of said freeholders to be elected from each
of said districts to be in proportion to the population of said districts as nearly as may be.

Should the charter proposed receive the affirmative vote of the majority of the electors voting thereon, the legislative authority of the county shall immediately call such special election as may be provided for therein, if any, and the county government shall be established in accordance with the terms of said charter not more than six (6) months after the election at which the charter was adopted.

The terms of all elective officers, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, who are in office at the time of the adoption of a Home Rule Charter shall terminate as provided in the charter. All appointive officers in office at the time the charter goes into effect, whose positions are not abolished thereby, shall continue until their successors shall have qualified.

After the adoption of such charter, such county shall continue to have all the rights, powers, privileges and benefits then possessed or hereafter conferred by general law. All the powers, authority and duties granted to and imposed on county officers by general law, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court and the justices of the peace, shall be vested in the legislative authority of the county unless expressly vested in specific officers by the charter. The legislative authority may by resolution delegate any of its executive or administrative powers, authority or duties not expressly vested in specific officers by the charter, to any county officer or officers or county employee or employees.

The provisions of sections 5, 6, 7, and the first sentence of section 8 of this Article as amended shall not apply to counties in which the government has been established by charter adopted under the provisions hereof. The authority conferred on the board of county commissioners by Section 15 of Article II as amended, shall be exercised by the legislative authority of the county. [AMENDMENT 21, 1947 Senate Joint Resolution No. 5, p 1372. Approved November 2, 1948.]

Original text—Art. 11 § 4 County Government and Township Organization_The legislature shall establish a system of county government which shall be uniform throughout the state, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine, and whenever a county shall adopt township organization the assessment and collection of the revenue shall be made and the business of such county, and the local affairs of the several townships therein shall be managed and transacted in the manner prescribed by such general
laws.
§ 5 COUNTY GOVERNMENT. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: Provided, That the legislature may, by general laws, classify the counties by population and provide for the election in
certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population: Provided, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession. [AMENDMENT 57, part, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

Amendment 12 (1924)_Art. 11. Sec. 5. County Govern-MENT-The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: Provided, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them or officially come into their possession. [AMENDMENT 12, 1923 p 254 § 1. Approved November, 1924.]

> Original text-Art. 11, Sec. 5. Election and Compensation of County Officers-The legislature by general and uniform laws shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys, and other county, township or precinct and district officers as public convenience may require, and shall prescribe their duties, and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them, and for all public moneys which may be paid to them, or officially come into their possession.

## § 6 VACANCIES IN TOWNSHIP, PRECINCT OR

 ROAD DISTRICT OFFICE. The board of county commissioners in each county shall fill all vacancies occurring in any township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified. [AMENDMENT 52, part, 1967 Senate Joint Resolution No. 24, part. Approved November 5, 1968.]Governmental continuity during emergency periods: Art. 2 § 42.
Vacancies in legislature and in partisan county elective office: Art. 2 § 15.

[^5]Original text——Art. 11 § 7 Tenure of Office Limited to Two Terms_No county officer shall be eligible to hold his office more than two terms in succession.
§ 8 SALARIES AND LIMITATIONS AFFECTING. The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. [AMENDMENT 57, part, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

Original text-Art. 11, Sec. 8. Salaries and Limitations Af-FECTING-The legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may not be salaried officers. The salary of any county, city, town, or municipal officers shall not be increased or diminished after his election, or during his term of office, nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

## $\S 9$ STATE TAXES NOT TO BE RELEASED OR

 COMMUTED. No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.§ 10 INCORPORATION OF MUNICIPALITIES. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to and controlled by general laws. Any city containing a population of ten thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a-charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in the daily newspaper of largest general circulation published in the area to be incorporated as a
first class city under the charter or, if no daily newspaper is published therein, then in the newspaper having the largest general circulation within such area at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given as required by law. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others. [AMENDMENT 40, 1963 ex.s. Senate Joint Resolution No. 1, p 1526. Approved November 3, 1964.]


#### Abstract

Original text-Art. 11 § 10 Incorporation of Municipali-ries-Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to, and controlled by general laws. Any city containing a population of twenty thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given for at least ten days before the day of election, in all election districts of said city. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefore submitted by the legislative authority of such city to the electors thercof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.


Authority to incur and limit of indebtedness: Art. 8 § 6.

## § 11 POLICE AND SANITARY REGULATIONS.

Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.
§ 12 ASSESSMENT AND COLLECTION OF TAXES IN MUNICIPALITIES. The legislature shall have no power to impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof, the power to assess and collect taxes for such purposes.

## § 13 PRIVATE PROPERTY, WHEN MAY BE

 TAKEN FOR PUBLIC DEBT. Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation, except in the mode provided by law for the levy and collection of taxes.
## § 14 PRIVATE USE OF PUBLIC FUNDS PRO-

 HIBITED. The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.§ 15 DEPOSIT OF PUBLIC FUNDS. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the treasurer, or other legal depositary to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.
§ 16 COMBINED CITY-COUNTY. Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county". Registered voters equal in number to ten (10) per cent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply to a petition proposed under this section for the election of freeholders to frame a city-county charter, the election of freeholders, and to the framing and adoption of such city-county charter pursuant to such petition. Except as otherwise provided in this section, the provisions of section 4 applicable to a county home rule charter shall apply to a city-county charter. If there are not sufficient legal newspapers published in the county to meet the requirements for publication of a proposed charter under section 4 of this Article, publication in a legal newspaper circulated in the county may be substituted for publication in a legal newspaper published in the county. No such "city-county" shall be formed except by a majority vote of the qualified electors voting thereon in the county. The charter shall designate the respective officers of such city-county who shall perform
the duties imposed by law upon county officers. Every such city-county shall have and enjoy all rights, powers and privileges asserted in its charter, and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities and counties. In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the general laws applying to cities and those applying to counties, a citycounty shall be authorized to exercise any powers that are granted to either the cities or the counties.

No legislative enactment which is a prohibition or restriction shall apply to the rights, powers and privileges of a city-county unless such prohibition or restriction shall apply equally to every other city, county, and citycounty.
The provisions of sections $2,3,5,6$, and 8 and of the first paragraph of section 4 of this article shall not apply to any such city-county.

Municipal corporations may be retained or otherwise provided for within the city-county. The formation, powers and duties of such municipal corporations shall be prescribed by the charter.
No city-county shall for any purpose become indebted in any manner to an amount exceeding three per centum of the taxable property in such city-county without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed ten per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly city-county or other municipal purposes: Provided further, That any city-county, with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city-county with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the city-county.

No municipal corporation which is retained or otherwise provided for within the city-county shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such municipal corporation without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor shall the total indebtedness at any time exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly municipal purposes: Provided further, That any such municipal corporation, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such municipal corporation with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipal corporation.

All taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within that municipal corporation.

The authority conferred on the city-county government shall not be restricted by the second sentence of Article 7, section 1, or by Article 8, section 6 of this Constitution. [AMENDMENT 58, 1971 House Joint Resolution No. 21, p 1831. Approved November, 1972.]

[^6] County_-The legislature shall, by general law, provide for the formation of combined city and county municipal corporations, and for the manner of determining the territorial limits thereof, each of which shall be known as a "city and county," and, when organized, shall contain a population of at least three hundred thousand $(300,000)$ inhabitants. No such city and county shall be formed except by a majority vote of the qualified electors of the area proposed to be included therein and also by a majority vote of the qualified electors of the remainder of that county from which such area is to be taken. Any such city and county shall be permitted to frame a charter for its own government, and amend the same, in the manner provided for cities by section 10 of this article: Provided, however, That the first charter of such city and county shall be framed and adopted in a manner to be specified in the general law authorizing the formation of such corporations: Provided further, That every such charter shall designate the respective officers of such city and county who shall perform the duties imposed by law upon county officers. Every such city and county shall have and enjoy all rights, powers and privileges asserted in its charter, not inconsistent with general laws, and in addition thereto, such rights, powers and privileges as may be granted to it, or possessed and enjoyed by cities and counties of like population separately organized.

No county or county government existing outside the territorial limits of such county and city shall exercise any police, taxation or other powers within the territorial limits of such county and city, but all such powers shall be exercised by the city and county and the officers thereof, subject to such constitutional provisions and general laws as apply to either cities or counties: Provided, That the provisions of sections 2, $3,4,5,6,7$, and 8 of this article shall not apply to any such city and county: Provided further, That the salary of any elective or appointive officer of a city and county shall not be changed after his election or appointment or during his term of office, nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. In case an existing county is divided in the formation of a city and county, such city and county shall be liable for a just proportion of the existing debts or liabilities of the former county, and shall account for and pay the county remaining a just proportion of the value of any real estate or other property owned by the former county and taken over by the county and city, the method of determining such just proportion to be prescribed by general law, but such division shall not affect the rights of creditors. The officers of a city and county, their compensation, qualifications, term of office and manner of election or appointment shall be as provided for in its charter, subject to general laws and applicable constitutional provision. [AMENDMENT 23, 1947 House Joint Resolution No. 13, p 1386. Approved November 2, 1948.]

## ARTICLE XII

## CORPORATIONS OTHER THAN MUNICIPAL

§ 1 CORPORATIONS, HOW FORMED. Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended or repealed by the legislature at any time, and all corporations doing business in this state may, as to such business, be regulated, limited or restrained by law.
§ 2 EXISTING CHARTERS. All existing charters, franchises, special or exclusive privileges, under which an actual and bona fide organization shall not have taken place, and business been commenced in good faith,
at the time of the adoption of this Constitution shall thereafter have no validity.


#### Abstract

§ 3 EXISTING CHARTERS NOT TO BE EXTENDED NOR FORFEITURE REMITTED. The legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing, or which shall hereafter exist under the laws of this state.


§ 4 LIABILITY OF STOCKHOLDERS. Each stockholder in all incorporated companies, except corporations organized for banking or insurance purposes, shall be liable for the debts of the corporation to the amount of his unpaid stock and no more; and one or more stockholders may be joined as parties defendant in suits to recover upon this liability.

## § 5 TERM "CORPORATION," DEFINED--

 RIGHT TO SUE AND BE SUED. The term corporations, as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.§ 6 LIMITATIONS UPON ISSUANCE OF STOCK. Corporations shall not issue stock, except to bona fide subscribers therefor, or their assignees; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or labor done. The stock of corporations shall not be increased, except in pursuance of a general law, nor shall any law authorize the increase of stock, without the consent of the person or persons holding the larger amount in value of the stock, nor without due notice of the proposed increase having been previously given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.
§ 7 FOREIGN CORPORATIONS. No corporation organized outside the limits of this state shall be allowed to transact business within the state on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this state.
§ 8 ALIENATION OF FRANCHISE NOT TO RELEASE LIABILITIES. No corporation shall lease or alienate any franchise, so as to relieve the franchise, or property held thereunder, from the liabilities of the lessor, or grantor, lessee, or grantee, contracted or incurred in the operation, use, or enjoyment of such franchise or any of its privileges.

## § 9 STATE NOT TO LOAN ITS CREDIT OR

 SLBSCRIBE FOR STOCK. The state shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association or corporation§ 10 EMINENT DOMAIN AFFECTING. The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the legislature from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals.
§ 11 STOCKHOLDER LIABILITY. No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporation or association accruing while they remain such stockholders, to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

The legislature may provide that stockholders of banking corporations organized under the laws of this state which shall provide and furnish, either through membership in the Federal Deposit Insurance Corporation, or through membership in any other instrumentality of the government of the United States, insurance or security for the payment of the debts and obligations of such banking corporation equivalent to that required by the laws of the United States to be furnished and provided by national banking associations, shall be relieved from liability for the debts and obligations of such banking corporation to the same extent that stockholders of national banking associations are relieved from liability for the debts and obligations of such national banking associations under the laws of the United States. [AMENDMENT 16, 1939 Senate Joint Resolution No. 8, p 1024. Approved November, 1940.]
Original text-Art. 12 § 11 Prohibition Against Issuance of Money and Liability of Stockholders in Banks-No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association, shall be individually and personally liable equally and ratably and not one for another, for all contracts, debts and engagements of such corporation or association accruing while they remain such stockholders to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.
§ 12 RECEIVING DEPOSITS BY BANK AFTER INSOLVENCY. Any president, director, manager, cashier, or other officer of any banking institution, who shall receive or assent to the reception of deposits, after he shall have knowledge of the fact that such banking institution is insolvent or in failing circumstances, shall be individually responsible for such deposits so received.
§ 13 COMMON CARRIERS, REGULATION OF. All railroad, canal and other transportation companies are declared to be common carriers and subject to legislative control. Any association or corporation organized for the purpose, under the laws of this state, shall have the right to connect at the state line with railroads of other states. Every railroad company shall have the right with its road, whether the same be now constructed or may hereafter be constructed, to intersect, cross or connect with any other railroad, and when such railroads
are of the same or similar gauge they shall at all crossings and at all points, where a railroad shall begin or terminate at or near any other railroad, form proper connections so that the cars of any such railroad companies may be speedily transferred from one railroad to another. All railroad companies shall receive and transport each the other's passengers, tonnage and cars without delay or discrimination.
§ 14 PROHIBITION AGAINST COMBINATIONS BY CARRIERS. No railroad company, or other common carrier, shall combine or make any contract with the owners of any vessel that leaves port or makes port in this state, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying.
§ 15 PROHIBITION AGAINST DISCRIMINATING CHARGES. No discrimination in charges or facilities for transportation shall be made by any railroad or other transportation company between places or persons, or in the facilities for the transportation of the same classes of freight or passengers within this state, or coming from or going to any other state. Persons and property transported over any railroad, or by any other transportation company, or individual, shall be delivered at any station, landing or port, at charges not exceeding the charges for the transportation of persons and property of the same class, in the same direction, to any more distant station, port or landing. Excursion and commutation tickets may be issued at special rates.
§ 16 PROHIBITION AGAINST CONSOLIDATING OF COMPETING LINES. No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a competing line.
§ 17 ROLLING STOCK, PERSONALTY FOR PURPOSE OF TAXATION. The rolling stock and other movable property belonging to any railroad company or corporation in this state, shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals and such property shall not be exempted from execution and sale.
§ 18 MAXIMUM RATES FOR TRANSPORTATION. The legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, and to correct abuses and prevent discrimination and extortion in the rates of freight and passenger tariffs on the different railroads and other common carriers in the state, and shall enforce such laws by adequate penalties. A railroad and transportation commission may be established and its powers and duties fully defined by law.

## § 19 TELEGRAPH AND TELEPHONE COMPA-

 NIES. Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph and telephone within this state, andsaid companies shall receive and transmit each other's messages without delay or discrimination and all of such companies are hereby declared to be common carriers and subject to legislative control. Railroad corporations organized or doing business in this state shall allow telegraph and telephone corporations and companies to construct and maintain telegraph lines on and along the rights of way of such railroads and railroad companies, and no railroad corporation organized or doing business in this state shall allow any telegraph corporation or company any facilities, privileges or rates for transportation of men or material or for repairing their lines not allowed to all telegraph companies. The right of eminent domain is hereby extended to all telegraph and telephone companies. The legislature shall, by general law of uniform operation, provide reasonable regulations to give effect to this section.

## Eminent domain: Art. 1 § 16.

§ 20 PROHIBITION AGAINST FREE TRANSPORTATION FOR PUBLIC OFFICERS. No railroad or other transportation company shall grant free passes, or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding any public office within this state. The legislature shall pass laws to carry this provision into effect.
§ 21 EXPRESS COMPANIES. Railroad companies now or hereafter organized or doing business in this state, shall allow all express companies organized or doing business in this state, transportation over all lines of railroad owned or operated by such railroad companies upon equal terms with any other express company, and no railroad corporation organized or doing business in this state shall allow any express corporation or company any facilities, privileges or rates for transportation of men or materials or property carried by them or for doing the business of such express companies not allowed to all express companies.
§ 22 MONOPOLIES AND TRUSTS. Monopolies and trusts shall never be allowed in this state, and no incorporated company, copartnership, or association of persons in this state shall directly or indirectly combine or make any contract with any other incorporated company, foreign or domestic, through their stockholders, or the trustees or assignees of such stockholders, or with any copartnership or association of persons, or in any manner whatever for the purpose of fixing the price or limiting the production or regulating the transportation of any product or commodity. The legislature shall pass laws for the enforcement of this section by adequate penalties, and in case of incorporated companies, if necessary for that purpose, may declare a forfeiture of their franchises.

## ARTICLE XIII STATE INSTITETIONS

§ 1 EDUCATIONAL, REFORMATORY AND PENAL INSTITUTIONS. Educational, reformatory and penal institutions; those for the benefit of blind, deaf, dumb, or otherwise defective youth; for the insane or idiotic; and such other institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be provided by law. The regents, trustees, or commissioners of all such institutions existing at the time of the adoption of this Constitution, and of such as shall thereafter be established by law, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by ayes and noes, and entered upon the journal.

## ARTICLE XIV SEAT OF GOVERNMENT

§ 1 STATE CAPITAL, LOCATION OF. The legislature shall have no power to change, or to locate the seat of government of this state; but the question of the permanent location of the seat of government of the state shall be submitted to the qualified electors of the Territory, at the election to be held for the adoption of this Constitution. A majority of all the votes cast at said election, upon said question, shall be necessary to determine the permanent location of the seat of government for the state; and no place shall ever be the seat of government which shall not receive a majority of the votes cast on that matter. In case there shall be no choice of location at said first election the legislature shall, at its first regular session after the adoption of this Constitution, provide for submitting to the qualified electors of the state, at the next succeeding general election thereafter, the question of choice of location between the three places for which the highest number of votes shall have been cast at the said first election. Said legislature shall provide further that in case there shall be no choice of location at said second election, the question of choice between the two places for which the highest number of votes shall have been cast, shall be submitted in like manner to the qualified electors of the state at the next ensuing general election: Provided, That until the seat of government shall have been permanently located as herein provided, the temporary location thereof shall remain at the city of Olympia.
§ 2 CHANGE OF STATE CAPITAL. When the seat of government shall have been located as herein provided, the location thereof shall not thereafter be changed except by a vote of two-thirds of all the qualified electors of the state voting on that question, at a general election, at which the question of location of the seat of government shall have been submitted by the legislature.

Governmental continuity during emergency periods: Art. 2 § 42.
§ 3 RESTRICTIONS ON APPROPRIATIONS FOR CAPITOL BUILDINGS. The legislature shall make no appropriations or expenditures for capitol buildings or grounds, except to keep the Territorial capitol buildings and grounds in repair, and for making all necessary additions thereto, until the seat of government shall have been permanently located, and the public buildings are erected at the permanent capital in pursuance of law.

## ARTICLE XV HARBORS AND TIDE WATERS

§ 1 HARBOR LINE COMMISSION AND RESTRAINT ON DISPOSITION. The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city, or within one mile thereof on either side. Any harbor line so located or established may thereafter be changed, relocated or reestablished by the commission pursuant to such provision as may be made therefor by the legislature. The state shall never give, sell, or lease to any private person, corporation, or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high water, and within not less than fifty feet nor more than two thousand feet of such harbor line (as the commission shall determine) be sold or granted by the state, nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce. [AMENDMENT 15, 1931 p 417 § 1. Approved November, 1932.]

## Tide lands: Art. 17.

> Original text-Art. 15 § 1 Harbor Line Commission and Restraint on Disposition of Certain Tide Lands-The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof on either side. The state shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide, and within not less than fifty feet nor more than six hundred feet of such harbor line (as the commission shall determine) be sold or granted by the state, nor its right to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

## § 2 LEASING AND MAINTENANCE OF

 WHARVES, DOCKS, ETC. The legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures, upon the areas mentioned in section one of this article, but no lease shall be made for any term longer than thirty years, or the legislature may provide by general laws for the building and maintaining upon such area wharves, docks, and other structures.§ 3 EXTENSION OF STREETS OVER TIDE LANDS. Municipal corporations shall have the right to extend their streets over intervening tide lands to and across the area reserved as herein provided.

## ARTICLE XVI SCHOOL AND GRANTED LANDS

§ 1 DISPOSITION OF. All the public lands granted to the state are held in trust for all the people and none of such lands, nor any estate or interest therein, shall ever be disposed of unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured to the state; nor shall any lands which the state holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.
§ 2 MANNER AND TERMS OF SALE. None of the lands granted to the state for educational purposes shall be sold otherwise than at public auction to the highest bidder, the value thereof, less the improvements shall, before any sale, be appraised by a board of appraisers to be provided by law, the terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of said land. In estimating the value of such lands for disposal, the value of the improvements thereon shall be excluded: Provided, That the sale of all school and university land heretofore made by the commissioners of any county or the university commissioners when the purchase price has been paid in good faith, may be confirmed by the legislature.
§ 3 LIMITATIONS ON SALES. No more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January 1, 1895, and not more than one-half prior to January 1, 1905: provided, that nothing herein shall be so construed as to prevent the state from selling the timber or stone off of any of the state lands in such manner and on such terms as may be prescribed by law: and provided, further, that no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.
§ 4 HOW MUCH MAY BE OFFERED IN CERTAIN CASES——PLATTING OF. No more than one hundred and sixty (160) acres of any granted lands of the state shall be offered for sale in one parcel, and all lands within the limits of any incorporated city or within two miles of the boundary of any incorporated city where the valuation of such land shall be found by appraisement to exceed one hundred dollars (\$100) per acre shall, before the same be sold, be platted into lots and blocks of not more than five acres in a block, and not more than one block shall be offered for sale in one parcel.
§ 5 INVESTMENT OF PERMANENT COMMON SCHOOL FUND. The permanent common school fund of this state may be invested as authorized by law. [AMENDMENT 44, 1965 ex.s. Senate Joint Resolution No. 22, part 2, p 2817. Approved November 8, 1966.]

Amendment 1 (1894)——Art. 16 § 5 Investment of School Fund-None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds. [AMENDMENT 1, 1893 p 9 § 1. Approved November, 1894.]

Original text-Art. 16 § 5 Investment of Permanent School Fund-None of the permanent school fund shall ever be loaned to private persons or corporations, but it may be invested in national, state, county or municipal bonds.

Funds for support of education: Art. 9 § 3.

## ARTICLE XVII TIDE LANDS

§ 1 DECLARATION OF STATE OWNERSHIP. The state of Washington asserts its ownership to the beds and shores of all navigable waters in the state up to and including the line of ordinary high tide, in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes: Provided, that this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state.

Harbors and tide waters: Art. 15.
§ 2 DISCLAIMER OF CERTAIN LANDS. The state of Washington disclaims all title in and claim to all tide, swamp and overflowed lands, patented by the United States: Provided, the same is not impeached for fraud.

## ARTICLE XVIII STATE SEAL

§ 1 SEAL OF THE STATE. The seal of the State of Washington shall be, a seal encircled with the words: "The Seal of the State of Washington," with the vignette of General George Washington as the central figure, and beneath the vignette the figures " 1889. "

Custody of seal: Art. 3 § 18.
State seal: RCW 1.20.080.

## ARTICLE XIX EXEMPTIONS

§ 1 EXEMPTIONS——HOMESTEADS, ETC. The legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families.

## ARTICLE XX PUBLIC HEALTH AND VITAL STATISTICS

## § 1 BOARD OF HEALTH AND BUREAU OF VI-

 TAL STATISTICS. There shall be established by law a state board of health and a bureau of vital statistics in connection therewith, with such powers as the legislature may direct.
## § 2 REGULATIONS CONCERNING MEDICINE,

 SURGERY AND PHARMACY. The legislature shall enact laws to regulate the practice of medicine and surgery, and the sale of drugs and medicines.
## ARTICLE XXI WATER AND WATER RIGHTS

§ 1 PUBLIC USE OF WATER. The use of the waters of this state for irrigation, mining and manufacturing purposes shall be deemed a public use.

## ARTICLE XXII LEGISLATIVE APPORTIONMENT

§ 1 SENATORIAL APPORTIONMENT Until otherwise provided by law, the state shall be divided into twenty-four (24) senatorial districts, and said districts shall be constituted and numbered as follows: The counties of Stevens and Spokane shall constitute the first district, and be entitled to one senator; the county of Spokane shall constitute the second district, and be entitled to three senators; the county of Lincoln shall constitute the third district, and be entitled to one senator; the counties of Okanogan, Lincoln, Adams and Franklin shall constitute the fourth district, and be entitled to one senator; the county of Whitman shall constitute the fifth district, and be entitled to three senators; the counties of Garfield and Asotin shall constitute the sixth district, and be entitled to one senator; the county of Columbia shall constitute the seventh district, and be entitled to one senator; the county of Walla Walla shall constitute the eighth district, and be entitled to two senators; the counties of Yakima and Douglas shall constitute the ninth district, and be entitled to one senator; the county of Kittitas shall constitute the tenth district and be entitled to one senator; the counties of Klickitat, and Skamania shall constitute the eleventh district, and be entitled to one senator; the county of Clarke shall constitute the twelfth district, and be entitled to one senator; the county of Cowlitz shall constitute the thirteenth district, and be entitled to one senator; the county of Lewis shall constitute the fourteenth district, and be entitled to one senator; the counties of Pacific and Wahkiakum shall constitute the fifteenth district, and be entitled to one senator; the county of Thurston shall constitute the sixteenth district, and be entitled to one senator; the county of Chehalis shall constitute the seventeenth district, and be entitled to one senator; the county of Pierce shall constitute the eighteenth district, and be entitled to three senators; the county of King shall constitute the nineteenth district, and be entitled to five senators; the
counties of Mason and Kitsap shall constitute the twentieth district, and be entitled to one senator; the counties of Jefferson, Clallam and San Juan shall constitute the twenty-first district, and be entitled to one senator; the county of Snohomish shall constitute the twenty-second district, and shall be entitled to one senator; the counties of Skagit and Island shall constitute the twenty-third district, and be entitled to one senator; the county of Whatcom shall constitute the twenty-fourth district, and be entitled to one senator.

## Districts and apportionment: Chapter 44.07 RCW.

## § 2 APPORTIONMENT OF REPRESENTA-

 TIVES. Until otherwise provided by law the representatives shall be divided among the several counties of the state in the following manner; the county of Adams shall have one representative; the county of Asotin shall have one representative; the county of Chehalis shall have two representatives; the county of Clarke shall have three representatives; the county of Clallam shall have one representative; the county of Columbia shall have two representatives; the county of Cowlitz shall have one representative; the county of Douglas shall have one representative; the county of Franklin shall have one representative; the county of Garfield shall have one representative; the county of Island shall have one representative; the county of Jefferson shall have two representatives; the county of King shall have eight representatives; the county of Klickitat shall have two representatives; the county of Kittitas shall have two representatives; the county of Kitsap shall have one representative; the county of Lewis shall have two representatives; the county of Lincoln shall have two representatives; the county of Mason shall have one representative; the county of Okanogan shall have one representative; the county of Pacific shall have one representative; the county of Pierce shall have six representatives; the county of San Juan shall have one representative; the county of Skamania shall have one representative; the county of Snohomish shall have two representatives; the county of Skagit shall have two representatives; the county of Spokane shall have six representatives; the county of Stevens shall have one representative; the county of Thurston shall have two representatives; the county of Walla Walla shall have three representatives; the county of Wahkiakum shall have one representative; the county of Whatcom shall have two representatives; the county of Whitman shall have five representatives; the county of Yakima shall have one representative.
## Districts and apportionment: Title 44 RCW.

## ARTICLE XXIII AMENDMENTS

§ 1 HOW MADE. Any amendment or a mendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes
thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: Provided, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: Provided, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. [AMENDMENT 37, 1961 Senate Joint Resolution No. 25, p 2753. Approved November, 1962.]


#### Abstract

Original text-Art. 23 \& 1 How Made-Any amendment or amendments to this Constitution may be proposed in either branch of the legislature, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: Provided, that if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause the amendments that are to be submitted to the people to be published for at least three months next preceding the election, in some weekly newspaper, in every county where a newspaper is published throughout the state.


§ 2 CONSTITUTIONAL CONVENTIONS. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election, for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such convention shall consist of a number of members, not less than that of the most numerous branch of the legislature.
§ 3 SUBMISSION TO THE PEOPLE. Any Constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

## ARTICLE XXIV BOUNDARIES

$\S 1$ STATE BOUNDARIES. The boundaries of the state of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude
crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of Shoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver's island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning; until such boundaries are modified by appropriate interstate compacts duly approved by the Congress of the United States. [AMENDMENT 33, 1957 Senate Joint Resolution No. 10, p 1292. Approved November 4, 1958.]

Original text-Art. 24 § 1 State Boundaries__The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river, thence east on said for-ty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equi distant between Bonnilla point on Vancouver's island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning.

## ARTICLE XXV JURISDICTION

§ 1 AUTHORITY OF THE UNITED STATES. The consent of the State of Washington is hereby given to the exercise, by the congress of the United States, of exclusive legislation in all cases whatsoever over such tracts or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dockyards, lighthouses and other needful buildings, in accordance with the provisions of the seventeenth paragraph of the eighth section of the first article of the Constitution of the United States, so long as the same shall be so held and reserved by the United States. Provided: That a sufficient description by metes and bounds,
and an accurate plat or map of each such tract or parcel of land be filed in the proper office of record in the county in which the same is situated, together with copies of the orders, deeds, patents or other evidences in uriting of the title of the United States: and provided, That all civil process issued from the courts of this state and such criminal process as may issue under the authority of this state against any person charged with crime in cases arising outside of such reservations, may be served and executed thereon in the same mode and manner, and by the same officers, as if the consent herein given had not been made.

## ARTICLE XXVI COMPACT WITH THE UNITED STATES

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:

First. That perfect toleration of religious sentiment shall be secured and that no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying with the boundaries of this state, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States and that the lands belonging to citizens of the United States residing without the limits of this state shall never be taxed at a higher rate than the lands belonging to residents thereof; and that no taxes shall be imposed by the state on lands or property therein, belonging to or which may be hereafter purchased by the United States or reserved for use: Provided, That nothing in this ordinance shall preclude the state from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation, which exemption shall continue so long and to such an extent as such act of congress may prescribe.

Third. The debts and liabilities of the Territory of Washington and payment of the same are hereby assumed by this state.

Fourth. Provision shall be made for the establishment and maintenance of systems of public schools free from sectarian control which shall be open to all the children of said state.

## ARTICLE XXVII SCHEDULE

In order that no inconvenience may arise by reason of a change from a Territorial to a State government, it is hereby declared and ordained as follows:
§ 1 EXISTING RIGHTS, ACTIONS AND CONTRACTS SAVED. No existing rights, actions, suits, proceedings, contracts or claims shall be affected by a change in the form of government, but all shall continue as if no such change had taken place; and all process which may have been issued under the authority of the Territory of Washington previous to its admission into the Union shall be as valid as if issued in the name of the state.
§ 2 LAWS IN FORCE CONTINUED. All laws now in force in the Territory of Washington, which are not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature: Provided, That this section shall not be so construed as to validate any act of the legislature of Washington Territory granting shore or tide lands to any person, company or any municipal or private corporation.
§ 3 DEBTS, FINES, ETC., TO INURE TO THE STATE. All debts, fines, penalties and forfeitures, which have accrued, or may hereafter accrue, to the Territory of Washington, shall inure to the State of Washington.
§ 4 RECOGNIZANCES. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government shall remain valid, and shall pass to, and may be prosecuted in the name of the state; and all bonds executed to the Territory of Washington or to any county or municipal corporation, or to any officer or court in his or its official capacity, shall pass to the state authorities and their successors in office, for the uses therein expressed, and may be sued for and recovered accordingly, and all the estate, real, personal and mixed, and all judgments decrees, bonds, specialties, choses in action, and claims or debts, of whatever description, belonging to the Territory of Washington, shall inure to and vest in the State of Washington, and may be sued for and recovered in the same manner, and to the same extent, by the State of Washington, as the same could have been by the Territory of Washington.
§ 5 CRIMINAL PROSECUTIONS AND PENAL ACTIONS. All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment, and execution in the name of the state. All offenses committed against the laws of the Territory of Washington, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Washington, with like effect
as though such change had not taken place; and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the Territory of Washington, at the time of the change from a territorial to a state government, shall be continued, and transferred to the court of the state having jurisdiction of the subject matter thereof.
§ 6 RETENTION OF TERRITORIAL OFFICERS. All officers now holding their office under the authority of the United States, or of the Territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.
§ 7 CONSTITUTIONAL OFFICERS, WHEN ELECTED. All officers provided for in this Constitution including a county clerk for each county when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this Constitution on the first Tuesday of October, 1889.
§ 8 CHANGE OF COURTS——TRANSFER OF CAUSES. Whenever the judge of the superior court of any county, elected or appointed under the provisions of this Constitution shall have qualified the several causes then pending in the district court of the territory except such causes as would have been within the exclusive jurisdiction of the United States district court had such court existed at the time of the commencement of such causes, within such county, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court for such county. And where the same judge is elected for two or more counties, it shall be the duty of the clerk of the district court having custody of such papers and records to transmit to the clerk of such county, or counties, other than that in which such records are kept the original papers in all cases pending in such district court and belonging to the jurisdiction of such county or counties together with transcript of so much of the records of said district court as relate to the same; and until the district courts of the Territory shall be superseded in manner aforesaid, the said district courts and the judges thereof, shall continue with the same jurisdiction and powers, to be exercised in the same judicial districts respectively, as heretofore constituted under the laws of the Territory. Whenever a quorum of the judges of the supreme court of the state shall have been elected and qualified, the causes then pending in the supreme court of the Territory, except such causes as would have been within the exclusive jurisdiction of the United States, circuit court had such court existed at the time of the commencement of such causes, and the papers, records and proceedings of said court and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the supreme court of the state, and until so superseded, the supreme court of the Territory and the judges thereof, shall continue with like powers and jurisdiction as if this Constitution had not been adopted.
§ 9 SEALS OF COURTS AND MUNICIPALITIES. Until otherwise provided by law, the seal now in use in the supreme court of the Territory shall be the seal of the supreme court of the state. The seals of the superior courts of the several counties of the state shall be, until otherwise provided by law, the vignette of General George Washington with the words: "Seal of the Superior Court of ..........- county" surrounding the vignette. The seal of municipalities, and of all county officers of the Territory, shall be the seals of such municipalities, and county officers respectively under the state, until otherwise provided by law.
§ 10 PROBATE COURT, TRANSFER OF. When the state is admitted into the Union, and the superior courts in the respective counties organized, the books, records, papers and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall, upon the expiration of the term of office of the probate judges, on the second Monday in January, 1891, pass into the jurisdiction and possession of the superior court of the same county created by this Constitution, and the said court shall proceed to final judgment or decree, order of other determination in the several matters and causes, as the territorial probate court might have done, if this Constitution had not been adopted. And until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the Territory. The superior courts shall have appellate and revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.
§ 11 DUTIES OF FIRST LEGISLATURE. The legislature, at its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this Constitution, and fix the time for the commencement and duration of their term.
§ 12 ELECTION CONTESTS FOR SUPERIOR JUDGES, HOW DECIDED. In case of a contest of election between candidates, at the first general election under this Constitution, for judges of the superior courts, the evidence shall be taken in the manner prescribed by the Territorial laws, and the testimony so taken shall be certified to the secretary of state; and said officer, together with the governor and treasurer of state, shall review the evidence and determine who is entitled to the certificate of election.
§ 13 REPRESENTATION IN CONGRESS. One representative in the congress of the United States shall be elected from the state at large, at the first election provided for in this Constitution; and, thereafter, at such times and places, and in such manner, as may be prescribed by law. When a new apportionment shall be made by congress, the legislature shall divide the state into congressional districts, in accordance with such apportionment. The vote cast for representative in congress, at the first election, shall be canvassed, and the result determined in the manner provided for by the laws
of the Territory for the canvass of the vote for delegate in congress.
§ 14 DL'RATION OF TERM OF CERTAIN OFFICERS. All district, county and precinct officers, who may be in office at the time of the adoption of this Constitution, and the county clerk of each county elected at the first election, shall hold their respective offices until the second Monday of January, A. D., 1891, and until such time as their successors may be elected and qualified, in accordance with the provisions of this Constitution; and the official bonds of all such officers shall continue in full force and effect as though this Constitution had not been adopted. And such officers shall continue to receive the compensation now provided, until the same be changed by law.
§ 15 ELECTION ON ADOPTION OF CONSTITUTION, HOW TO BE CONDUCTED. The election held at the time of the adoption of this Constitution shall be held and conducted in all respects according to the laws of the Territory, and the votes cast at said election for all officers (where no other provisions are made in this Constitution), and for the adoption of this Constitution and the several separate articles and the location of the state capital, shall be canvassed and returned in the several counties in the manner provided by Territorial law, and shall be returned to the secretary of the Territory in the manner provided by the Enabling Act.
§ 16 WHEN CONSTITUTION TO TAKE EFFECT. The provisions of this Constitution shall be in force from the day on which the president of the United States shall issue his proclamation declaring the State of Washington admitted into the Union, and the terms of all officers elected at the first election under the provisions of this Constitution shall commence on the Monday next succeeding the issue of said proclamation, unless otherwise provided herein.
§ 17 SEPARATE ARTICLES. The following separate articles shall be submitted to the people for adoption or rejection at the election for the adoption of this Constitution:

## SEPARATE ARTICLE, NO. 1

"All persons male and female of the age of twentyone years or over, possessing the other qualifications, provided by this Constitution, shall be entitled to vote at all elections."

## SEPARATE ARTICLE, NO. 2

"It shall not be lawful for any individual, company or corporation, within the limits of this state, to manufacture, or cause to be manufactured, or to sell, or offer for sale, or in any manner dispose of any alcoholic, malt or spirituous liquors, except for medicinal, sacramental or scientific purposes."

If a majority of the ballots cast at said election on said separate articles be in favor of the adoption of either of
said separate articles, then such separate article so receiving a majority shall become a part of this Constitution and shall govern and control any provision of the Constitution in conflict therewith.
§ 18 BALLOT. The form of ballot to be used in voting for or against this Constitution, or for or against the separate articles, or for the permanent location of the seat of government, shall be:

1. For the Constitution Against the Constitution
2. For Woman Suffrage Article Against Woman Suffrage Article
3. For Prohibition Article $\qquad$ Against Prohibition Article
4. For the Permanent Location of the Seat of Government (Name of place voted for) --------------
The result of the election was against both woman suffrage and prohibition.
§ 19 APPROPRIATION. The legislature is hereby authorized to appropriate from the state treasury sufficient money to pay any of the expenses of this convention not provided for by the Enabling Act of Congress.

## ARTICLE XXVIII COMPENSATION OF STATE OFFICERS

§ 1 COMPENSATION OF STATE OFFICERS. All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.

The provisions of sections $14,16,17,19,20,21$, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed. [AMENDMENT 20, 1947 Senate Joint Resolution No. 4, p 1371 . Approved November 2, 1948.]

Authorizing compensation increase during term: Art. 30 § 1.
Compensation of state officers: RCW 43.03.010.

## ARTICLE XXIX INVESTMENTS OF PUBLIC PENSION AND RETIREMENT FUNDS

§ 1 MAY BE INVESTED AS AUTHORIZED BY LAW. Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund may be invested as authorized by law. [AMENDMENT 49, 1967 Senate Joint Resolution No. 5. Approved November 5, 1968.]

## ARTICLE XXX COMPENSATION OF PUBLIC OFFICERS

## § 1 AUTHORIZING COMPENSATION IN-

 CREASE DURING TERM. The compensation of all elective and appointive state, county, and municipal officers who do not fix their own compensation, including judges of courts of record and the justice courts may be increased during their terms of office to the end that such officers and judges shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered.The provisions of section 25 of Article II (Amendment 35), section 25 of Article III (Amendment 31), section 13 of Article IV, section 8 of Article XI, and section 1 of Article XXVIII (Amendment 20) insofar as they are inconsistent herewith are hereby repealed. [AMENDMENT 54, 1967 House Joint Resolution No. 13. Approved November 5, 1968.]

Reviser's Note: (1) Amendment 49 (1967 SJR No. 5) and Amendment 54 ( 1967 HJR No. 13) each added a new Article XXIX to the Constitution. Amendment 49 is carried herein as Article XXIX while Amendment 54 has been herein redesignated as Article XXX.
(2) The name of this article has been supplied by the reviser.

## ARTICLE XXXI <br> SEX EQUALITY——RIGHTS AND RESPONSIBILITIES

§ 1 Equality of rights and responsibility under the law shall not be denied or abridged on account of sex.
§ 2 The legislature shall have the power to enforce by appropriate legislation, the provisions of this article. [AMENDMENT 61, 1972 House Joint Resolution No. 61, p 526. Approved November, 1972.]

Reviser's Note: The name of this article has been supplied by the reviser.

## CERTIFICATE

We, the undersigned, members of the convention to form a Constitution for the State of Washington; which is to be submitted to the people for their adoption or rejection, do hereby declare this to be the Constitution formed by us, and in testimony thereof, do hereunto set our hands, this twenty-second day of August Anno Domini, one thousand eight hundred and eighty-nine.

John P. Hoyt,
President
J. J. Browne
N. G. Blalock

John F. Gowey
Frank M. Dallam
James Z. Moore
E. H. Sullivan George Turner Austin Mires
M. M. Godman

Gwin Hicks
Wm. F. Prosser
C. H. Warner
J. P. T. McCroskey
S. G. Cosgrove

Thos. Hayton

Edward Eldridge
George H. Stevenson
Louis Sohns
A. A. Lindsley
J. J. Weisenburger
P. C. Sullivan
R. S. More

Thomas T. Minor
J. J. Travis

Arnold J. West
Charles T. Fay
George W. Tibbetts
H. W. Fairweather

Thomas C. Griffitts
J. F. Van Name

Albert Schooley
H. C. Willison

Charles P. Coey
Robert F. Sturdevant
John A. Shoudy
Allen Weir
W. B. Gray

Trusten P. Dyer
Geo. H. Jones
B. L. Sharpstein
H. M. Lillis

James A. Burk
John McReavy
R. O. Dunbar

Morgan Morgans
Jas. Power
B. B. Glascock
O. A. Bowen

Sam'l H. Berry
D. J. Crowley
J. T. McDonald

John M. Reed
T. M. Reed
S. H. Manly

Richard Jeffs
Francis Henry
George Comegys
Oliver H. Joy
David E. Durie
D. Buchanan

John R. Kinnear
Sylvious A. Dickey
Henry Winsor
Theodore L. Stiles Harrison Clothier
Matt. J. McElroy
J. T. Eshelman

Robert Jamieson
Hiram E. Allen
H. F. Suksdorf
J. C. Kellogg
J. A. Hungate

Attest: JNO. I. BOOGE, Chief Clerk.

The above names are not in the order in which subscribed to the Constitution.

## (B) Constitutional Amendments (in order of adoption)

## Amendment

No.
1 Art. 16 § 5
2 Art. 6 § 1
Investment of school fund.

3 Art. 7 § 2
Qualifications of voters.
(original) Taxation-Uniformity and equalityExemption.
4 Art. 1 § 11
Religious freedom.
5 Art. 6 § 1
Qualifications of electors.
6 Art. 3 § $10 \quad$ Vacancy in office of governor.
7 Art. 2 § 1 Legislative powers, where vested.
8 Art. $1 \S \S 33$, 34 Recall of elective officers.
9 Art. 1 § 16 Eminent domain.
10 Art. 1 § 22 Rights of the accused.
11 Art. 8 § 4 Moneys disbursed only by
12 Art appropriation.
12 Art. 11 § $5 \quad$ County government.
13 Art. 2 § $15 \quad$ Vacancies in legislature.
14 Art. 7 § 1 Taxation (and repealing Art. 7 §§
15 Art. 15 § 1 Harbor line commission and restraint on disposition.
16 Art. 12 § 11 Stockholder liability.
17 Art. 7 § $2 \quad$ Forty mill limit.
18 Art. 2 § $40 \quad$ Highway funds.
19 Art. 7 § 3 Taxation of federal agencies and
20 Art. 28 § 1 Compensation of state officers.
21 Art. 11 § 4 County government and township organization.
22 Art. 11 § 7 Tenure of office limited to two terms. (Repealed.)
23 Art. 11 § 16 Combined city and county.
24 Art. 2 § 33 Alien ownership.
25 Art. 4 § 3 (a) Retirement of supreme court and superior court judges.

|  | dment |  |
| :---: | :---: | :---: |
| 26 | Art. 2 § 41 | Laws, effective date. Initiative, Referendum-Amendment or repeal. |
| 27 | Art. 8 § 6 | Limitations upon municipal indebtedness. |
| 28 | Art. 4 § 6 Art. 4 § 10 | Jurisdiction of superior courts. Justices of the peace. |
| 29 | Art. $2 \S 33$ | Alien ownership. |
| 30 | Art. 2 § 1A | Initiative and referendum, signatures required. |
| 31 | Art. 3 § 25 | Qualifications, compensation, offices which may be abolished. |
| 32 | Art. 2 § 15 | Vacancies in legislature and in partisan county elective office. |
| 33 | Art. 24 § 1 | State boundaries. |
| 34 | Art. 1 § 11 | Religious freedom. |
| 35 | Art. 2 § 25 | Extra compensation prohibited. |
| 36 | Art. 2 § 1 | Legislative powers, where vested (publicity of laws referred to the people). |
| 37 | Art. 23 § 1 | (Amendments to Constitution) How made. |
| 38 | Art. 4 § 2 (a) | Temporary performance of judicial duties. |
| 39 | Art. 2 § 42 | Governmental continuity during emergency periods. |
| 40 | Art. 11 § 10 | Incorporation of municipalities. |
| 41 | Art. 4 § 29 | Election of superior court judges. |
| 42 |  | (Repeals Art. 2 § 33 and Amendments 24 and 29.) |
| 43 | Art. 9 § 3 | (Schools) Funds for support. |
| 44 | Art. 16 § 5 | Investment of permanent common school fund. |
| 45 | Art. 8 § 8 | Port expenditures-Industrial development-Promotion. |
| 46 | Art. 6 § 1A | Voter qualifications for presidential elections. |
| 47 | Art. 7 § 10 | Retired persons property tax exemption. |
| 48 | Art. 8 § 3 | Special indebtedness, how authorized. |
| 49 | Art. 29 § 1 | (Investments of public pension and retirement funds.) May be invested as authorized by law. |
| 50 | Art. 4 § 30 | Court of appeals. |
| 51 | Art. 8 § 9 | State building authority. |
| 52 | Art. 2 § 15 Art. 11 § 6 | Vacancies in legislature and in partisan county elective office. <br> Vacancies in township, precinct or road district offices. |
| 53 | Art. 7 § 11 | Taxation based on actual use. |
| 54 | Art. 30 § 1 | (Compensation of public officers.) Authorizing compensation increase during term. |
| 55 | Art. 7 § 2 | Limitation on levies. |
| 56 | Art. 2 § 24 | Lotteries and divorce. |
| 57 | Art. 11 §§ 5, 8 | County government. Salaries and limitations affecting. |
| 58 | Art. 11 § 16 | Combined city-county. |

## Amendment

No.

59 Art. 7 § 2 Limitation on levies.
60 Art. 8 §§ 1, 3 State debt. Special indebtedness, how authorized.
61 Art. 31 §§ 1, 2 Equality not denied because of sex. Enforcement power of legislature.
62 Art. 3 § $12 \quad$ Veto power.
63 Art. 6 § 1
Qaulifications of electors.

## AMENDMENT 1

Art. 16 § 5 INVESTMENT OF SCHOOL FUND. None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds. [1893 p 9 § 1. Adopted November, 1894.]

Art. $16 \S 5$ was later amended by Amendment 44.

## AMENDMENT 2

Art. 6 § 1 QUALIFICATIONS OF VOTERS. All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not effect [affect] the right of franchise of any person who is now a qualified elector of this state. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provisions of this section. [1895 p 60 § $].$ Approved November, 1896.]

Art. 6 § 1 was later amended by Amendment 5 .

## AMENDMENT 3

Art. 7 § 2, was amended by adding the following proviso: "And provided further, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred dollars (\$300) for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual and bona fide owner." [1889 p 121 §1. Approved November, 1900.]

[^7]
## AMENDMENT 4

Art. 1 § 11 RELIGIOUS FREEDOM. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment. Provided, however, That this article shall not be so construed as to forbid the employment by the state of a chaplain for the state penitentiary, and for such of the state reformatories as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. [1903 p 283 § 1. Approved November, 1904.]

Art. 1 § 11 was later amended by Amendment 34.

## AMENDMENT 5

Art. 6 was amended by striking from said article all of sections one (1) and two (2) and inserting in lieu thereof the following, to be known as section one (1):
§ 1 QUALIFICATIONS OF ELECTORS. All person of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex. [ 1909 p 26 § 1. Approved November, 1910.]

Prior amendment of Art. 6, see Amendment 2.

## AMENDMENT 6

Art. 3 § 10 VACANCY IN OFFICE OF GOVERNOR. In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor; and in case of a vacancy in both the offices of governor and lieutenant
governor, the duties of the governor shall devolve upon the secretary of state. In addition to the line of succession to the office and duties of governor as hereinabove indicated, if the necessity shall arise, in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor and in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. In case of the death, disability, failure or refusal of the person regularly elected to the office of governor to qualify at the time provided by law, the duties of the office shall devolve upon the person regularly elected to and qualified for the office of lieutenant governor, who shall act as governor until the disability be removed, or a governor be elected; and in case of the death, disability, failure or refusal of both the governor and the lieutenant governor elect to qualify, the duties of the governor shall devolve upon the secretary of state; and in addition to the line of succession to the office and duties of governor as hereinabove indicated, if there shall be the failure or refusal of any officer named above to qualify, and if the necessity shall arise by reason thereof, then in that event in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. Any person succeeding to the office of governor as in this section provided, shall perform the duties of such office only until the disability be removed, or a governor be elected and qualified; and if a vacancy occur more than thirty days before the next general election occurring within two years after the commencement of the term, a person shall be elected at such election to fill the office of governor for the remainder of the unexpired term. [1909 p 642 § 1. Approved November, 1910.]

## AMENDMENT 7

Article 2 was amended by striking all of sections 1 and 31 , and inserting in lieu thereof as section 1 the following, so that the same shall read as follows:

Art. 2 § 1 LEGISLATIVE POWERS, WHERE VESTED. The legislative authority of the state of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the state of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any bill, act or law passed by the legislature.
(a) Initiative: The first power reserved by the people is the initiative. Ten per centum, but in no case more than fifty thousand, of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed
at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measure shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

Portion of subdivision (a) is superseded by the 30th amendment.
(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted. Six per centum, but in no case more than thirty thousand, of the legal voters shall be required to sign and make a valid referendum petition.

Portion of subdivision (b) is superseded by the 30th amendment.
(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.
Subdivision (c) is superseded by the 26th amendment.
(d) The filing of a referendum petition against one or more items, sections or parts of any act, law or bill shall not delay the remainder of the measure from becoming
operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures referred to the people of the state shall be had at the biennial regular elections, except when the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: Provided, That the vote cast upon such question or measure shall equal one-third of the total votes cast at such election and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any member of the legislature of the right to introduce any measure. The whole number of electors who voted for governor at the regular gubernatorial election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. All such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

The legislature shall prove methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon. [1911 p 136 § 1. Approved November, 1912.]

Last paragraph is superseded by the 36th amendment.

## AMENDMENT 8

Art. 1 was amended by adding the two following sections:
§ 33 RECALL OF ELECTIVE OFFICERS. Every elective public officer of the state of Washington expect [except] judges of courts of record is subject to recall and discharge by the legal voters of the state, or of the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts of malfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof, hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election is filed with the officer with whom a petition for nomination, or certificate for
nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided.
§ 34 SAME. The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: Provided, That the authority hereby conferred upon the legislature shall not be construed to grant to the legislature any exclusive power of lawmaking nor in any way limit the initiative and referendum powers reserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class, school district boards in cities of the first class; county officers of counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein mentioned, and state senators and representatives, thirty-five per cent. [1911 p 504 § 1. Approved November, 1912.]

## AMENDMENT 9

Art. 1 § 16 EMINENT DOMAIN. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public: Provided, that the taking of private property by the state for land reclamation and settlement purposes is hereby declared to be for public use. [1919 p 385 § 1. Approved November, 1920.]

## AMENDMENT 10

Art. 1 § 22 RIGHTS OF THE ACCUSED. In criminal prosecutions the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is charged to have been committed and the right to appeal in all cases:

Provided, The route traversed by any railway coach, train or public conveyance, and the water traversed by any boat shall be criminal districts; and the jurisdiction of all public offenses committed on any such railway car, coach, train, boat or other public conveyance, or at any station or depot upon such route, shall be in any county through which the said car, coach, train, boat or other public conveyance may pass during the trip or voyage, or in which the trip or voyage may begin or terminate. In no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed. [1921 p 79 § 1. Approved November, 1922.]

## AMENDMENT 11

## Art. 8 § 4 MONEYS DISBURSED ONLY BY AP-

 PROPRIATIONS. No moneys shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within one calendar month after the end of the next ensuing fiscal biennium, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum. [1921 p 80 § 1. Approved November, 1922.]
## AMENDMENT 12

Art. 11 § 5 COUNTY GOVERNMENT. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: Provided, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession. [1923 p 254 § 1. Approved November, 1924.]

Art. 11 § 5 was later amended by Amendment 57.

## AMENDMENT 13

Art. 2 § 15 VACANCIES IN LEGISLATURE. Such vacancies as may occur in either house of the legislature shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs, and the person so appointed shall hold office until his successor is elected at the next general election, and
shall have qualified: Provided, That in case of a vacancy occurring in the office of joint senator, the vacancy shall be filled by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial district. [1929 p 690. Approved November, 1930.]

Art. 2 § 15 was later amended by Amendments 32 and 52.

## AMENDMENT 14

Article 7 is amended by striking out all of sections 1 , 2,3 and 4 , and inserting in lieu thereof the following, to be known as section 1 :

Art. 7 § 1 TAXATION. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class: Provided, That the legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or an ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power by appropriate legislation, to exempt personal property to the amount of three hundred (\$300.00) dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual bona fide owner. [1929 p 499 § 1: Approved November, 1930. New § 2 added through Amendment 17: Approved November, 1944. New § 3 added through Amendment 19: Approved November, 1946.]

## AMENDMENT 15

Art. 15 § 1 HARBOR LINE COMMISSION AND RESTRAINT ON DISPOSITION. The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city, or within one mile thereof on either side. Any harbor line so located or established may thereafter be changed, relocated or reestablished by the commission pursuant to such provision as may be made therefor by the legislature. The state shall never give, sell or lease to any private person, corporation, or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high water, and within not less than fifty feet nor more than two thousand feet of such harbor line (as the commission shall determine) be sold or granted by
the state, nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce. [1931 p 417 § 1. Approved November, 1932.]

## AMENDMENT 16

Art. 12 § 11 STOCKHOLDER LIABILITY. No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporation or association accruing while they remain such stockholders, to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

The legislature may provide that stockholders of banking corporations organized under the laws of this state which shall provide and furnish, either through membership in the Federal Deposit Insurance Corporation, or through membership in any other instrumentality of the government of the United States, insurance or security for the payment of the debts and obligations of such banking corporation equivalent to that required by the laws of the United States to be furnished and provided by national banking associations, shall be relieved from liability for the debts and obligations of such banking corporation to the same extent that stockholders of national banking associations are relieved from liability for the debts and obligations of such national banking associations under the laws of the United States. [1939 Senate Joint Resolution No. 8, p 1024. Approved November, 1940.]

## AMENDMENT 17

Art. 7 § 2 FORTY MILL LIMIT. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per centum of the true and fair value of such property in money: Provided, however, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district " for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only.
(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months
prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;
(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: Provided, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, and Provided, further, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution.
(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [1943 House Joint Resolution No. 1, p 936. Approved November, 1944.]

Art. 7 § 2 was later amended by Amendments 55 and 59.

## AMENDMENT 18

Art. 2 § 40 HIGHWAY FUNDS. All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes, shall be paid into the state treasury and placed in a special fund to be used exclusively for highway purposes. Such highway purposes shall be construed to include the following:
(a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;
(b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets; including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3)
policing by the state of public highways, (4) operation of movable span bridges, (5) operation of ferries which are a part of any public highway, county road, or city street;
(c) The payment or refunding of any obligation of the State of Washington, or any political subdivision thereof, for which any of the revenues described in section 1 may have been legally pledged prior to the effective date of this act;
(d) Refunds authorized by law for taxes paid on motor vehicle fuels;
(e) The cost of collection of any revenues described in this section:

Provided, That this section shall not be construed to include revenue from general or special taxes or excises not levied primarily for highway purposes, or apply to vehicle operator's license fees or any excise tax imposed on motor vehicles or the use thereof in lieu of a property tax thereon, or fees for certificates of ownership of motor vehicles. [1943 House Joint Resolution No. 4, p 938. Approved November, 1944.]

## AMENDMENT 19

Art. 7 § 3 TAXATION OF FEDERAL AGENCIES AND PROPERTY. The United States and its agencies and instrumentalities, and their property, may be taxed under any of the tax laws of this state, whenever and in such manner as such taxation may be authorized or permitted under the laws of the United States, notwithstanding anything to the contrary in the Constitution of this state. [1945 House Joint Resolution No. 9, p 932. Approved November, 1946.

## AMENDMENT 20

Art. 28 § 1 COMPENSATION OF STATE OFFICERS. All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.
The provisions of sections $14,16,17,19,20,21$, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed. [1947 Senate Joint Resolution No. 4, p 1371 . Approved November 2, 1948.]
Authorizing compensation increase during term: See Amendment 54.

## AMENDMENT 21

Art. 11 § 4 COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION. The legislature shall establish a system of county government, which shall be uniform throughout the state except as hereinafter provided, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine;
and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

Any county may frame a "Home Rule" charter for its own government subject to the Constitution and laws of this state, and for such purpose the legislative authority of such county may cause an election to be had, at which election there shall be chosen by the qualified voters of said county not less than fifteen (15) nor more than twenty-five (25) freeholders thereof, as determined by the legislative authority, who shall have been residents of said county for a period of at least five (5) years preceding their election and who are themselves qualified electors, whose duty it shall be to convene within thirty (30) days after their election and prepare and propose a charter for such county. Such proposed charter shall be submitted to the qualified electors of said county, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said county and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, or any existing form of county government, and all special laws inconsistent with such charter. Said proposed charter shall be published in two (2) legal newspapers published in said county, at least once a week for four (4) consecutive weeks prior to the day of submitting the same to the electors for their approval as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election and shall be given for at least ten (10) days before the day of election in all election districts of said county. Said elections may be general or special elections and except as herein provided, shall be governed by the law regulating and controlling general or special elections in said county. Such charter may be amended by proposals therefor submitted by the legislative authority of said county to the electors thereof at any general election after notice of such submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.

Any home rule charter proposed as herein provided, may provide for such county officers as may be deemed necessary to carry out and perform all county functions as provided by charter or by general law, and for their compensation, but shall not affect the election of the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, or the jurisdiction of the courts.

Notwithstanding the foregoing provision for the calling of an election by the legislative authority of such county for the election of freeholders to frame a county charter, registered voters equal in number to ten (10) per centum of the voters of any such county voting at the last preceding general election, may at any time
propose by petition the calling of an election of freeholders. The petition shall be filed with the county auditor of the county at least three (3) months before any general election and the proposal that a board of freeholders be elected for the purpose of framing a county charter shall be submitted to the vote of the people at said general election, and at the same election a board of freeholders of not less than fifteen (15) or more than twenty-five (25), as fixed in the petition calling for the election, shall be chosen to draft the new charter. The procedure for the nomination of qualified electors as candidates for said board of freeholders shall be prescribed by the legislative authority of the county, and the procedure for the framing of the charter and the submission of the charter as framed shall be the same as in the case of a board of freeholders chosen at an election initiated by the legislative authority of the county.

In calling for any election of freeholders as provided in this section, the legislative authority of the county shall apportion the number of freeholders to be elected in accordance with either the legislative districts or the county commissioner districts, if any, within said county, the number of said freeholders to be elected from each of said districts to be in proportion to the population of said districts as nearly as may be.

Should the charter proposed receive the affirmative vote of the majority of the electors voting thereon, the legislative authority of the county shall immediately call such special election as may be provided for therein, if any, and the county government shall be established in accordance with the terms of said charter not more than six (6) months after the election at which the charter was adopted.

The terms of all elective officers, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, who are in office at the time of the adoption of a Home Rule Charter shall terminate as provided in the charter. All appointive officers in office at the time the charter goes into effect, whose positions are not abolished thereby, shall continue until their successors shall have qualified.

After the adoption of such charter, such county shall continue to have all the rights, powers, privileges and benefits then possessed or thereafter conferred by general law. All the powers, authority and duties granted to and imposed on county officers by general law, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court and the justices of the peace, shall be vested in the legislative authority of the county unless expressly vested in specific officers by the charter. The legislative authority may by resolution delegate any of its executive or administrative powers, authority or duties not expressly vested in specific officers by the charter, to any county officer or officers or county employee or employees.

The provisions of sections $5,6,7$, and the first sentence of section 8 of this Article as amended shall not apply to counties in which the government has been established by charter adopted under the provisions hereof. The authority conferred on the board of county commissioners by Section 15 of Article II as amended, shall be
exercised by the legislative authority of the county. [1947 Senate Joint Resolution No. 5, p 1372. Approved November 2, 1948.]

## AMENDMENT 22

Section 7, Article XI, Constitution of the State of Washington is hereby repealed. [1947 House Joint Resolution No. 4, p 1385. Approved November 2, 1948.]

## AMENDMENT 23

Art. 11 § 16 COMBINED CITY AND COUNTY. The legislature shall, by general law, provide for the formation of combined city and county municipal corporations, and for the manner of determining the territorial limits thereof, each of which shall be known as a "city and county," and, when organized, shall contain a population of at least three hundred thousand $(300,000)$ inhabitants. No such city and county shall be formed except by a majority vote of the qualified electors of the area proposed to be included therein and also by a majority vote of the qualified electors of the remainder of that county from which such area is to be taken. Any such city and county shall be permitted to frame a charter for its own government, and amend the same, in the manner provided for cities by section 10 of this article: Provided, however, That the first charter of such city and county shall be framed and adopted in a manner to be specified in the general law authorizing the formation of such corporations: Provided further, That every such charter shall designate the respective officers of such city and county who shall perform the duties imposed by law upon county officers. Every such city and county shall have and enjoy all rights, powers and privileges asserted in its charter, not inconsistent with general laws, and in addition thereto, such rights, powers and privileges as may be granted to it, or possessed and enjoyed by cities and counties of like population separately organized.

No county or county government existing outside the territorial limits of such county and city shall exercise any police, taxation or other powers within the territorial limits of such county and city, but all such powers shall be exercised by the city and county and the officers thereof, subject to such constitutional provisions and general laws as apply to either cities or counties: Provided, That the provisions of sections $2,3,4,5,6,7$, and 8 of this article shall not apply to any such city and county: Provided further, That the salary of any elective or appointive officer of a city and county shall not be changed after his election or appointment or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. In case an existing county is divided in the formation of a city and county, such city and county shall be liable for a just proportion of the existing debts or liabilities of the former county, and shall account for and pay the county remaining a just proportion of the value of any real estate or other property owned by the former county and taken over by the county and city, the method of determining such just proportion to be
prescribed by general law, but such division shall not affect the rights of creditors. The officers of a city and county, their compensation, qualifications, term of office and manner of election or appointment shall be as provided for in its charter, subject to general laws and applicable constitutional provision. [1947 House Joint Resolution No. 13, p 1386. Approved November 2, 1948.]

Art. 11 § 16 was later amended by Amendment 58.

## AMENDMENT 24

[Repealed by AMENDMENT 42, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

Text of Amendment 24 _-Art. $2 \S 33$ Alien Ownership-The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts, and in all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibition. [1949 Senate Joint Resolution No. 9, p 999. Approved November 7, 1950.]

Art. 2 § 33 was also amended by Amendment 29.

## AMENDMENT 25

Art. 4 was amended by adding the following section:
Art. 4 § 3 (a) RETIREMENT OF SUPREME COURT AND SUPERIOR COURT JUDGES. A judge of the supreme court or the superior court shall retire from judicial office at the end of the calendar year in which he attains the age of seventy-five years. The legislature may, from time to time, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of seventy years, as the legislature deems proper. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to, or at the time of, approval and ratification of this provision. Notwithstanding the limitations of this section, the legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties. [1951 House Joint Resolution No. 6, p 960. Approved November 4, 1952.]

## AMENDMENT 26

Art. 2 was amended by adding the following section:
Art. 2 § 41 LAWS, EFFECTIVE DATE. INITIATIVE, REFERENDUM-_AMENDMENT OR REPEAL. No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the
session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: Provided, That any such act, law or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon. These provisions supersede the provisions of subsection (c) of section 1 of this article as amended by the seventh amendment to the Constitution of this state. [1951 Substitute Senate Joint Resolution No. 7, p 959. Approved November 4, 1952.]

Reviser's note: In third sentence, comma between "general" and "regular" omitted in conformity with enrolled resolution.

## AMENDMENT 27

Art. 8 § 6 LIMITATIONS UPON MUNICIPAL INDEBTEDNESS. No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half percentum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of threefifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five percentum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: Provided further, That (a) any city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five percentum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality and (b) any school district with such assent, may be allowed to become indebted to a larger amount but not exceeding five percentum additional for capital outlays. [1951 House Joint Resolution No. 8, p 961. Approved November 4, 1952.]

## AMENDMENT 28

Art. 4 § 6 JURISDICTION OF SUPERIOR COURTS. The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property, or
the legality of any tax, impost, assessment, toll, or municipal fine and in all other cases in which the demand or the value of the property in controversy amounts to one thousand dollars, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days.

Art. 4 § 10 JUSTICES OF THE PEACE. The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of peace: Provided, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be prescribed by the legislature. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use. [1951 Substitute House Joint Resolution No. 13, p 962. Approved November 4, 1952.]

## AMENDMENT 29

[Repealed AMENDMENT 42, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

[^8]further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. [1953 House Joint Resolution No. 16, p 853. Approved November 2, 1954.]

Prior amendment of Art. 2 § 33, see Amendment 24.

## AMENDMENT 30

Art. 2 was amended by adding the following section:
Art. 2 § 1 A INITIATIVE AND REFERENDUM, SIGNATURES REQUIRED. Hereafter, the number of valid signatures of legal voters required upon a petition for an initiative measure shall be equal to eight percentum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. Hereafter, the number of valid signatures of legal voters required upon a petition for a referendum of an act of the legislature or any part thereof, shall be equal to four percentum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. These provisions supersede the requirements specified in section 1 of this article as amended by the seventh amendment to the Constitution of this state. [1955 Senate Joint Resolution No. 4, p 1860. Approved November 6, 1956.]

## AMENDMENT 31

Art. 3 § 25 QUALIFICATIONS, COMPENSATION, OFFICES WHICH MAY BE ABOLISHED. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands. [1955 Senate Joint Resolution No. 6, p 1861. Approved November 6, 1956.]

Authorizing compensation increase during term: See Amendment 54.

## AMENDMENT 32

Art. 2 § 15 VACANCIES IN LEGISLATURE AND IN PARTISAN COUNTY ELECTIVE OFFICE. Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: Provided, That the person appointed to fill the vacancy must be from the same legislative district and the same political party as the legislator whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in
the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the board of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. [1955 Senate Joint Resolution No. 14, p 1862. Approved November 6, 1956.]
Prior amendment of Art. 2 § 15, see Amendment 13.
Later amendment of Art. 2 § 15, see Amendment 52.

## AMENDMENT 33

Art. 24 § 1 STATE BOUNDARIES. The boundaries of the state of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Snoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver's island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning; until such boundaries are modified by appropriate interstate compacts duly approved by the Congress of the United States. [1957 Senate Joint Resolution No. 10, p 1292. Approved November 4, 1958.]

## AMENDMENT 34

Art. 1 § 11 RELIGIOUS FREEDOM. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person
or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment: Provided, howev$e r$, That this article shall not be so construed as to forbid the employment by the state of a chaplain for such of the state custodial, correctional and mental institutions as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. [1957 Senate Joint Resolution No. 14, p 1299. Approved November 4, 1958.]

Prior amendment of Art. 1 § 11 , see Amendment 4.

## AMENDMENT 35

Art. 2 § 25 EXTRA COMPENSATION PROHIBITED. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office. Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted. [1957 Senate Joint Resolution No. 18, p 1301. Approved November 4, 1958.]

Increase during term in compensation of certain officers authorized: See Amendment 54.

## AMENDMENT 36

Art. 2, section 1 (LEGISLATIVE POWERS, WHERE VESTED) as amended by AMENDMENT 7 was amended by adding the following subsection:

Article 2, section 1, subsection (e). The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred. The secretary of state shall send one copy of the publication to each individual place of residence in the state and shall make such additional distribution as he shall determine necessary to reasonably assure that each voter will have an opportunity to study the measures prior to election. These provisions supersede the provisions set forth in the last paragraph of section 1 of this article as amended by the seventh amendment to the Constitution of this state. [1961 Senate Joint Resolution No. 9, p 2751. Approved November, 1962.]

## AMENDMENT 37

Article XXIII, section 1. HOW MADE. Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: Provided, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: Provided, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. [1961 Senate Joint Resolution No. 25, p 2753. Approved November, 1962.]

## AMENDMENT 38

Art. 4 was amended by adding the following section:
Sec. 2 (a). TEMPORARY PERFORMANCE OF JUDICIAL DUTIES. When necessary for the prompt and orderly administration of justice a majority of the Supreme Court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the Supreme Court, and to authorize any superior court judge to perform judicial duties in any superior court of this state. [1961 House Joint Resolution No. 6, p 2757. Approved November, 1962.]

## AMENDMENT 39

Article II, section 42. GOVERNMENTAL CONTINUITY DURING EMERGENCY PERIODS. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack, shall have the power and the duty, immediately upon and after adoption of this amendment, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents and legal successors of which may become unavailable for carrying on the powers and duties of such offices; the legislature shall likewise enact such other measures as may be necessary and proper for insuring the continuity of governmental operations during such emergencies. Legislation enacted under the powers conferred by this amendment shall in all respects conform to the remainder of the Constitution: Provided, That if, in the judgment of the legislature at the time of disaster, conformance to the
provisions of the Constitution would be impracticable or would admit of undue delay, such legislation may depart during the period of emergency caused by enemy attack only, from the following sections of the Constitution:
Article 14, Sections 1 and 2, Seat of Government;
Article 2, Sections 8, 15 (Amendments 13 and 32), and 22, Membership, Quorum of Legislature and Passage of Bills;
Article 3, Section 10 (Amendment 6), Succession to Governorship: Provided, That the legislature shall not depart from Section 10, Article III, as amended by Amendment 6 , of the state Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed;
Article 3, Section 13, Vacancies in State Offices;
Article 11, Section 6, Vacancies in County Office;
Article 11, Section 2, Seat of County Government;
Article 3, Section 24, State Records. [1961 House Joint Resolution No. 9, p 2758. Approved November, 1962.]

## AMENDMENT 40

Article XI, Section 10. INCORPORATION OF MUNICIPALITIES. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to, and controlled by general laws. Any city containing a population of ten thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in the daily newspaper of largest general circulation published in the area to be incorporated as a first class city under the charter or, if no daily newspaper is published therein, then in the newspaper having the largest general circulation within such area at least once each week for four
weeks next preceding the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given as required by law. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others. [1963 ex.s. Senate Joint Resolution No. 1, p 1526. Approved November 3, 1964.]

## AMENDMENT 41

Art. 4 § 29 ELECTION OF SUPERIOR COURT JUDGES. Notwithstanding any provision of this Constitution to the contrary, if, after the last day as provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single position of superior court judge in any county containing a population of one hundred thousand or more, no primary or election shall be held as to such position, and a certificate of election shall be issued to such candidate. If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his name printed on the general election ballot for any single position, no election shall be held as to such position, and a certificate of election shall be issued to such candidate: Provided, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect of the office, then such single position shall be subject to the general election. Provisions for the contingency of the death or disqualification of a sole candidate between the last date for withdrawal and the time when the election would be held but for the provisions of this section, and such other provisions as may be deemed necessary to implement the provisions of this section, may be enacted by the legislature. [1965 ex.s. Substitute Senate Joint Resolution No. 6, p 2815. Approved November 8, 1966.]

## AMENDMENT 42

Section 33, Article II and Amendments 24 and 29 amendatory thereof, of the Constitution of the State of Washington are each hereby repealed. [1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

## AMENDMENT 43

Art. 9 § 3 FUNDS FOR SUPPORT. The principal of the common school fund as the same existed on June 30, 1965, shall remain permanent and irreducible. The said fund shall consist of the principal amount thereof existing on June 30, 1965, and such additions thereto as may be derived after June 30, 1965, from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of stone, minerals, or property other than timber and other crops from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating stone, minerals or property other than timber and other crops from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund.

There is hereby established the common school construction fund to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: (1) Those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for specific purposes; (2) the interest accruing on said permanent common school fund from and after July 1, 1967, together with all rentals and other revenues derived therefrom and from lands and other property devoted to the permanent common school fund from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.

The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section during the period after the effective date of this amendment and prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.
To the extent that the moneys in the common school construction fund are in excess of the amount necessary
to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct. [1965 ex.s. Senate Joint Resolution No. 22, part 1, p 2817 . Approved November 8, 1966.]

## AMENDMENT 44

Art. 16 § 5 INVESTMENT OF PERMANENT COMMON SCHOOL FUND. The permanent common school fund of this state may be invested as authorized by law. [1965 ex.s. Senate Joint Resolution No. 22, part 2, p 2817. Approved November 8, 1966.]

Prior amendment of Art. 16 §5, see Amendment 1.

## AMENDMENT 45

Art. 8 § 8 PORT EXPENDITURES_-INDUSTRIAL DEVELOPMENT-PROMOTION. The use of public funds by port districts in such manner as may be prescribed by the legislature for industrial development or trade promotion and promotional hosting shall be deemed a public use for a public purpose, and shall not be deemed a gift within the provisions of section 7 of this Article. [1965 ex.s. Senate Joint Resolution No. 25, p 2819. Approved November 8, 1966.]

## AMENDMENT 46

Art. 6 § la VOTER QUALIFICATIONS FOR PRESIDENTIAL ELECTIONS. In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: Provided, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots. [1965 ex.s. Substitute Joint House Resolution No. 4, p 2820. Approved November 8, 1966.]

## AMENDMENT 47

Art. 7 § 10 RETIRED PERSONS PROPERTY TAX EXEMPTION. Notwithstanding the provisions of Article 7, section 1 (Amendment 14) and Article 7, section 2 (Amendment 17), the following tax exemption shall be allowed as to real property:

The legislature shall have the power, by appropriate legislation, to grant to retired property owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place
such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief to those property owners below a specific level of income and those fulfilling certain minimum residential requirements. [1965 ex.s. House Joint Resolution No. 7, p 2821 . Approved November 8, 1966.]

## AMENDMENT 48

Art. 8 § 3 SPECIAL INDEBTEDNESS, HOW AUTHORIZED. Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and notice that such law will be submitted to the people shall be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: Provided, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. [1965 ex.s. House Joint Resolution No. 39, p 2822. Approved November 8, 1966.]

Art. 8 § 3 was later amended by Amendment 60.

## AMENDMENT 49

The Constitution was amended by adding the following new article;

## ARTICLE XXIX INVESTMENTS OF PUBLIC PENSION AND RETIREMENT FUNDS

and section 1 thereof:
Art. 29 § 1 MAY BE INVESTED AS AUTHORIZED BY LAW. Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund may be invested as authorized by law. [1967 Senate Joint Resolution No. 5, Approved November 5, 1968.]

## AMENDMENT 50

Art. 4 was amended by adding the following section:
Art. 4 § 30 COURT OF APPEALS. (1) Authorization. In addition to the courts authorized in section 1 of
this article, judicial power is vested in a court of appeals, which shall be established by statute.
(2) Jurisdiction. The jurisdiction of the court of appeals shall be as provided by statute or by rules authorized by statute.
(3) Review of Superior Court. Superior court actions may be reviewed by the court of appeals or by the supreme court as provided by statute or by rule authorized by statute.
(4) Judges. The number, manner of election, compensation, terms of office, removal and retirement of judges of the court of appeals shall be as provided by statute.
(5) Administration and Procedure. The administration and procedures of the court of appeals shall be as provided by rules issued by the supreme court.
(6) Conflicts. The provisions of this section shall supersede any conflicting provisions in prior sections of this article. [1967 Senate Joint Resolution No. 6. Approved November 5, 1968.]

Note: This section which was adopted as Art. 4 § 29 is herein renumbered Art. $4 \$ 30$ to avoid confusion with Amendment 41.

## AMENDMENT 51

Art. 8 was amended by adding the following section:
Art. 8 § 9 STATE BUILDING AUTHORITY. The legislature is empowered notwithstanding any other provision in this Constitution, to provide for a state building authority in corporate and politic form which may contract with agencies or departments of the state government to construct upon land owned by the state or its agencies, or to be acquired by the state building authority, buildings and appurtenant improvements which such state agencies or departments are hereby empowered to lease at reasonable rental rates from the Washington state building authority for terms up to seventy-five years with provisions for eventual vesting of title in the state or its agencies. This section shall not be construed as authority to provide buildings through lease or otherwise to nongovernmental entities. The legislature may authorize the state building authority to borrow funds solely upon its own credit and to issue bonds or other evidences of indebtedness therefor to be repaid from its revenues and to secure the same by pledging its income or mortgaging its leaseholds. The provisions of sections 1 and 3 of this article shall not apply to indebtedness incurred pursuant to this section. [1967 Senate Joint Resolution No. 17. Approved November 5, 1968.]

Note: This section which was adopted as Art. $8 \S 8$ is herein renumbered as Art. $\mathbf{8} \mathbf{\$ 9}$ to avoid confusion with Amendment 45.

## AMENDMENT 52

Art. 2 § 15 VACANCIES IN LEGISLATURE AND IN PARTISAN COUNTY ELECTIVE OFFICE. Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: Provided, That the person appointed to fill the vacancy must be from
the same legislative district, county or county commissioner district and the same political party as the legislator or partisan county elective officer whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district, county or county commissioner district and of the same political party as the legislator or partisan county elective officer whose office has been vacated, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days hereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated.

Art. 11 § 6 VACANCIES IN TOWNSHIP, PRECINCT OR ROAD DISTRICT OFFICE. The board of county commissioners in each county shall fill all vacancies occurring in any township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified. [1967 Senate Joint Resolution No. 24. Approved November 5, 1968.]

Prior amendments of Art. 2 § 15, see Amendments 13 and 32.

## AMENDMENT 53

Art. 7 was amended by adding the following section:
Art. 7 § 11 TAXATION BASED ON ACTUAL USE. Nothing in this Article VII as amended shall prevent the legislature from providing, subject to such conditions as it may enact, that the true and fair value in money (a) of farms, agricultural lands, standing timber and timberlands, and (b) of other open space lands which are used for recreation or for enjoyment of their scenic or natural beauty shall be based on the use to which such property is currently applied, and such values shall be used in computing the assessed valuation of such property in the same manner as the assessed valuation is computed for all property. [ 1967 House Joint Resolution No. 1. Approved November 5, 1968.]

## AMENDMENT 54

The Constitution was amended by adding the following new article;

## ARTICLE XXX <br> COMPENSATION OF PUBLIC OFFICERS

and section 1 thereof:
Art. 30 § 1 AUTHORIZING COMPENSATION INCREASE DURING TERM. The compensation of all elective and appointive state, county, and municipal officers who do not fix their own compensation, including judges of courts of record and the justice courts may be increased during their terms of office to the end that such officers and judges shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered.

The provisions of section 25 of Article II (Amendment 35), section 25 of Article III (Amendment 31), section 13 of Article IV, section 8 of Article XI, and section 1 of Article XXVIII (Amendment 20) insofar as they are inconsistent herewith are hereby repealed. [1967 House Joint Resolution No. 13. Approved November 5, 1968.]

Reviser's Note: (1) Amendment 49 (1967 SJR No. 5) and Amendment 54 ( 1967 HJR No. 13) each added a new Article XXIX to the Constitution. Amendment 49 is carried herein as Article XXIX while Amendment 54 has been herein redesignated as Article XXX.
(2) The name of this article has been supplied by the reviser.

## AMENDMENT 55

Art. 7 § 2. LIMITATION ON LEVIES. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one percentum of the true and fair value of such property in money: Provided, however, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only
(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not of tener than twice in such twelve month period either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;
[Wash. Const.——p 56]
(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not of tener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: Provided, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, And Provided Further, That the provisions of this section shall also be subject to the limitations contained in Article VIII, section 6 of this Constitution;
(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [1971 Senate Joint Resolution No. 1. Approved November 7, 1972.]
Note: Art. 7 § 2 was also amended at the November 7, 1972 general election by Amendment 59. (HJR 47.)
Prior amendment of Art. 7 § 2, see Amendment 17.

## AMENDMENT 56

Art. 2 § 24 LOTTERIES AND DIVORCE. The legislature shall never grant any divorce. Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon. [1971 Senate Joint Resolution No. 5. Approved November 7, 1972.]

## AMENDMENT 57

Art. 11 § 5. COUNTY GOVERNMENT. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: Provided, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of
two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population: Provided, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession.

Art. 11 § 8. SALARIES AND LIMITATIONS AFFECTING. The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. [1971 Senate Joint Resolution No. 38. Approved November 7, 1972.]

Prior amendment of Art. 11 §5, see Amendment 12.

## AMENDMENT 58

Art. 11 § 16. COMBINED CITY-COUNTY. Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county". Registered voters equal in number to ten (10) percent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply to a petition proposed under this section for the election of freeholders to frame a city-county charter, the election of freeholders, and to the framing and adoption of such city-county charter pursuant to such petition. Except as otherwise provided in this section, the provisions of section 4 applicable to a county home rule charter shall apply to a city-county charter. If there are not sufficient legal newspapers published in the county to meet the requirements for publication of a proposed charter under section 4 of this Article, publication in a legal newspaper circulated in the county may be substituted for publication in a legal newspaper published in the county. No such "city-county" shall be formed except by a majority vote of the qualified electors voting thereon in the county. The charter shall designate the respective officers of such city-county who shall perform the duties imposed by law upon county officers. Every such city-county shall have and enjoy all rights, powers and privileges asserted in its charter, and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities and counties. In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the general laws applying to cities and those applying to counties, a city-
county shall be authorized to exercise any powers that are granted to either the cities or the counties.

No legislative enactment which is a prohibition or restriction shall apply to the rights, powers and privileges of a city-county unless such prohibition or restriction shall apply equally to every other city, county, and citycounty.

The provisions of sections $2,3,5,6$, and 8 and of the first paragraph of section 4 of this Article shall not apply to any such city-county.

Municipal corporations may be retained or otherwise provided for within the city-county. The formation, powers and duties of such municipal corporations shall be prescribed by the charter.

No city-county shall for any purpose become indebted in any manner to an amount exceeding three per centum of the taxable property in such city-county without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed ten per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly city-county or other municipal purposes: Provided further, That any city-county, with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city-county with water, artificial light, and sewers, when the works for supplying such water, light and sewers shall be owned and controlled by the city-county.

No municipal corporation which is retained or otherwise provided for within the city-county shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such municipal corporation without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor shall the total indebtedness at any time exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly municipal purposes: Provided further, That any such municipal corporation, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such municipal corporation with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipal corporation. All taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within that municipal corporation.

The authority conferred on the city-county government shall not be restricted by the second sentence of Article 7, section 1, or by Article 8, section 6 of this Constitution. [1971 House Joint Resolution No. 21. Approved November 7, 1972.]

[^9]
## AMENDMENT 59

Art. 7 § 2. LIMITATION ON LEVIES. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per centum of the true and fair value of such property in money: Provided, however, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only
(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not of tener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election;
(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not of tener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: Provided, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for
herein, And provided further, That the provisions of this section shall also be subject to the limitations contained in Article VIII, section 6, of this Constitution;
(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [1971 House Joint Resolution No. 47. Approved November 7, 1972.]

Note: Art. 7 § 2 was also amended at the November 7, 1972 general election by Amendment 55 (SJR 1). 1971 HJR No. 47 contained the following paragraph:
"Be It Further Resolved, That the foregoing amendment shall be submitted to the qualified electors of the state in such a manner that they may vote for or against it separately from the proposed amendment to Article VII, section 2, (Amendment 17) of the Constitution of the State of Washington contained in Senate Joint Resolution No. 1: Provided, That if both proposed amendments are approved and ratified, both shall become part of the Constitution."

Prior amendment of Art. 7 § 2, see Amendment 17.

## AMENDMENT 60

Art. 8 § 1. STATE DEBT. (a) The state may contract debt, the principal of which shall be paid and discharged within thirty years from the time of contracting thereof, in the manner set forth herein.
(b) The aggregate debt contracted by the state shall not exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than nine percent of the arithmetic mean of its general state revenues for the three immediately preceding fiscal years as certified by the treasurer. The term "fiscal year" means that period of time commencing July 1 of any year and ending on June 30 of the following year.
(c) The term "general state revenues" when used in this section, shall include all state money received in the treasury from each and every source whatsoever except: (1) Fees and revenues derived from the ownership or operation of any undertaking, facility, or project; (2) Moneys received as gifts, grants, donations, aid, or assistance or otherwise from the United States or any department, bureau, or corporation thereof, or any person, firm, or corporation, public or private, when the terms and conditions of such gift, grant, donation, aid, or assistance require the application and disbursement of such moneys otherwise than for the general purposes of the state of Washington; (3) Moneys to be paid into and received from retirement system funds, and performance bonds and deposits; (4) Moneys to be paid into and received from trust funds including but not limited to moneys received from taxes levied for specific purposes and the several permanent and irreducible funds of the state and the moneys derived therefrom but excluding bond redemption funds; (5) Proceeds received from the sale of bonds or other evidences of indebtedness.
(d) In computing the amount required for payment of principal and interest on outstanding debt under this section, debt shall be construed to mean borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit
of the state or are required to be repaid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation, or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, but shall not include obligations for the payment of current expenses of state government, nor shall it include debt hereafter incurred pursuant to section 3 of this Article, obligations guaranteed as provided for in subsection (f) of this section, principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority.
(e) The state may, without limitation, fund or refund, at or prior to maturity, the whole or any part of any existing debt or of any debt hereafter contracted pursuant to section 1 , section 2 , or section 3 of this Article, including any premium payable with respect thereto and interest thereon, or fund or refund, at or prior to maturity, the whole or any part of any indebtedness incurred or authorized prior to the effective date of this amendment by any entity of the type described in subsection (g) of this section, including any premium payable with respect thereto and any interest thereon. Such funding or refunding shall not be deemed to be contracting debt by the state.
(f) Notwithstanding the limitation contained in subsection (b) of this section, the state may pledge its full faith, credit, and taxing power to guarantee the payment of any obligation payable from revenues received from any of the following sources: (1) Fees collected by the state as license fees for motor vehicles; (2) Excise taxes collected by the state on the sale, distribution or use of motor vehicle fuel; and (3) Interest on the permanent common school fund: Provided, That the legislature shall, at all times, provide sufficient revenues from such sources to pay the principal and interest due on all obligations for which said source of revenue is pledged.
(g) No money shall be paid from funds in custody of the treasurer with respect to any debt contracted after the effective date of this amendment by the Washington state building authority, the capitol committee, or any similar entity existing or operating for similar purposes pursuant to which such entity undertakes to finance or provide a facility for use or occupancy by the state or any agency, department, or instrumentality thereof.
(h) The legislature shall prescribe all matters relating to the contracting, funding or refunding of debt pursuant to this section including: The purposes for which debt may be contracted; by a favorable vote of three-fifths of the members elected to each house, the amount of debt which may be contracted for any class of such purposes; the kinds of notes, bonds, or other evidences of debt which may be issued by the state; and the manner by which the treasurer shall determine and advise the legislature, any appropriate agency, officer, or instrumentality of the state as to the available debt capacity within the limitation set forth in this section. The legislature may delegate to any state officer, agency, or instrumentality any of its powers relating to the contracting, funding or refunding of debt pursuant to this section except
its power to determine the amount and purposes for which debt may be contracted.
(i) The full faith, credit, and taxing power of the state of Washington are pledged to the payment of the debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and installments of principal of all such debt as the same falls due, but in any event, any court of record may compel such payment.
(j) Notwithstanding the limitations contained in subsection (b) of this section, the state may issue certificates of indebtedness in such sum or sums as may be necessary to meet temporary deficiencies of the treasury, to preserve the best interests of the state in the conduct of the various state institutions, departments, bureaus, and agencies during each fiscal year; such certificates may be issued only to provide for appropriations already made by the legislature and such certificates must be retired and the debt discharged other than by refunding within twelve months after the date of incurrence.
(k) Bonds, notes, or other obligations issued and sold by the state of Washington pursuant to and in conformity with this Article shall not be invalid for any irregularity or defect in the proceedings of the issuance or sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder thereof.

Art. 8 § 3. SPECIAL INDEBTEDNESS, HOW AUTHORIZED. Except the debt specified in sections one and two of this Article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein. No such law shall take effect until it shall, at a general election, or a special election called for that purpose, have been submitted to the people and have received a majority of all the votes cast for and against it at such election. [House Joint Resolution No. 52. Approved November 7, 1972.]

Prior amendment of Art. 8 § 3, see Amendment 48.

## AMENDMENT 61

The Constitution was amended by adding the following new Article:

## ARTICLE XXXI <br> SEX EQUALITY — - RIGHTS AND RESPONSIBILITIES

and sections 1 and 2 thereof:
Art. 31 § 1. EQUALITY NOT DENIED BECAUSE OF SEX. Equality of rights and responsibility under the law shall not be denied or abridged on account of sex.

Art. 31 § 2. ENFORCEMENT POWER OF LEGISLATURE. The legislature shall have the power to enforce, by appropriate legislation, the provisions of this Article. [1972 House Joint Resolution No. 61. Approved November 7, 1972.]

The name of this Article has been supplied by the reviser.

## AMENDMENT 62

Art. 3 § 12. VETO POWER. Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor, within twenty days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor: Provided, That within forty-five days next after the adjournment, Sundays excepted, the legislature may, upon petition by a two-thirds majority or more of the membership of each house, reconvene in extraordinary session, not to exceed five days duration, solely to reconsider any bills vetoed. If any bill presented to the governor contain several sections or appropriation items, he may object to one or more sections or appropriation items while approving other portions of the bill: Provided, That he may not object to less than an entire section, except that if the section contain one or more appropriation items he may object to any such appropriation item or items. In case of objection he shall append to the bill, at the time of signing it, a statement of the section or sections, appropriation item or items to which he objects and the reasons therefor; and the section or sections, appropriation item or items so objected to shall not take effect unless passed over the governor's objection, as hereinbefore provided. The provisions of Article II, section 12 insofar as they are inconsistent herewith are hereby repealed. [1974 Senate Joint Resolution No. 140. Approved November 5, 1974.]

## AMENDMENT 63

Art. 6 § 1. QUALIFICATIONS OF ELECTORS. All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections. [1974 Senate Joint Resolution No. 143. Approved November 5, 1974.]

Prior amendments of Art. $6 \$ 1$, see Amendments 2 and 5.

## (C) Index to State Constitution

|  | Art. Sec. |  |
| :---: | :---: | :---: |
| Absconding debtors--Imprisonment of, for debt |  |  |
| Absence-O Of citizen does not affect residence, for purpose of voting <br> Of governor, duties devolve on lieutenant | 6 | 4 |
| governor | 3 | 10 |
| Of judicial officer, works forfeiture of office | 4 | 8 |
| Acceptance-Of certain offices under United States vacates seat in legislature . . . . . . . . . . | 2 | 14 |
| Accused-_Rights in criminal prosecutions | 1 | 22 |
| Rights of, on removal from office by legislature | 4 | 9 |
| Actions--Against the state to be authorized | 2 | 26 |
| By and against corporations authorized | 12 | 5 |
| Not affected by change in government | 27 | 1 |
| Pending in territorial, to be transferred to state courts | 27 | 5,8 |
| Transfer to superior court, when to take place <br> (See Civil Actions; Criminal Actions.) | 27 | 8 |
| Acts--Enacting clause, style of | 2 | 18 |
| May become a law, how | 2 | 31 |
| Not to be amended unless set forth in full | 2 | 37 |
| Presentation to governor necessary | 3 | 12 |
| When effective without approval | 3 | 12 |
| Veto, passage over (See Bill; Laws; Statutes; Veto.) | 3 | 12 |
| Adjournment of legislature--From day to day, for want of quorum $\qquad$ |  |  |
| Governmental continuity during emergency periods | 2 | 42 |
| Restrictions on each house as to time and place | 2 | 11 |
| Adoption of children--Special act forbidden | 2 | 28(16) |
| Ad valorem tax——Authority to levy on mines and reforested lands. (Amendment 14.) .... | 7 | 1 |
| Advances-Advancing money for fees, prohibition against requirement of on accused in criminal action. (Amendment 10.) | 1 | 22 |
| Advice and consent of senate--Appointment of officers for state institutions to be by and with $\qquad$ | 13 | 1 |
| Determined by ayes and nays and entered on journal | 13 | 1 |
| Affirmation--Mode of administering | 1 | 6 |
| Age--Age of voter. (Amendment 63.) | 6 | 1 |
| Agricultural lands——Taxation based on actual |  |  |
| Agriculture--Bureau of, to be established | 2 | 34 |
| Alienation of franchise--Corporate liabilities not relieved by | 12 | 8 |
| Aliens --Corporation alien, if majority of stock owned by aliens | 2 | 33 |



## Amendments to Constitution: Ratified

(1) In order of amendments:

| Amendment |  |  |
| :---: | :---: | :---: |
| No. 1 to art | 16 sec | 5 |
| No. 2 to art | 6 sec | 1 |
| No. 3 to art | 7 sec | 2 |
| No. 4 to art | 1 sec | 11 |
| No. 5 to art | 6 sec | 1 |
|  | 6 sec | 2 (deleted) |
| No. 6 to art | 3 sec | 10 |
| No. 7 to art | 2 sec | 1 |
|  | 2 sec | 31 (deleted) |
| No. 8 to art | 1 sec | 33 (added) |
|  | 1 sec | 34 (added) |
| No. 9 to art | 1 sec | 16 |
| No. 10 to art | 1 sec | 22 |
| No. 11 to art | 8 sec | 4 |
| No. 12 to art | 11 sec | 5 |
| No. 13 to art | 2 sec | 15 |
| No. 14 to art | 7 sec | 1 |
|  | 7 sec | 2,3,4 (deleted) |
| No. 15 to art | 15 sec | 1 |
| No. 16 to art | 12 sec | 11 |
| No. 17 to art | 7 sec | 2 |
| No 18 to art | 2 sec | 40 (added) |
| No. 19 to art | 7 sec | 3 (new) |
| No. 20 to art | 2 sec | 23 (part repeal) |
|  | 3 sec | 14, 16, 17, 19, 20, 21, 22 (part repeal) |
|  | 28 sec | 1 (added) |
| No. 21 to art | 11 sec | 4 (new) |
| No. 22 to art | 11 sec | 7 (repealed) |
| No. 23 to art | 11 sec | 16 (added) |
| No. 24 to art | 2 sec | 33 |
| No. 25 to art | 4 sec | 3 (a) (added) |
| No. 26 to art | 2 sec | 41 (added) |
| No. 27 to art | 8 sec | 6 |
| No. 28 to art | 4 sec | 6 |
|  | 4 sec | 10 |


| So 29 to art | 2 sec | 33 |
| :---: | :---: | :---: |
| No. 30 to art | 2 sec | 1 A (added) |
| Vo 31 to art | 3 sec | 25 |
| Vo. 32 to art | 2 sec | 15 |
| No. 33 to art | 24 sec | 1 |
| No. 34 to art | 1 sec | 11 |
| No. 35 to art | 2 sec | 25 |
| No. 36 to art | 2 sec | 1 (e) (added) |
| No. 37 to art | 23 sec | 1 (e) |
| No. 38 to art | 4 sec | 2(a) (added) |
| No. 39 to art | 2 sec | 42 (added) |
| No. 40 to art | 11 sec | 10 |
| No. 41 to art | 4 sec | 29 (added) |
| No. 42 to art | 2 sec | 33 (repealing art $2 \sec 33$ and Amendments 24 and 29) |
| No. 43 to art | 9 sec | 3 |
| No. 44 to art | 16 sec | 5 |
| No. 45 to art | 8 sec | 8 (added) |
| No. 46 to art | 6 sec | 1 A (added) |
| No. 47 to art | 7 sec | 10 |
| No. 48 to art | 8 sec | 3 |
| No. 49 to art | 29 sec | 1 (added) |
| No. 50 to art | 30 sec | 1 (added) |
| No. 51 to art | 8 sec | 9 (added) |
| No. 52 to art | 2 sec | 15 |
|  | 11 sec | 6 |

Also amends Amendments 13 and 32
No. 53 to art 7 sec 11 (added)
No. 54 to art $30 \mathrm{sec} \quad 1$ (added)
No. 55 to art 7 sec 2
Also amends Amendment 17
No. 56 to art 2 sec 24
No. 57 to art 11 sec 5
$11 \mathrm{sec} \quad 8$
No. 58 to art 11 sec 16
Also amends Amendment 23
No. 59 to art $7 \mathrm{sec} \quad 2$
Also amends Amendment 17
$\begin{array}{lll}\text { No. } 60 \text { to art } & 8 \mathrm{sec} & 1 \\ 8 \mathrm{sec} & 3\end{array}$
Also amends Amendment 48
No. 61 to art $31 \mathrm{sec} \quad 1$ (added)
$31 \mathrm{sec} \quad 2$ (added)
No. 62 to art 3 sec 12
No. 63 to art $6 \mathrm{sec} \quad 1$
Also amends Amendments 2 and 5
(2) In order of articles and sections affected:



Amendment 1 amended by Amendment 44 Amendment 2 amended by Amendment 5 Amendment 7 amended by Amendments 26, 30, and 36 Amendment 13 amended by Amendments 32 and 52 Amendment 17 amended by Amendments 55 and 59
Amendment 20 (part rep.) by Amendment 54
Amendment 23 amended by Amendment 58
Amendment 24 repealed by Amendment 42
Amendment 29 repealed by Amendment 42


Amendment 32 amended by Amendment 52
Amendment 35 (part rep.) by Amendment 54
Amendment 48 amended by Amendment 60

Appropriation of private property-—For pub-
lic or private use, prior compensation re-
For right-of-way of corporations 16 (See Eminent Domain.)

Appropriations--Capitol buildings, when
may be made for ............................. 143
Common school fund, to (Amendment 43) ...... $9 \quad 3$
Expenses of constitutional convention ............. $27 \quad 9$
Item veto of .................................... 312
Money from state treasury can be paid out
by ........................................... 844
Necessity for appropriation by law to au(Ame payment out of treasury.

Necessity for specification. (Amendment 11.) ect of appropriation, necessity for specifying. (Amendment 11.) measure. (Amendment 11.) .................... 84
Religious worship, prohibition against appro-
priation for. (Amendment 4.)
8 -
Revert, unless paid out within two years.......
Time for payment, limitation of. (Amend-
When act providing for, to take effect
231

| Area reserved--Between harbor lines and |  |  |
| :---: | :---: | :---: |
| Lease of, by state for wharves | 15 | 2 |
| Sale of, restrictions on | 15 | I |
| Streets over, authorized | 15 | 3 |
| (See Harbors; Navigable Waters; |  |  |
| Arms--Private armed bodies prohibited | 1 | 24 |
| Right of people to bear arms guaranteed | 1 | 24 |
| Safekeeping of public arms to be provided | 10 | 4 |
| Scruples against bearing arms, excuses from militia duty in time of peace | 10 | 6 |
| Army--Standing, not to be kept in time of peace <br> (See Militia.) | 1 | 31 |
| Arrest--Debtors privileged from, except | 1 | 17 |
| Electors privileged from at elections, except | 6 | 5 |
| Legislators, when privileged from | 2 | 16 |
| Militia, when privileged from | 10 | 5 |
| Artificial light--Powers of cities to contract for | 8 | 6 |
| Assemblages of people--Right of peaceable assembly not to be abridged | 1 | 4 |
| Assessment--Imposition by special act prohibited | 2 | 28(5) |
| Jurisdiction of superior court, origina! | 4 | 6 |
| Jurisdiction of supreme court, appellate | 4 | 4 |
| Property of corporations, how assessed | 7 | 3 |
| Retired persons, property tax exemption. (Amendment 47.) | 7 | 10 |
| Special, for local improvements, authorized | 7 | 9 |
| Taxation based on special use. (Amendment 53.) | 7 | 1 |
| Uniform and equal rate of, to be established (See Taxation.) | 7 | 2 |
|  | 4 4 | 2(a) |
| Association-Combination in restraint of trade prohibited |  |  |
| Included in term "corporation" | 12 | 5 |
| Issuance of money by, prohibited. (Amendment 16.) |  |  |
| Organization authorized, for construction of telegraph and telephone lines | 12 | 19 |
| Assumption--Of territorial debts by state | 26 | 3 |
| Attack--(See Invasion and attack.) |  |  |
| Attainder--Bills of, prohibited | 1 | 23 |
| Attestation-OOf commissions, by secretary of state |  |  |
| Attorney general--Duties ................ |  |  |
| Election of | 3 | 1 |
| Impeachment, liability to |  |  |
| Records of office, to be kept at seat of government | 3 | 24 |
| Removal from office for incompetency or corruption | 4 | 9 |
| Rights of accused | 4 | 9 |
| Salary | 3 | 31 |
| Succession to governorship. (Amendment 6.) | 3 | 10 |
| Term of office | 3 | 3 |


|  | Art. | Sec. |
| :---: | :---: | :---: |
| Attorneys at lan - - Accused in criminal cases entitled to appear by counsel. (Amendment |  |  |
| Prosecuting attorney, duty of legislature to provide for election of. (Amendments 12, 57) | 11 | 5 |
| Auditor--Duties | 3 | 20 |
| Election of | 3 | 1 |
| Impeachment, liability to | 5 | 2 |
| Office may be abolished by legislature | 3 | 25 |
| Residence at seat of government required | 3 | 24 |
| Salary | 3 | 20 |
| Succession to governorship. (Amendment 6.) | 3 | 10 |
| Term of office | 3 | 3 |
| Ayes and noes--When to be taken and entered on journal $\qquad$ |  |  |
| On amendments to Constitution proposed | 23 | 1 |
| On demand of one-sixth of members of either house | 2 | 21 |
| On emergency clauses | 2 | 31 |
| On final passage of bills | 2 | 22 |
| On removal of public officer by legislature | 4 | 9 |
| On senate's confirmation or rejection of governor's appointees | 13 | 1 |
| On suspension of the prohibition against introduction of bills (See Yeas and Nays.) | 2 | 36 |
| Bail-DAllowable on sufficient sureties | 1 | 20 |
| Except in capital offenses, where guilt evident | 1 | 20 |
| Excessive, not to be required | 1 | 14 |
| Ballot--Elections to be by | 5 | 6 |
| Form of, in voting for location of capital | 27 | 18 |
| Form of, in voting for state Constitution and on separate articles | 27 | 18 |
| Initiative measures, ballot submitting. (Amendment 7 (a).) | 2 | 1 |
| Presidential, casting. (Amendment 46) | 6 | 1 A |
| Secrecy of, provision to be made for | 6 | 6 |
| Superior court judge, election for. (Amendment 41.) | 4 | 29 |
| Banking corporations--Stockholder liability |  |  |
| Officers of, when liable for deposits | 12 | 12 |
| Banks--Liability of officers for deposits | 12 | 12 |
| Liability of stockholders. (Amendment 16.) | 12 | 11 |
| Beds and shores of navigable waters--Dis- |  |  |
| Exception in cases of fraud | 17 | 2 |
| Ownership of, asserted by state | 17 | 1 |
| Biennial--Sessions of legislature held bienni- |  |  |
| ally | 2 | 12 |
| Except may be specially convened | 2 | 12 |
| Times of meeting may be changed by legislature | 2 | 12 |
| Bill--Amendment of, may be made by either |  |  |
| Either house may originate bills |  | 20 |
| Final passage, requisites of | 2 | 22 |
| Initiative measures. (See Initiative and Referendum.) |  |  |
| Introduction of, limitation on time of | 2 | 36 |
| Laws to be enacted by | 2 | 18 |
| Passage by either house, requisite procoedings | 2 | 22 |


| Bill--cont. |  |  |
| :---: | :---: | :---: |
| Passage by one house, subject to amendment in other | 2 | 20 |
| Passage over governor's veto | 3 | 12 |
| Presentation to governor for approval | 3 | 12 |
| Governor may sign or veto | 3 | 12 |
| Passage over veto | 3 | 12 |
| When becomes law without approval | 3 | 12 |
| Scope of, not to be changed by amendment ...... 238 |  |  |
| Signature by presiding officers of both houses necessary | 2 | 32 |
| Subject restricted to one object | 2 | 19 |
| Subject to be expressed in title | 2 | 19 |
| Time of taking effect | 2 | 31 |
| Title of, to express subject | 2 | 19 |
| Veto of, power of governor | 3 | 12 |
| Initiative or referred measures. (Amendment 7.) | 2 | 1 |
| Separate items or sections subject to | 3 | 12 |
| Session, extraordinary, to reconsider | 3 | 12 |
| Vote on, by interested legislators prohibited | 2 | 30 |
| Vote on, how taken (See Acts; Laws.) | 2 | 22 |
| Bill of attainder--Enactment of, prohibited | 1 | 23 |
| Boats-—Jurisdiction of public offense committed on. (Amendment 10.) | 1 | 22 |
| Bonds-Corporations can issue only for money, labor or property received ............. 12 |  |  |
| County and municipal corporations not to own bonds of private corporations | 8 | 7 |
| Debt limitation | 8 | 1 |
| Executed to territory to pass to state | 27 | 4 |
| Investment of school funds in. (In bonds. Amendments 1 and 43.) | 9 | 3 |
|  | 16 | 5 |
| State building authority, by. (Amendment 51.) | 8 | 9 |
| Limitation | 8 | 1 (g) |
| Boundaries-Of county, change by division |  |  |
| Change by special legislation | 2 | 28 (18) |
| Of existing counties recognized | 11 |  |
| Of state, defined. (Amendment 33.) | 24 | 1 |
| Bribery--Criminating evidence compulsory | 2 | 30 |
| Disqualifies for holding office | 2 | 30 |
| Legislature to define and provide punishment for | 2 | 30 |
| Buildings, public--State building authority. (Amendment 51.) | 8 | 9 |
| Bureau of statistics, agriculture and immigra-tion--Legislature to provide for ....... . | 2 | 34 |
| Bureau of vital statistics- To be established by legislature | 20 | 1 |
| Canal companies-Common carriers, subject to legislative control Discrimination in charges prohibited | 12 | $\begin{aligned} & 13 \\ & 15 \end{aligned}$ |
| Capital offenses-Bailable, when (See Crime.) | 1 | 20 |

## Capital of state--(See Seat of government.)




[Wash. Const.——p 66]

| Constitution-Cont. Form of ballot | $\begin{array}{r} \text { Art. } \\ 27 \end{array}$ | Sec. 18 |
| :---: | :---: | :---: |
| Emergency, national, legislature's departure from Constitution, limited authority. (Amendment 39.) | 2 | 42 |
| Existing rights not affected | 27 | 1 |
| In effect, when | 27 | 16 |
| Mandatory | 1 | 29 |
| Revision . | 23 | 2 |
| Submission to people | 23 | 3 |
| United States, supreme law of land (See Amendments to.) | 1 | 2 |
| Contempt--Each house may punish for | 2 | 9 |
| Contested elections--(See Elections.) |  |  |
| Continuity of government-During periods of emergency due to enemy attack. (Amendment 39) | 2 | 42 |
| Contracts——Affecting price, production or transportation, prohibited | 12 | 22 |
| Combination between common carriers prohibited | 12 | 14 |
| Impairment of obligation prohibited | 1 | 23 |
| State building authority, by. (Amendment 51.) | 8 | 9 |
| Convention--To revise or amend Constitution | 23 | 2 |
| Conveyance-—Jurisdiction of public offense committed on public conveyance. (Amendment 10.) | 1 | 22 |
| Of lands to aliens invalid. (Amendments 24 and 29.) (Repealed by Amendment 42.) | 2 | 33 |
| Conviction--No corruption of blood nor forfeiture of estate On impeachment, two-thirds senators must concur | 5 | 15 1 |
| Convict labor-Contracts for, prohibited Working for benefit of state authorized | 2 | $\begin{aligned} & 29 \\ & 29 \end{aligned}$ |
| Copartnerships-Combination to affect price, production or transportation prohibited ... | 12 | 22 |
| Copies-—Right of accused to copy of accusation. (Amendment 10.) | 1 | 22 |
| Corporate powers--Not to be granted by special act | 2 | 28(6) |
| Corporate property - Appropriation by eminent domain authorized | 12 | 10 |
| Taxation of, power not to be surrendered . | 7 | 4 |
| Corporations--Alien, when. (Amendments 24 and 29) (Repealed by Amendment 42.) | 2 | 33 |
| Appropriation of right-of-way Compensation to be paid | 1 | 16 |
| Bonds, restriction on issuance | 12 | 6 |
| Not to be owned by counties or cities | 8 | 7 |
| Business, may be regulated by law | 12 | 1 |
| Charter, not to be extended . . . . . . . . . . . . . | 12 | 3 |
| Invalid, if unorganized when Constitution adopted Combinations affecting price, production, or transportation prohibited | 12 12 | 2 22 |
| Creation by special act prohibited . . . . . . . . | 2 | 28(6) |
| Debts, relief by special act prohibited | 2 | 28(10) |
| Eminent domain, property subject to | 12 | 10 |


| Corporations--cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Equal privileges and immunities | 1 | 12 |
| Foreign, not to be favored | 12 | 7 |
| Forfeiture of franchise for unlawful combinations | 12 | 22 |
| Not to be remitted | 12 | 3 |
| Formation, by general and not by special laws | 12 | 1 |
| Franchise maybe forfeited | 12 | 22 |
| Alienation or lease not to relieve liability | 12 | 8 |
| Laws relating to may be amended or repealed | 12 | 1 |
| Legislative control | 12 | 1 |
| Liability for receipt of bank deposits after insolvency | 12 | 12 |
| Not relieved by alienation or lease of franchise | 12 | 8 |
| Loan of school funds to prohibited | 16 | 5 |
| Money, issuance prohibited | 12 | 11 |
| Monopolies and trusts forbidden | 12 | 22 |
| State building authority. (Amendment 51.) | 8 | 9 |
| State not to subscribe to nor own stock | 12 | 9 |
| Not to surrender power to tax | 7 | 4 |
| Stockholders, ordinary liability | 12 | 4 |
| Liability in banking, insurance and joint stock companies | 12 | 11 |
| May be joined as parties defendant .... | 12 | 4 |
| Stock not to be owned by counties or cities | 7 | 7 |
| Increase, consent and notice necessary | 12 | 6 |
| Restrictions on issuance | 12 | 6 |
| Sue and be sued, right and liability | 12 | 5 |
| Taxation of property, method of | 7 | 3 |
| Telephone and telegraph lines, organization to construct | 12 | 19 |
| Term includes associations and joint stock companies <br> (See Franchise.) | 12 | 5 |
| Corrupt solicitation——Compulsory testimony in cases of | 2 | 30 |
| Disqualification for holding office | 2 | 30 |
| Punishment to be provided by legislature | 2 | 30 |
| Corruption in office-—Judges, attorney general and prosecuting attorneys removable by legislature | 4 | 9 |
| Corruption of blood--Conviction not to work | 1 | 15 |
| County - Allotment of representatives among | 22 | 2 |
| Of senators | 22 |  |
| Assignment of superior court judges | 4 | 2(a) |
|  | 4 | 5 |
| Classification | 11 | 5 |
| Combined city and county. (Amendments $23,58$. | 11 | 16 |
| Corporate bonds or stocks not to be owned | 8 | 7 |
| County seat removal | 11 | 2 |
| Not to be changed by special act | 2 | 28(18) |
| Credit not to be loaned | 8 | 7 |
| Debts, apportionment on division or enlargement | 11 | 3 |
| Limit of | 8 | 6 |
| Power to contract | 8 | 6 |
| Private property not to be taken in satisfaction of | 11 | 13 |
| Division, how effected | 11 | 3 |
| Majority of voters necessary to reduce territory | 11 | 3 |
| Existing to be legal subdivision of state | 11 | 1 |
| Government, legislature to provide system | 11 | 4 |
| Indebtedness, limit of. (Amendment 27.) | 8 | 6 |
| Additional, assent of voters necessary | 8 | 6 |
| Assessment as basis of, how ascertained | 8 | 6 |
| Restriction as to purpose | 8 | 6 |
| Lines, not to be changed by special act | 2 | 28(18) |


| Connty - cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Location of county seat not to be changed by special act | 2 | 28(18) |
| Moneys to be deposited with treasurer | 11 | 15 |
| Use of, by official, a felony | 11 | 14 |
| New county, formation by special act allowed | 2 | 28(18) |
| Restrictions on | 11 | 3 |
| Officers, election, duties, terms, compensation | 11 30 | $\begin{aligned} & 5 \\ & 1 \end{aligned}$ |
| Recall of officers. (See Recall.) |  |  |
| Police and sanitary regulations, power to enforce | 11 | 11 |
| School funds may be invested in bonds of | 16 | 5 |
| Seal | 27 | 9 |
| Stock or bonds of corporation not to be owned | 8 | 7 |
| Taxation, power to assess and collect | 11 | 12 |
| Exemption of county property from taxation. (Amendment 14.) | 7 | 1 |
| Taxes, liability for proportionate share of state | 11 | 9 |
| Local, legislature not to impose | 11 | 12 |
| One percent limitation. (Amendment 55.) | 7 | 2 |
| Township organization in | 11 | 4 |
| County attorney--(See Prosecuting attorney.) |  |  |
| County clerk--Accountability | 11 | 5 |
| Clerk of superior court, ex officio | 4 | 26 |
| Duties, term and salary, legislature to provide | 11 | 5 |
| Election to be provided for | 11 | 5 |
| Duty of legislature to provide for election of. (Amendments 12, 57.) | 11 | 5 |
| First under Constitution, time of | 27 | 7 |
| County commissioners-Election and compensation, legislature to provide. (Election of. Amendments 12, 57.) | 11 | 5 |
| Vacancies in legislature, partisan county elective office, how filled. (Amendment 52.) | 2 | 15 |
| Vacancies in township, precinct and road district offices filled by. (See Amendment 52.) | 11 | 6 |
| County indebtedness--Apportionment, when county divided or enlarged | 11 | 3 |
| Rights of creditors not affected . . . . . . . | 11 | 3 |
| Increase permitted for water, light and sewers | 8 | 6 |
| Limit of | 8 | 6 |
| Private property not to be taken in satisfaction of | 11 | 13 |
| County lines-Change by special act prohibited | 2 | 28(18) |
| County officers--Accountability for fees | 11 | 5 |
| Bonds unaffected by change in government | 27 | 14 |
| Compensation to be regulated. (Amendments 12, 57.) | 11 | 5 |
| Classification of counties for purpose of fixing compensation. (Amendments 12 , |  |  |
| 57.) .............. | 11 | 5 |
| Increase during term. (Amendment 54.) | 30 | 1 |
| Power of legislature to regulate. (Amendments 12,57 .) | 11 | 5 |
| Duties and term to be prescribed. (Amendments 12,57 .) | 11 | 5 |
| Power of legislature to prescribe duties. (Amendments 12, 57.) |  |  |
| Election, legislature to provide for. (Amendments 12,57 .) | 11 | 5 |

        Rights of creditors not affected ................ 11 3
    Increase permitted for water, light and sew-
    ers . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 888
Limit of ............................................ . 8
ivate property not to be taken in satisfac-
tion of ...................................... 11 . 13
County lines-Change by special act prohib-
unty officers——Accountability for fees ........ 115
Bonds unaffected by change in government ...... 2714
12,57.) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 11 5
lassification of counties for purpose of
fixing compensation. (Amendments 12 ,
crease during term. (Amendment 54.).
115
[Wash. Coest.——p 68]

| Crimes--cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Prosecution may be by information | 1 | 25 |
| In name of state | 4 | 27 |
| Criminal actions--Advance payment of money or fees, prohibition against requirement of accused for. (Amendment 10.) | 1 | 22 |
| Appeal, right of accused. (Amendment 10.) | 1 | 22 |
| Appearance by accused in person or counsel. <br> (Amendment 10.) | 1 | 22 |
| Evidence, accused not required to criminate self | 1 | 9 |
| Jurisdiction, appellate or supreme court | 4 | 4 |
| Original of superior court | 4 | 6 |
| Public conveyance, jurisdiction of public offense committed on. (Amendment 10.) | 1 | 22 |
| Limitation by special act prohibited | 2 | 28(17) |
| Process style of | 4 | 27 |
| Prosecution by information allowed | 1 | 25 |
| In name of state | 4 | 27 |
| On change from territorial to state government | 27 | 5 |
| Rights of accused. (Amendment 10.) | 1 | 22 |
| Appearance, defense, and appeal. (Amendment 10.) | 1 | 22 |
| Compelling attendance of witnesses. <br> (Amendment 10.) | 1 | 22 |
| Confronting witnesses. (Amendment 10.) . | 1 | 22 |
| Copy of accusation, right of accused to. (Amendment 10.) | 1 | 22 |
| Jury trial. (Amendment 10.) ..... | 1 | 22 |
| Nature of accusation, right of accused to be advised of. (Amendment 10.) | 1 | 22 |
| Cruel punishment - Not to be inflicted | 1 | 14 |
| Damage- To private property for public or private use to be compensated | 1 | 16 |
| Dangerous employments- Protection to persons engaged in | 2 | 35 |
| Death--Succession to office upon death of governor. (Amendment 6.) | 3 | 10 |
| Debate-Members of legislature not liable for words spoken. | 2 | 17 |
| Debts--Corporate, fictitious increase void | 12 | 6 |
| Liability of stockholders | 12 | 4,11 |
| (Amendment 16.) . . . . | 12 | 11 |
| Due territory to inure to state | 27 | 3 |
| Imprisonment for, not allowed | 1 | 17 |
| Absconding debtors excepted | 1 | 17 |
| Municipal corporations, limitation on | 8 | 6 |
| Extinguishment by special act forbidden | 2 | 28(10) |
| State building authority. (Amendment 51.) | 8 | 9 |
| Limitation | 8 | $1(\mathrm{~g})$ |
| State, power to contract. (Amendment 48.) | 8 | 1 |
|  | 8 | 2 |
|  | 8 | 3 |
| In case of invasion, insurrection, etc | 8 | 2 |
| Limitation on power. (Amendment 48.) | 8 | 1 |
|  | 8 | 3 |
| Release by special act forbidden | 2 | 28 (10) |
| Territorial, assumed by state (See City; County indebtedness; Indebtedness of corporations; State indebtedness.) | 26 | 3 |
| Decisions--Superior court judge, within what time | 4 | 20 |
| Supreme court, in writing and grounds stated | 4 | 2 |
| Publication, free to anyone | 4 | 21 |
| Reporter for, appointment | 4 | 18 |

Criminal actions--Advance payment of money or fees, prohibition against requirement

Appeal, right of accused. (Amendment 10.)
Appearance by accused in person or counsel.
(Amendment 10.) . . . . . . . . . . . . . . . . . . . self9

Jurisdiction, appellate or supreme court 6
Public conveyance, jurisdiction of public offense committed on. (Amendment 10.)

Process style of
Prosecution by information allowed . . . . . . . . . . . . . 1 25
n name of state . . . . . . . . . . . . . . . . . . . .
On change from territorial to state government . . . . . . . . . . . . . . . . . . . . . . . . . . . . 275
Rights of accused. (Amendment 10.) . . . . . . . . . . . 122 Appearance, defense, and appeal.
(Amendment 10.) ......................... 122 Compelling attendance of witnesses. Confronting witnesses. (Amendment 10.)

122 Copy of accusation, right of accused to.22

(Amendment 10.) ........Nature of accusation, right of accused to
be advised of. (Amendment 10.)14
amage--To private property
private use to be compensated ..... 16
sons engaged in ..... 35
governor. (Amendment 6.) ..... 10
for words spoken. ..... 17
——Corporate, fictitious increase void4,11
(Amendment 16.)3
Imprisonment for, not allowed ..... 17Municipal corporations, limitation on6
idden9
Limitation ..... (g)
State, power to contract. (Amendment 48.) ..... 2
, invasion, insurrection, etc ..... 2
Limitation on power. (Amendment 48.)28 (10)
Territorial, assumed by state

$$
3
$$

(See City; County indebtedness; Indebt-edness of corporations; Stateindebtedness.)
Decisions--Superior court judge, within
Supreme court, in writing and grounds stated ..... $4 \quad 2$
Publication, free to anyone ..... 418


| District officers--cont. <br> Official bonds unaffected by change in government | Art. 27 | Sec. 14 |
| :---: | :---: | :---: |
| Ditches--Taking of private property for private use. (Amendment 9.) | 1 | 16 |
| Divorce--Jurisdiction of superior court | 4 | 6 |
| Legislature not to grant <br> (See Annulment of marriage.) | 2 | 24 |
| Docks--Legislature may authorize lease of harbor areas | 15 | 2 |
| Limit of term of lease (See Area reserved; Harbors.) | 15 | 2 |
| Drains- Taking of private property for private use in. (Amendment 9.) | 1 | 16 |
| Drugs and medicines--Legislature to regulate sale | 20 | 2 |
| Due process of law- - Life, liberty, property not to be taken without | 1 | 3 |
| Earnings- Combinations by common carriers to share, prohibited | 12 | 14 |
| Education--No distinction on account of race, color or sex | 9 | 1 |
| Provision for, to be made by state | 9 | 1 |
| Sale of lands for purposes of (See Common schools; Public schools.) | 9 | 3 |
| Elections--Ballot required, form | 6 | 6 |
| Biennial | 6 | 8 |
| Constitution, amendment of, submission to vote (Amendment 37.) | 23 | 1 |
| Calling convention to revise | 23 | 2 |
| Revision, submission of instrument | 23 | 3 |
| Vote on adoption of first, under territorial laws | 27 | 15 |
| Contest for office of superior judge (first election) | 27 | 12 |
| Criminals, insane persons, idiots excluded from elective franchise | 6 | 3 |
| Electors. (See Electors.) |  |  |
| First election according to territorial laws | 27 | 15 |
| Of representative to congress | 27 | 13 |
| Free, equal and undisturbed | 1 | 19 |
| Freeholders to frame city charter | 11 | 10 |
| Initiative measures. (See Initiative and referendum.) <br> Judges of court of appeals | 4 | 30 |
| Judges of supreme court | 4 | 3 |
| Of superior court | 4 | 5 |
| Of superior court. (Amendment 41.) | 4 | 29 |
| Legislative, to be viva voce | 2 | 27 |
| Legislature, each house judge of its own | 2 | 8 |
| Biennial | 2 | 5 |
| Representatives | 2 | 5 |
| Senators | 2 | 6 |
| Military interference prohibited | 1 | 19 |
| Officers not regulated by Constitution, legislature to provide for Under Constitution, time of first | 27 27 | 11 |
| Presidential elections, voter's residence. (Amendment 46.) | 6 | 1 A |
| Privilege of voters from arrest Qualifications of voters. (See Voters.) Recall of officers. (See Recall.) | 6 | 5 |
| Referendum. referendum.) (See Initiative and |  |  |
| Registration law to be enacted | 6 | 7 |
| School, women may be accorded franchise (Superseded, Amendment 5.) | 6 | 2 |


| Elections--cont. | Art. | Sec |
| :---: | :---: | :---: |
| Seat of government, determination | 14 | 1 |
| Secrecy of ballot required | 6 | 6 |
| State officers, time and place | 3 | 1 |
| Certificates of election to be given | 3 | 4 |
| Contests, legislature to decide | 3 | 4 |
| Equal vote, legislature to choose | 3 | 4 |
| Returns to secretary of state . . | 3 | 4 |
| Declaration of result . | 3 | 4 |
| Supreme court judges | 4 | 3 |
| Superior court judges. (Amendment 41.) | 4 | 5 |
|  | 4 | 29 |
| Time of, for state, county and district officers | 4 | 8 |
| Vacancy in office of governor, election to fill. <br> (Amendment 6.) <br> (See Vote; Voter.) | 3 | 10 |
| Elective franchise--Denial on account of sex prohibited in school elections | 6 | 2 |
| Women as qualified voters generally. (See Voters.) |  |  |
| Idiots, insane persons and convicted felons excluded from (See Elections; Electors; Voter.) | 6 | 3 |
| Presidential elections, voter's residence. <br> (Amendment 41.) | 4 | 29 |
| Electors--Exempt from military duty, when | 6 | 5 |
| Privilege from arrest . . . . . . . . . . . . . . . . | 6 | 5 |
| Qualifications of voters. (See Voter.) |  |  |
| Residence not lost in certain cases | 6 | 4 |
| Secrecy in voting, legislature to secure | 6 | 6 |
| Eligibility-—Judges of supreme and superior courts, qualifications | 4 | 17 |
| Ineligible to other than judicial offices | 4 | 15 |
| Members of legislature, qualifications | 2 | 7 |
| Ineligible to offices created by them | 2 | 13 |
| State officers, qualifications . Voters. (See Elections; Voter.) | 3 | 25 |
| Emergency clause--Act non-referrable | 2 | 1(b) |
| Prior article | 2 | 31 |
| Emergency, National- -(See Invasion and attack) |  |  |
| Eminent domain-Compensation to be first made in taking or damaging property |  | 16 |
| For rights-of-way taken by corporation | 1 | 16 |
| Requirement for payments of. (Amendment 9.) | 1 | 16 |
| Corporate property and franchises subject to | 12 | 10 |
| Ditches, taking of private property for private use in constructing. (Amendment 9.) | 1 | 16 |
| Drains, taking of private property for private use in. (Amendment 9.) | 1 | 16 |
| Flume, taking of private property for private use in construction of. (Amendment 9.) | 1 | 16 |
| Judicial questions, use for which property taken as. (Amendment 9.) | 1 | 16 |
| Jury, requirement for ascertainment of compensation by. (Amendment 9.) | 1 | 16 |
| Private use, taking of property for. (Amendment 9.) | 1 | 16 |
| Reclamation of land, public use in taking for. (Amendment 9.) | 1 | 16 |
| Rights-of-way to be compensated for | 1 | 16 |
| Settlement of land, public use in taking property for (Amendment 9.) | 1 | 16 |
| Telegraph and telephone companies granted right | 12 | 19 |
| Waiver of jury trail for ascertaining compensation. (Amendment 9.) | 1 | 16 |
| Ways of necessity, taking of private property for private use in. (Amendment 9.) | 1 | 16 |

[Wash. Const.——p 70]

[Wash. Const.——p 71]

|  | Art. Sec. |  |
| :---: | :---: | :---: |
| Foreign corporations- - Not to be favored | 12 | 7 |
| Forfeiture——Accrued to territory inures to state |  |  |
| Corporate charter or franchise, no remission | 12 | 3 |
| Estate, conviction not to work | 1 | 15 |
| Franchise, for combination in restraint of trade | 12 | 22 |
| Governor has power to remit | 3 | 2 |
| Must report to legislature | 3 | 2 |
| Judicial office, absence causes | 4 | 8 |
| Remission by special act prohibited | 2 | 28 (14) |
| Forts, dockyards, etc.--Congress to have exclusive control | 25 | 1 |
| Forty mill limitation--(Amendment 17.) | 7 | 2 |
| Franchise-Corporate, creation by special act forbidden |  |  |
| Alienation or lease not to relieve liability | 12 | 8 |
| Extension by legislature prohibited | 12 | 3 |
| For unlawful combinations | 12 | 22 |
| Forfeiture not to be remitted | 12 | 3 |
| Invalid, if unorganized | 12 | 2 |
| Irrevocable grant prohibited | , | 8 |
| Liability not relieved by lease, etc. | 12 | 8 |
| Subject to eminent domain | 12 | 10 |
| Taxation, state not to surrender (See Corporations; Elections.) | 7 | 4 |
| Freedom of conscience--Guaranteed to every individual matters of religious beliefs. (Amendment 4.) | 1 | 11 |
| Freedom of speech and press--Guaranteed to every person Legislators not liable for words in debate | 2 | 5 17 |
| Free passes--Grant of, to state officers prohibited | 12 | 20 |
| Public officers forbidden to accept | 2 | 39 |
| Freight rates - - Regulation by legislature authorized | 12 | 18 |
| Fundamental principles--Frequent recurrence to, essential | 1 | 32 |
| Funds--(See Appropriations; Common school construction fund; Common school fund; Public money; School fund.) |  |  |
| Government - Change of, completion of pending actions | 27 | 5,8 |
| Continuance of existing laws and rights | 27 | 1,2 |
| Emergency, national, continuance of government, legislative power. (Amendment 39.) | 2 | 42 |
| Perpetuity of, what essential |  | 32 |
| Purposes of | 1 | 1 |
| Source of powers | 1 | 1 |
| Governor--Appointment of regents, etc., of state institutions |  |  |
| Approval of laws | 3 | 12 |
| Assignment of superior judge to other county | 4 | 5,7 |
| Attorney general, succession to governorship. <br> (Amendment 6.) | 3 | 10 |
| Auditor, succession to governorship. (Amendment 6.) | 3 | 10 |
| Commander-in-chief of state militia | 3 | 8 |
| Commissioner of public lands, succession to governorship. (Amendment 6.) | 3 | 10 |


| Harbors--cont. <br> Restrictions on sale by state of lands or rights <br> (See Area reserved; Wharves.) | Art. 15 |  |
| :---: | :---: | :---: |
| Head of family--Power of legislature to exempt from taxation. (Amendments 3 and 14.) | 7 | 1 |
| Health--(See Public health.) |  |  |
| Heir at law--Not to be determined by special law | 2 | 28(1) |
| High crimes or misdemeanors-- | 5 | 2 |
| High schools--Included in public school system | 9 | 2 |
| Highways--Opening or altering by special legislation prohibited, except state and military roads (See State roads; Streets and roads.) | 2 | 28(2) |
| Holiday--(See Legal holidays.) |  |  |
| Home--Privacy of, guaranteed | 1 | 7 |
| Soldiers not to be quartered in | 1 | 31 |
| Homestead--Exemption from forced sale | 19 | 1 |
| House of representatives--Elections, biennial after 1890 | 2 | 5 |
| Legislative authority vested in. (Amendment <br> 7.) | 2 | 1 |
| Members, how and when chosen | 2 | 4 |
| Number of representatives | 2 | 2 |
| Powers, legislative vested in | 2 | 1 |
| Impeachment, sole power vested in | 5 | 1 |
| Majority necessary to order | 5 | 1 |
| Quorum of house ............ | 2 | 8 |
| Reapportionment after each census, state or national | 2 | 3 |
| Vacancy, how filled. (Amendment 52.) (See Legislature; Representatives.) | 2 | 15 |
| Idiots--Excluded from elective franchise | 6 | 3 |
| Immigration--Bureau of, provision for estab- lishment | 2 | 34 |
| Immunities--Electors privileged from arrest | 6 | 5 |
| Equal to all citizens and corporations | 1 | 12 |
| Imprisonment for debt prohibited | 1 | 17 |
| Irrevocable grant of, prohibited | 1 | 8 |
| Loss or damage to property prohibited without just compensation | 1 | 16 |
| Members of legislature privileged from arrest | 2 | 16 |
| Privileged from service of civil process | 2 | 6 |
| Militia privileged from arrest at muster | 10 | 5 |
| Soldiers not to be quartered in homes | 1 | 31 |
| Special grant of, prohibited | 1 | 12 |
| Twice in jeopardy, accused not to be put | 1 | 9 |
| Impeachment-—House of representatives has sole power ................................... | 5 | 1 |
| Officers liable to | 5 | 2 |
| Judgment effects removal and disqualification for office | 5 | 2 |
| Liability to criminal prosecution (See Recall.) | 5 | 2 |
| Trial by senate ............ | 5 | 1 |
| Chief justice presides, when | 5 | 1 |


|  | Ar | Sec. |
| :---: | :---: | :---: |
| Imposts--Appellate jurisdiction of supreme court | 4 | 4 |
| Original jurisdiction of superior court | 4 | 6 |
| Imprisonment for debt——Prohibited, except in case of absconding debtors | 1 | 17 |
| Incompetency in office-—Officers removable by legislature Rights of accused to be heard Three-fourths of each house to concur | 4 4 4 | 8 9 9 |
| Indebtedness of corporations--Fictitious increase void | 12 | 6 |
| Liability of stockholders | 12 | 4 |
| Double, in bank, insurance and joint stock companies. (Amendment 16.) | 12 | 11 |
| Relief from, by lease or alienation of franchise prohibited | 12 | 8 |
| By special legislation prohibited (See Corporations.) | 2 | $28(10)$ |
| Indian lands--Disclaimed by state of title | 26 | 2 |
| Subject to jurisdiction of United States | 26 | 2 |
| Taxation of, when state may impose | 26 | 2 |
| Exemption from | 26 | 2 |
| Indians--Exempt from taxation, when | 26 | 2 |
| Excluded from enumeration of inhabitants | 2 | 3 |
| Indictment——Prosecutions of offenses by ... Right of accused to copy of. (Amendment 10.) | 1 | 25 |
| Individual rights-Government to protect and maintain | 1 | 1 |
| Secured by recurrence to fundamental principles | 1 | 32 |
| Individual security——Private affairs not to be disturbed | 1 | 7 |
| Industrial development-—Port districts. <br> (Amendment 45.) | 8 | 8 |
| Infants--(See Children; Minors.) |  |  |
| Inferior courts-—Appeal lies to superior court Jurisdiction and powers, legislature to prescribe | 4 | 10 |
|  | 4 | 12 |
| Legislature to provide | 4 | 1 |
| Information--Offenses may be prosecuted by | 1 | 25 |
| Initiative and referendum--Amendment of acts approved by the people. (Amendments 7 (c) and 26.) | 2 | ${ }_{41}^{1(c)}$ |
| Amendment of measure submitted to legislature. (Amendment 7 (a).) | 2 | 1(a) |
| Ballot where conflicting measures are submitted to the people. (Amendment 7 (a).) | 2 | 1(a) |
| Basis for ascertaining number of voters required on petition. (Amendments 7 (d) and 30. ) | 2 | ${ }_{1 A}^{1(d)}$ |
| Change or amendment of initiative measure, prohibition against. (Amendment 7 (a).) |  |  |
| Conflicting measures, method of submitting to popular election. (Amendment 7 (a).) | 2 | 1(a) |
| Effective date of acts or bills subject to referendum. (Amendment 7 (c); Amend- |  |  |




| Jurisdiction--cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Court of appeals. (Amendment 50.) | 4 | 30 |
| Inferior courts, legislature to prescribe | 4 | 12 |
| Justice of peace, as legislature may fix | 4 | 10 |
| Not to trench on courts of record | 4 | 10 |
| Superior court | 4 | 6 |
| Supreme court | 4 | 4 |
| United States over reserved lands (See Criminal action.) | 25 | 1 |
| Juror-—Not incompetent because of religious opinion. (Amendments 4 and 34.) | 1 | 11 |
| Number necessary for verdict . . . | 1 | 21 |
| Prohibition against prescribing religious qualifications. (Amendments 4 and 34.) | 1 | 11 |
| Jury-—Ascertainment by, of compensation for right-of-way | 1 | 16 |
| Charging, duty of judge | 4 | 16 |
| Criminal action, right of accused in. (Amendment 10.) | 1 | 22 |
| Eminent domain proceedings. (Amendment 9.) | 1 | 16 |
| Number in courts not of record | 1 | 21 |
| Right of trial by remains inviolate | 1 | 21 |
| Waiver in civil cases may be had | 1 | 21 |
| Verdict by less than twelve may be authorized (See Grand jury; Juror.) | 1 | 21 |
| Justice——Administration must be open and without delay | 1 | 10 |
| Justice of peace--Appeal lies to superior court | 4 | 6 |
| Cannot be made court of record | 4 | 11 |
| Duties to be prescribed by legislature | 4 | 10 |
| Fees prohibited, when | 4 | 10 |
| Jurisdiction, legislature to determine (Amendment 28.) | 4 | 10 |
| Not to trench on courts of record | 4 | 10 |
| Number, legislature to determine | 4 | 10 |
| Police justice in cities may be chosen from | 4 | 10 |
| Salary, increase | 30 | 1 |
| Salary, when | 4 | 10 |
| Vacancy in office, how filled | 11 | 6 |
| Vested with judicial power (See Judicial officers.) | 4 | 1 |
| Land commissioner--(See Commissioner of public lands.) |  |  |
| Lands--Alien ownership prohibited. (Amendments 24 and 29.) (Repealed by Amendment 42.) | 2 | 33 |
| Confirmation of prior sales for educational purposes by county commissioners | 16 | 2 |
| Granted lands, restrictions on sale | 16 | 1 |
| For educational purposes, sold | 16 | 2,3 |
| Plat of state lands in cities required before sale | 16 | 4 |
| Limit on amount offered in one parcel | 16 | 4 |
| Quantity of state land that may be sold in one parcel as acreage | 16 | 4 |
| Reclamation, public use in taking for. (Amendment 9.) |  | 16 |
| Restrictions on selling school lands | 16 | 3 |
| Settlement, public use in taking property for. (Amendment 9.) | 1 | 16 |
| Taxation | 7 |  |
| Taxation of Indians lands | 26 | 2 |
| Nonresidents | 26 | 2 |
| United States, none to be imposed | 26 | 2 |
| Timber and stone may be sold, how | 16 | 3 |
| Law of the land--Constitution of United States supreme | 1 | 2 |

[Wash. Const.——p 70]


Legislature - Cont. ..... Art. Sec. in enumerating duties of county officers. (Amendments 12,57.) . . . . . . . . . . . 115 County officers, providing for election of. (Amendments 12,57.) . . . . . . . of. (Amendments 12,57.) . . . . . . . . . . . . 115
Not provided for in Constitution, legislature to provide for election and Precinct officers, providing for election of. (Amendments 12,57.) . . . . . . . of. (Amendments 12, 57.) . . . . . . . .
Passes, use by public officers to be prohibi-
ted . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 229
Granted to public officers to be prevent-
ed . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 1220

$\begin{array}{lll}\text { Private interest in bill, members to declare } & 2 & 30\end{array}$

Publication of opinions of supreme court to
be provided for . . . . . . . . . . . . . . . . . . . . 41
Rates for freights and passengers, discrim-
ination to be prevented ................ . . . . 1218
Maximum, to be established . . . . . . . . . . . . . . . 1218
Referendum. (See Initiative and referendum.)

Salaries of county officers and certain con-
stables to be fixed . . . . . . . . . . . . . . . . . . . 11 5
Sale of school and university lands, confir-
mation to be made . . . . . . . . . . . . . . . . . . . $16 \quad 2$
School funds, investment. (Amendments
43 and 44.) . . . . . . . . . . . . . . . . . . . . . . . . 9
Seat of government, choice of location to
be provided for $\ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots$


Superior court judges election, implemen-
tation. (Amendment 41.) ...... . . . . . . . . . 429
System of public schools to be established 9
Taxation, annual expenses to be met by ....... . 7
Corporate property to be under general
law . . . . . . . . . . . . . . . . . . . . . . . . . . 7 . 3
Deficiencies and expenses to be met by $\ldots 7$.
Exemption of limited amount of person-
alty . . . . . . . . . . . . . . . . . . . . . . . . 7 1
Retired persons exemption, implementation. (Amendment 47.)

10
State debt to be liquidated by ............... . 7 1
$\begin{array}{llll}\text { Vital statistics, bureau of, to be established } & 20 & 1\end{array}$
ENACTMENT OF LAWS
Act, how revised or amended
Bill to contain but one subject ...................................... 29
When not to be considered . . . . . . . . . . . . . . . 236
Emergency, national-Government continu-
ity authorizing
(Amendment 39.)
(A........................... . . . 2242
Enacting clause ................................ 218
Initiative and referendum measures. (See Initiative and referendum.)
Laws to be enacted by bill . . . . . . . . . . . . . . . . . . . 2 2 18
$\begin{array}{llll}\text { Presiding officer of each house to sign bills } & 2 & 32\end{array}$
Rules for signing bills may be prescribed . . . . . . 232
Title of bill to disclose object . . . . . . . . . . . . . . . . . . . 2 . 19

| Legislature-Cont. |  |  |
| :---: | :---: | :---: |
| Veto of bill, and passage over | 3 | 12 |
| Yeas and nays, entry on journal required, when | 2 | 21,22 |
| POWERS |  |  |
| Abolition of certain state offices permitted. <br> (Amendment 31) | 3 | 25 |
| Appropriation of public funds. (See Appropriations.) |  |  |
| Capitol building, appropriation restricted until permanent location | 14 | 3 |
| Chaplain for penal and reformatory institutions may be employed. (Amend- |  |  |
| Charters of corporations cannot be extended $\qquad$ |  |  |
| Clerk of supreme court, election may be provided for |  |  |
| Constitution, amendment may be proposed in either house |  |  |
| Departure from during emergency due <br> to enemy attack. (Amendment 39.) |  |  |
| Revision, convention for may be agreed on | Revision, convention for may be agreed |  |
| Corporate property and franchises may be |  |  |
| Corporations, not to be created by special |  |  |
| Courts of recorded, power to establish | 4 | 11 |
| Divorces not to be granted by | 2 | 24 |
| Duties of county officer, power to pre- |  |  |
| Elective franchise may be granted to |  |  |
| Emergency, national-Government, state end local, continuity, authorizing special power. (Amendment 39.) |  |  |
| Exemptions from taxation, power to provide. (See Taxation.) |  |  |
| Extra compensation to officers for past services prohibited. (Amendment 35.) |  |  |
| Fees of county officers, power to provide |  |  |
| 57.) | 11 | 5 |
| Forfeitures of corporate franchises may be |  |  |
| Remission of, prohibited | 12 | 3 |
| Harbor areas, building on, may be provid- |  |  |
| Inferior courts, powers of may be prescribed |  |  |
| Irrevocable privilege or franchise, power to grant denied |  |  |
| Jury, number for panel and for verdict may be fixed at less than twelve |  |  |
| Lotteries, may authorize by $60 \%$ vote | 2 | 24 |
| Municipal corporations may be vested with power to make local improvements . |  |  |
| Number of judges of supreme court may be increased |  |  |
| Private or special laws prohibited | 2 | 28 |
| Public corporations not to be created by special act |  |  |
| Public funds, power to provide for accounting as to. (Amendments 12,57.) |  |  |
| Railroad commission may be established | 2 | 18 |
| Removal of judges, etc., for incompetency |  |  |
| Reservation of power in people. (See Initiative and referendum.) |  |  |
| Salaries of judges may be increased | 4 | 14 |
| School fund (common) may be enlarged | 9 | 3 |
| Seat of government cannot be changed by | 14 | 1 |
| Senate, legislative authority vested in. (Amendment 7.) |  |  |
| Separate departments of supreme court may be provided | 4 | 2 |


| Legislature--Cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Sheriff, providing for election of. (Amendments $12,57$. | 11 | 5 |
| Taxation, corporate authorities may be vested with power by general laws | 11 | 12 |
| Exemption of personal property. <br> (Amendment 3; Amendment 14.) | 7 | 1 |
| Local cannot be imposed by | 1 | 12 |
| Terms of county officers, powers to prescribe. (Amendments 12, 57.) | 11 | 5 |
| Vetoed bills, convening extraordinary session to reconsider | 3 | 12 |
| Voters, authority to define manner of ascertaining qualifications. (Amendment 63.) (See House of representatives; Initiative and referendum; Senate) | 6 | 1 |
| Liabilities--Corporate, not relieved by alienation or lease of franchise | 12 | 8 |
| Extinguishment by special legislation prohibited | 2 | 28(10) |
| Liberty--Depriving of, without due process of law, forbidden | 1 | 3 |
| Licentious acts--Guaranty of freedom of conscience in matters of religious worship as justif ying. (Amendments 4 and 34.) | 1 | 11 |
| Lieutenant governor--Acts as governor, when | 3 | 10 |
| Deciding vote, in case of tie in senate | 2 | 10 |
| Election of | 3 | 1 |
| Office may be abolished by legislature. (Amendment 31.) | 3 | 25 |
| Presiding officer of senate | 3 | 16 |
| In absence, who presides | 2 | 10 |
| Salary of | 3 | 16 |
| Succession to office of governor. (Amendment 6.) | 3 | 10 |
| Term of office | 3 | 3 |
| Life--Deprivation of, without due process of law, prohibited | 1 | 3 |
| Limitation of actions--Special legislation prohibited | 2 | 28(17) |
| Limitation on levies.(Amendment 55; Amendment 59.) | 7 | 2 |
| Limiting production--Combination for, prohibited | 12 | 22 |
| Literacy-—Qualification of voters. (Amendment 63.) | 6 | 1 |
| Loans--Prohibition against loan of school fund to private persons or corporations. (Amendment 1.) | 16 | 5 |
| State may borrow to meet debts | 8 | 1 |
| Local improvements--Authority of cities to levy special taxes for | 7 | 9 |
| Local officers--Eligible to legislature | 2 | 14 |
| Lotteries. | 2 | 24 |
| Majority--Necessary in impeachment | 5 | 1 |
| Passage of bills requires | 2 | 22 |
| Petition for division of county requires | 11 |  |
| Quorum of each house constituted by | 2 | 8 |
| Special act cannot declare a person of age | 2 | 28(11) |

[Wash. Const.——p 78]

|  | Art. | Sec. |
| :---: | :---: | :---: |
| Malfeasance-Officers liable to impeachment for |  |  |
| Recall for. (Amendment 8.) | 1 | 33,34 |
| Removal by law, if not subject to impeachment | 5 | 3 |
| Mandamus--Original and appellate jurisdic- <br> tion of supreme court |  |  |
| Mandatory - Constitutional provisions are | 1 | 29 |
| Manufacturing purposes-Use of waters for, deemed public use | 21 | 1 |
| Medicine-—Practice and sale, legislature to regulate | 20 | 2 |
| Men--Equal rights | 31 | 1,2 |
| Messages-Governor to communicate with legislature by | 3 | 6 |
| Mileage--Members of legislature entitled to (Amendment 20.) | 2 | 23 |
| Military--Not to interfere with elections | 1 | 19 |
| Subordinate to civil power (See Army; Militia.) | 1 | 18 |
| Militia-Citizens subject to duty in Who exempt | 10 | 1 |
| Exemption to persons having conscientious scruples, on payment of equivalent ...... | 10 | 6 |
| Governor to be commander-in-chief Members entitled to admission to soldiers' home, when | 3 10 | 8 3 |
| Officer of, eligible to legislature, when | 2 | 14 |
| Organization and discipline | 10 | 2 |
| Privilege from arrest, when .... (See Arms; Army; Military.) | 10 | 5 |
| Mines--Protection of employees, laws to be passed | 2 | 35 |
| Yield tax or ad valorem tax authorized. (Amendment 14.) | 7 | 1 |
| Mining purposes--Use of water for deemed public use | 21 | 1 |
| Minors- Sale or mortgage of property not to be authorized by special act (See Children; Majority.) |  | 8(4),(1 |
| Money-—Corporations not to issue anything but lawful money of United States. (Amendment 16.) | 12 | 11 |
| Disbursement from state treasury | 8 | 4 |
| Municipal officers to deposit with treasurer | 11 | 15 |
| State Taxes payable in | 7 | 6 |
| Using public money by officer a felony (See Public money.) | 11 | 14 |
| Monopolies--Forbidden | 12 | 22 |
| Forfeiture of franchise and property may be declared <br> Penalties to be provided by law | 12 12 | 22 22 |
| Municipal corporations--Cities of 10,000 or |  |  |
| Combined city-county | 11 | 16 |
| Corporate stock or bonds not to be owned by | 8 | 7 |
| Credit or money not to be loaned | 8 | 7 |


| Municipal corporations--cont. | Art. | Se |
| :---: | :---: | :---: |
| Debts, power to incur | 8 | 6 |
| Limit of power | 8 | 6 |
| Port district promotional activities (Amendment 45.) | 8 | 8 |
| Improvements, power to make by special taxation or assessment | 7 | 9 |
| Local affairs contolled by | 11 | 11 |
| Organization to be under general laws | 11 | 10 |
| Police and sanitary regulations enforced by | 11 | 11 |
| Private property not to be taken for debt of | 11 | 13 |
| Public money to be deposited with treasurer | 11 | 15 |
| Salary of officers . . . . . . . . . . . . . . . . . . . . | 11 | 8 |
|  | 30 | 1 |
| Seals of | 27 | 9 |
| Special act to create or amend charter, prohibited | 2 | 28(8) |
| Streets, power to extend over tide lands | 15 | 3 |
| Taxation, assessment and levy, power of | 7 | 9 |
| Exemption of municipal property from taxation. (Amendment 14.) | 7 | 1 |
| Imposition for local purposes prohibited to legislature | 11 | 12 |
| Local power to assess and levy, where | 11 | 12 |
| Term of officers not to be extended | 11 | 8 |
| Use of public money by official, a felony ... (See City; Municipal courts; Municipal fines; Towns and villages.) | 11 | 14 |
| Municipal courts——Legislature may provide for | 4 | 1 |
| Municipal fine--Appellate jurisdiction of supreme court Original jurisdiction of superior court | 4 4 | $\begin{aligned} & 4 \\ & 6 \end{aligned}$ |
| Municipal indebtedness--Limitations and restrictions on (See City; Towns and villages.) | 8 | 6 |
| Names--Change of, by special legislation prohibited | 2 | 28(1) |
| Naturalization--Power of, vested in superior court | 4 | 6 |
| Navigable waters--Harbor lines, commission to be established to locate Ownership of state in beds and shores asserted | 15 17 | 1 |
| New county--Formation may be by special act <br> Restrictions on | 2 | $\begin{aligned} & 28(18) \\ & 3 \end{aligned}$ |
| Nonjudicial days-Certain writs may be issued and served on Superior courts not open on | 4 | $\begin{aligned} & 6 \\ & 6 \end{aligned}$ |
| Nonresidents--Taxation of lands of citizens of United States | 26 | 2 |
| Normal schools-—Included in public school system | 9 | 2 |
| Nuisances-Appellate jurisdiction of supreme court Original jurisdiction of superior court | 4 | $\begin{aligned} & 4 \\ & 6 \end{aligned}$ |
| Oath of office-—Prescribed for judges Recall for violation of. (Amendment 8.) Where to be filed | 4 1 4 | $\begin{gathered} 28 \\ 33,34 \\ 28 \end{gathered}$ |
| Oaths--Administered in most binding manner Of senators in impeachment trials | 1 5 | $\begin{aligned} & 6 \\ & 1 \end{aligned}$ |





Public corporations--(See Municipal corporations.)

|  | Art. Sec. |  |
| :---: | :---: | :---: |
| Public debts--Private property not to be taken in payment of |  |  |
| Public funds--Legislature as empowered to provide for accounting. (Amendments 12, 57.) (See Appropriations; Investments; Public pension funds; School funds.) | 11 | 5 |
| Public health--Exception from power of referendum of bills affecting. (Amendment 7 <br> (b).) | 2 | 1 (b) |
| Laws regulating deleterious occupations to be passed | 2 | 35 |
| State board of, shall be created | 20 | 1 |
| Public indebtedsess--Municipal limit of | 8 | 6 |
| State building authority | 8 | 9 |
| State, limit of | 8 | 1 |
| Exceptions to | 8 | 2,3 |
| Territorial, assumed by state (See City; County indebtedness; State indebtedness; Towns and villages.) | 26 | 3 |
| Public institutions-—Exception from power of referendum of bills affecting. (Amendment 7 (b).) | 2 | 1 (b) |
| Public lands--Disclaimer by state of title to unappropriated |  |  |
| Granted to state held in trust for people | 16 | 1 |
| Sale only for full market value | 16 | 1 |
| Unappropriated to be subject to control of United States (See Commissioner of public granted lands; Lands; School lands.) | 26 | 2 |
| Public money - Accountability of public offcers ............................................ 11 5,15 |  |  |
| Appropriation for religious worship prohibited. (Amendments 4 and 34.) | 1 | 11 |
| Deposit with treasurer required . . . . . . . . . | 11 | 15 |
| Statements of receipts and expenditures to be published | 7 | 7 |
| Using or making a profit out of, a felony (See Money.) | 11 | 14 |
| Public office--Religious qualification not to be required. (Amendments 4 and 34.) | 1 | 11 |
| Public officer--Change of compensation during term. (Amendment 35.) | 2 30 | 25 |
| Extra compensation to, prohibited. (Amendment 35.) | 2 | 25 |
| Religious qualifications, prohibition against. (Amendments 4 and 34.) (See Officers.) | 1 | 11 |
| Public pension funds--Investment of. (Amendment 49.) | 29 | 1 |
| Pension increase not extra compensation. <br> (Amendment 35.) | 2 | 25 |
| Public property ——Not to be applied to religious worship. (Amendments 4 and 34.) | 1 | 11 |
| Public safety-—Exception from power of referendum of bills affecting. (Amendment 7 (b).) | 2 | 1 (b) |
| Ground for suspension of habeas corpus .. | , | 13 |
| Public schools--Establishment and mainte- |  |  |
| Free from sectarian control | 9 | 4 |
|  | 26 | 4 |


| Public schools--cont. Art. Sec |  |  |
| :---: | :---: | :---: |
| Open to all children of state | 9 |  |
|  | 6 | 4 |
| Superintendent of public instruction to have |  |  |
| System to be established by state | 9 | 2 |
| Including what (See Common schools; Education; High schools; Normal schools; Technical schools.) | 9 | 2 |
| Public use--A judicial question | 1 | 16 |
| Property not to be taken for, without compensation | 1 | 16 |
| Punishment——Bribery and corrupt solicitation, how punished | 2 | 30 |
| Cruel, not to be inflicted | 1 | 4 |
| Qualifications--Judges of supreme and supe- |  |  |
| Members of legislature | 2 | 7 |
| Each house to be judge | 2 | 8 |
| Religious, not to be required for public office. (Amendments 4 and 34.) | 1 | 11 |
| State officers. (Amendment 31.) Voters, of (See Voter.) | 3 | 25 |
| Quo warranto--Appellate and original juris- |  |  |
| Original jurisdiction of superior court | 4 | 6 |
| Quorum-Majority of each house to consti- |  |  |
| Less number may adjourn and compel attendance | 2 | 8 |
| Supreme court, majority of judges necessary | 4 | 2 |
| Race--Discrimination in education on account of, prohibited |  |  |
| Railroad and transportation commission- May be established by legislature $\qquad$ |  |  |
| Railroad companies--Charges to any point not to exceed those to more distant station |  |  |
| Combinations to regulate production or transportation of commodities prohibited Sharing earnings forbidden | 12 | 22 |
| Commission to control may be established | 12 | 18 |
| Common carriers, subject to legislative control | 12 | 13 |
| Connection at state line with foreign railroads authorized | 12 | 13 |
| Consolidation with competing lines prohibited | 12 | 16 |
| Delay in receipt and transportation of connecting cars forbidden | 12 | 13 |
| Discrimination between telegraph companies forbidden | 12 | 19 |
| In charges between persons and places prohibited | 12 | 15 |
| Excursion and commutation tickets may be granted | 12 | 15 |
| Express companies to be allowed equal terms | 12 | 21 |
| Extortion and discrimination in rates to be prevented | 12 | 21 18 |
| Grant of passes to public officers forbidden | 12 | 20 |
| Intersecting crossing or connecting with other railroads authorized <br> Maximum rates of fare and freight to be established by law | 12 12 12 | 20 13 18 |
| Passes, acceptance and use by public officers unlawful | 12 | 18 39 |
| Rolling stock subject to taxation and execution sale | 12 | 39 17 |
| Telegraph and telephone companies to be allowed to use right-of-way | 12 12 | 17 |




Right to interrogate respecting religious beliefs to affect weight of testimony.
(Amendments 4 and 34.) . . . . . . . . . . . . . . . 11
Removal from office——Impeachment . . . . . . . . . . . . 5 . 1
Joint resolution of legislature for removal ......... . . . . . 4
Officers not liable to impeachment, how re-
moved . . . . . . . . . . . . . . . . . . . . . . . . . . . . 5 53
Of governor, who to act . . . . . . . . . . . . . . . . . . . . . . . . 310
And lieutenant governor, who to act ........... 310
(See Recall.)


Reports——Decisions of supreme court . . . . . . . . . . . 4 . 21
Defects and omissions in the laws . . . . . . . . . . . . . . 425
Representative districts-Allotment among
counties . . . . . . . . . . . . . . . . . . . . . . . . . . . . . $22 ~$
Vacancies ................................................ . . . 22.
Representatives——Apportionment among
counties . . . . . . . . . . . . . . . . . . . . . . . . . . . . . $22 ~$
$\begin{array}{ll}\text { counties . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . } & 22 \\ \text { Compensation and mileage . . . . . } 23\end{array}$
Congressional, how and when to be elected ...... 2713
$\begin{array}{lll}\text { Vote at first election under territorial law } & 27 & 13\end{array}$
Election of . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 2 4,5
Number of . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 2

From civil process . . . . . . . . . . . . . . . . . . . . . . . . 216
Qualifications of . . . . . . . . . . . . . . . . . . . . . . . . . . . . 27
Reapportionment after each census .............. 2
Term of office . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 2 4,5
(See House of representatives; Recall.)
Vacancy in office, how filled. (Amendment
52.)
215
Reprieves- - Report of, by governor to legisla-
ture ............................................ 311
Residence- Absence in public service or at
certain institution, not to affect . . . . . . . . . .
Eligibility to office and right of voting, how
affected by . . . . . . . . . . . . . . . . . . . . . . .
Qualifications for voters. (Amendments 46
and 63.) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 6 1,1A
State officers, where . . . . . . . . . . . . . . . . . . . . . . . . . 3 . 24
Retirement--Funds, Investment of. (Amend-
ment 49.) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 29 1
Judges of supreme, superior courts. (Amend-
ment 25.) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 4 3(a)

| Index | Was | ng | Constitution |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Retirement--cont. |  |  | Salaries--cont. | Art. | Sec |
| Public officers, increase in pension not extra |  |  | Justice of peace in certain cities |  | 10 |
| compensation. (Amendment 35.) .... | 2 | 25 | Reporter of supreme court | 4 | 18 |
| Retired persons tax exemption. (Amendment 47.) |  | 10 | State officers, increase or diminution during term. (Amendment 54.) | 30 | 1 |
|  | 7 | 10 |  | 3 | 25 |
|  |  |  | Attorney general | 3 | 21 |
| Revenue and taxation--(See also Taxation.) Corporate property subject same as individ- |  |  | Auditor ....... | 3 | 20 |
| ual | 7 | 3 | Commissioner of public lands | 3 | 23 |
| Exemptions from taxation. (See Taxation.) |  |  | Governor . . . . . . | 3 | 14 |
| Property to be taxed in proportion to value | 7 | 1 | Lieutenant governor | 3 | 17 |
| Retired persons property tax exemption. |  |  | Secretary of state .............. | 3 | 17 22 |
| (Amendment 47.) . . . . . . . . . . . . . . . . | 7 | 10 | Superintendent of public instruction | 3 | 19 |
| Uniform and equal rate required (See Taxation.) | 7 | 1 | Treasurer | 3 |  |
|  |  |  | Sanitary regulations--County, city and town may enforce | 11 | 11 |
| Review, writ of ——Appellate and revisory jurisdiction of supreme court | 4 | 4 |  |  |  |
| Original jurisdiction of superior court ... | 4 | 6 | School district--Authority to contract debts Exemption of property from taxation. | 8 | 6 |
| Revision of Constitution--Convention called, |  |  | (Amendment 14.) |  |  |
| to consist of how many | 23 | 2 |  |  |  |
| Two-thirds vote of each house necessary | 23 | 2 | School elections--Women may be permitted |  |  |
| Vote on, now provided for . . . . . . . . . | 23 | 2 | to vote | 6 | 2 |
| Right of petition--Not to be abridged | 1 | 4 | School fund- -Applied exclusively to common schools | 9 | 2 |
| Right-of-way--Appropriation of property |  |  | Apportionment by special act forbidden | 2 | 28(7) |
|  | 1 | 16 | Bonds, investment in. (Amendment 1.) |  |  |
|  |  |  | Enlargement authorized ........... | 9 | 3 |
| Right to assemble--Not to be abridged | 1 | 4 | Investment applied . . . . . . . . . . . . | 16 | 5 |
| Right to bear arms--Not to be impaired.... | 1 | 24 | Loans to private persons or corporations forbidden | 16 | 5 |
| Restriction on employment of armed men by private persons | 1 | 24 | Prohibition against. (Amendment 1.) |  |  |
|  | 1 | 24 | Losses from, how made good | 9 | 5 |
| Rights--Declaration of |  | -32 | Sources from which derived | 9 | 3 |
| Enumerated, not to affect others retained |  | 30 | (See Common school construction fund; |  |  |
| Existing, not affected by change in government | 27 | 1 | fund.) |  |  |
| Reservation of rights in people. (See Initiative and referendum.) |  |  | School lands--Sale, manner of | 16 | -4 |
| Road district--Vacancy in office, how filled | 11 | 6 | Schools-Maintained partly by public funds to be free from sectarian control | 9 | 4 |
| Roads--(See highways; state roads; streets and roads.) |  |  | Public school system, what included in (See Common schools; Education; High schools; Normal schools; Public schools.) | 9 | 2 |
| Rolling stock--Personal property, subject to taxation and execution sale | 12 | 17 | Seal-State, design of $\ldots \ldots . . . . . . . . . . . . ~$ | 18 | 18 |
|  |  |  | Superior courts, design of | 27 | 9 |
| Rules of court--Assignment of business of superior court under | 4 | 5 | Territorial court, county and municipal officers, to be seals under state |  |  |
| Court of appeals, governing. (Amendment 50.) | 4 | 30 |  | 27 | 8,9 |
| Judges of superior courts to establish ....... | 4 | 24 | Seat of government--Continuity of government in emergency periods due to enemy |  |  |
|  |  |  | attack. (Amendment 39.) .. | 2 | 42 |
| Rules of proceedings--Each house to deter- mine . . . . . . . . . . . . . . . . . . . . . . . | 2 | 9 | Election under territorial law | 27 | 15 |
|  |  |  | Form of ballot | 17 | 8 |
| ilors--Excluded from enumeration of in- |  |  | Location, how determined | 14 | 1 |
| habitants | 2 | 3 | Ma jority vote necessary | 14 | 1 |
|  |  |  | Permanent location, how changed ......... <br> Provision for determination if no choice at | 14 | 2 |
| Salaries--Change in, during term. (Amendments 20,35 , and 54.) |  |  | first election ............ | 14 | 1 |
|  | 11 | 25 | Temporary, to be located where | 14 | 1 |
|  | 28 | 1 |  |  |  |
|  | 30 | 1 |  |  |  |
| Clerk of supreme court | 4 | 22 | Of ballot, to be secured at elections | 2 | 11 |
| County. township, precinct and district officers | 11 | 5,8 |  |  |  |
| Judges of supreme and superior courts | 4 | 13 | sued by state | 3 | 15 |
| How and when payable | 3 | 14 | Bureau of statistics, etc., to be established in | 3 | 15 |
| Increase or diminution during term | 30 | 1 | office of | 2 | 34 |
|  |  |  | Duties | 3 | 17 |

[Wash. Const.——p 84]

| Secretary of state——cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Election . |  |  |
| Initiative measures, filing petitions. (Amend- <br> ment 7 (a).) | 2 | $24^{1(a)}$ |
| Records to be kept at capital . . . . . . . . . . . . | 3 | 24 |
| Referendum petition filed with. (Amendment 7 (d).) | 2 | I (d) |
| Residence to be maintained at seat of government | 3 | 24 |
| Salary | 3 | 17 |
| Seal of state to be kept by | 3 | 18 |
| Submitting measures to the people pending enactment of specific legislation respecting initiative and referendum. (Amendment 7 (d).) | 2 | 1(d) |
| Succession to office of governor. (Amendment 6.) | 3 | 10 |
| Term of office | 3 | 3 |
| Sectarian control--Public schools to be free from | 26 | 4 |
| Security-OOf individual rights, what is essential | 1 | 32 |
| Of person in private affairs and home | 1 | 7 |
| Senate--Advice and consent to appointments by governor | 13 | 1 |
| Impeachments tried by | 5 | 1 |
| Conviction requires two-thirds vote | 5 | 1 |
| Legislative authority vested in. (Amendment 7.) |  |  |
| Legislative powers vested in | 2 | 1 |
| Number of senators | 2 | 2 |
| Presiding officer in absence of lieutenant governor | 2 | 10 |
| Quorum, majority to constitute | 2 | 8 |
| Reapportionment after each census (See Legislature; Senators.) | 2 | 3 |
| Senatorial districts--Allotment of counties | 22 | 1 |
| Convenient and contiguous territory required | 2 | 6 |
| Numbering to be consecutive | 2 | 6 |
| Representative districts not to be divided | 2 | 6 |
| Vacancy in office how filled. (Amendment 52.) | 2 | 15 |
| Senators--Allotment of | 2 | 6 |
| Apportionment | 22 | 1 |
| Compensation and mileage. (Amendment 20.) | 2 | 23 |
| Elections | 2 | 6 |
| Impeachments tried by | 5 | 1 |
| Oath or affirmation required in | 5 | 1 |
| Two-thirds necessary to convict | 5 | 1 |
| Number | 2 | 2 |
| Privilege from arrest | 2 | 16 |
| From civil process | 2 | 16 |
| Qualifications | 2 | 7 |
| Reapportionment after each census | 2 | 3 |
| Recall. (Amendment 8.) | 1 | 33,34 |
| Term of office | 2 | 6 |
| Vacancy in office, how filled. (Amendment 52.) | 2 | 15 |
| Separate articles--Submission for adoption or rejection | 27 | 17 |
| Form of ballot | 27 | 18 |
| Prohibition (rejected) | 27 | 17 |
| Woman suffrage (rejected) | 27 | 17 |
| Sessions--Legislative, length of | 2 | 12 |
| Biennial | 2 | 12 |
| Time of meeting may be changed | 2 | 12 |
| Each house to be open | 2 | 11 |
| Except when secrecy required | 2 | 11 |
| Special, may be convened by governor | 3 | 7 |

\begin{tabular}{|c|c|c|}
\hline \begin{tabular}{l}
Sessions--cont. \\
Vetoed bills, extraordinary session to reconsider
\end{tabular} \& Art.

3 \& Sec
12 <br>
\hline Settlement of land--Public use in taking of property for. (Amendment 9.) \& 1 \& 16 <br>
\hline Sewers--Power of cities to contract debts for \& 8 \& 6 <br>
\hline Sex-DDenial of franchise on account of, legislature may provide against in school elections. (Superseded by Amendment 5.) . . . . \& 6 \& 2 <br>

\hline | Educational privileges, no distinction on account of |
| :--- |
| Equal rights | \& 9

31 \& ,2 <br>
\hline Sex qualifications for voting abolished. (Amendment 63.) \& 6 \& 1,2
1 <br>

\hline | Sherifis--Accountability for fees and monies. |
| :--- |
| (Amendments 12, 57.) | \& 11 \& 5 <br>

\hline Duties, term and salary to be prescribed. (Amendments 12, 57.) \& 11 \& 5 <br>
\hline Election to be provided for by legislature. (Amendments 12, 57.) \& 11 \& 5 <br>
\hline Shores and beds of navigable waters - A Assertion of state ownership \& 17 \& 1 <br>
\hline Disclaimer by state where patented \& 17 \& 2 <br>
\hline Except in cases of fraud \& 17 \& 2 <br>
\hline Soldiers-Excluded from enumeration of inhabitants \& 2 \& 3 <br>
\hline Quartering in private house forbidden \& 1 \& 31 <br>
\hline Except in case of war \& 1 \& 31 <br>
\hline Soldiers' home--Admission granted to state militiamen, Union soldiers, sailors and marines \& 10 \& 3 <br>
\hline Maintenance by state to be provided for \& 10 \& 3 <br>
\hline Special election--Recall of public officers, election on petition for. (Amendment 8.) .. Reference of measures to people at. (Amendment 7 (d).) \& 2 \& 33,34
$1(d)$ <br>
\hline Special legislation--Prohibited in enumerated cases \& 2 \& 28 <br>
\hline Special privileges--Grant of, prohibited \& 1 \& 12 <br>
\hline Invalid, when \& 12 \& 2 <br>
\hline Special taxation-Local improvements in cities may be constructed by means of . . . . \& 7 \& 9 <br>
\hline Speech--Liberty of, guaranteed \& 1 \& 5 <br>
\hline Standing army- Not to be kept in time of peace \& 1 \& 31 <br>
\hline State--Boundaries. (Amendment 33.) \& 24 \& 1 <br>
\hline Building authority. (Amendment 51.) \& 8 \& 9 <br>
\hline Cession to United States of exclusive legislation over certain lands Reservation of right to serve process .... \& 25 \& 1 <br>
\hline Compact with United States \& 26 \& <br>
\hline Congressional districts, division into Continuity of government in emergency periods due to enemy attack. (Amendment \& 27 \& 13 <br>
\hline 39.) . . . . . . . . . . . . . . . . . . . . . . . . . . \& 2 \& 42 <br>
\hline Convict labor not to be let out by contract \& 2 \& 49 <br>
\hline Corporations, ownership of stock in or loaning credit to, prohibited \& 12 \& 9 <br>
\hline Credit not to be loaned \& 8 \& 5 <br>
\hline Criminal prosecutions continued in name of state on change of government \& 27 \& 5 <br>
\hline
\end{tabular}

| State-cont. Art. Sec. |  |  |
| :---: | :---: | :---: |
| Debts, fines, penalties and forfeitures, accrued to territory inure to state | 27 | 3 |
| Limitation on power | 8 | 1-3 |
| Money raised, how applied | 8 | 1 |
| Power to contract | 8 | 1-3 |
| Disclaimer of title to government or Indian lands |  |  |
| Division into senatorial and representative districts | 22 | 1-2 |
| Education, duty to provide for all children | 9 | 1 |
| Harbors, restriction on sale of lands or rights in | 15 | 1 |
| Indian lands, when taxable | 26 | 2 |
| Lands granted to, held in trust for people | 16 | 1 |
| Ownership of beds and shores of navigable waters asserted | 17 | 1 |
| Public schools, assumption of duty of establishing | 26 | 4 |
| State institutions to be supported | 13 | 1 |
| Suits against, legislature to authorize | 2 | 26 |
| Taxation, state property exempt from. (Amendment 14.) | 7 | 1 |
| Territorial debts and liabilities, assumption by | 26 | 3 |
| Property passes to state | 27 | 4 |
| Timber and stone on state lands, sale of | 16 | 3 |
| Title in lands patented by United States disclaimed by | 17 | 2 |
| Validation of void official acts may be special law as against state | 2 | $28($ |
| State auditor--(See Auditor.) |  |  |
| State board of health--Legislature to estab- |  |  |
| State building authority--Authorized. <br> (Amendment 51.) | 8 | 9 |
| State capital--Location, how made | 14 | 1 |
| Change of, method (See Seat of government.) | 14 | 2 |
| State courts--Jurisdiction of actions in territorial courts to be assumed by | 27 | 5 |
| State indebtedness--Annual expenses and state debt to be met by taxation | 7 | 1 |
| Limit of aggregate debt | 8 | 1 |
| Increase allowed to repel invasion Also for single work or object, after submission to vote | 8 8 | 2 3 |
| Losses in permanent school fund assumed as state debt | 9 | 5 |
| State building authority. (Amendment 51.) | 8 | 9 |
| State may contract debts to meet | 8 | 1 |
| State institutions--Chaplains. (Amendments |  |  |
| 4 and 34.) ............................. | 1 | 11 |
| Officers appointed by governor, with advice of senate | 13 | 1 |
| Support by state required | 13 | 1 |
| State land commissioner--(See Commissioner of public lands.) |  |  |
| State lands--(See Lands; Public lands.) |  |  |
| State militia--(See Militia.) |  |  |
| State officers- - (Abolition of certain offices, power granted legislature. (Amendment |  |  |
| 31.) ....................... | 3 | 25 |
| Compensation, change during term | 30 | 1 |
|  | 2 | 25 |


| State officers--cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Duties, temporary succession, national emergency, legislature. (Amendment 39.) | 2 | 42 |
| Elections to be quadrennial | 6 | 8 |
| Contested, legislature to decide | 3 | 4 |
| First under Constitution, how and when | 27 | 7 |
| Ties to be settled by legislature | 3 | 4 |
| Time of | 6 | 8 |
| Impeachment, who liable to | 5 | 2 |
| Information to be furnished to governor in writing by | 3 | 5 |
| Passes, acceptance and use prohibited . . . . | 12 | 20 |
|  | 2 | 39 |
| Qualifications. (Amendment 31.) | 3 | 25 |
| Records, to be kept at seat of government | 3 | 24 |
| Residence of certain, at state capital | 3 | 24 |
| Salaries. (See Salaries.) <br> Terms | 3 | 3 |
| State offices-Abolition of certain, permitted. (Amendment 31.) | 3 | 25 |
| Eligibility to. (Amendment 31.) . . . . . . . | 3 | 25 |
| State reformatories-Chaplain, employment of. (Amendments 4 and 34.) | 1 | 11 |
| State roads- Opening by special law permitted | 2 | 28(2) |
| State school tax——Applied exclusively to common schools | 9 | 2 |
| State seal- Description and custody | 3 | 18 |
| State taxes--(See Taxation.) |  |  |
| State treasurer--(See Treasurer.) |  |  |
| Statement of receipts and expen |  |  |
| Annual publication required | 7 | 7 |
| Statistics - Bureau of, to be established | 2 | 34 |
| Statutes--Enacting clause, style of | 2 | 18 |
| When take effect <br> (See Acts; Bills; Laws.) | 2 | 31 |
| Stockholders--Consent necessary to increase of corporate stock | 12 | 6 |
| Joinder as parties defendant in actions against corporation | 12 | 4 |
| Liability for corporate debts . . . . . . . . . . | 12 | 4 |
| In banking, insurance and joint stock companies. (Amendment 16.) (See Corporations; Stock of corporations.) | 12 | 11 |
| Stock of corporations--Counties, cities, etc., not to own | 8 | 7 |
| Fictitious increase void . . . . . . . . . . . . . . . | 12 | 6 |
| Increase allowed only under general law | 12 | 6 |
| With consent of majority of stockholders | 12 | 6 |
| Issued only to bona fide holders ............ (See Corporations; Stockholders.) | 12 | 6 |
| Stone--Sale from state lands authorized | 16 | 3 |
| Streets and roads——Extension over tide lands permitted | 15 | 3 |
| Opening under special laws prohibited except state roads <br> (See Highway; State roads.) | 15 2 | 28(2) |
| Students——Residence or absence does not affect right to vote | 6 | 4 |


|  | Art. | Sec. |
| :---: | :---: | :---: |
| Subpoena--Accused in criminal action as having right to compel attendance of witnesses. (Amendment 10.) | 1 | 22 |
| Suffrage--Denial on account of sex, legislature may provide against in school elections |  |  |
| Exercise of right to be free, equal and undisturbed <br> Qualifications of voters. (See Voters.) | 1 | 19 |
| Suits against state——Legislature to make provision for | 2 | 26 |
| Superintendent of public instruction--Duties | 3 | 22 |
| Election | 3 | 1 |
| Records to be kept at seat of government | 3 | 24 |
| Salary | 3 | 22 |
| Succession to office of governor. (Amendment 6.) | 3 | 10 |
| Term of office | 3 | 3 |
| Superior court - Actions, review of | 4 | 30 |
| Assignment (first) of judges to counties | 4 | 2(a) |
|  | 4 | 5 |
| Clerk | 4 | 26 |
| Court commissioners, appointed | 4 | 23 |
| Court of record | 4 | 11 |
| Decisions of causes to be made within ninety days | 4 | 20 |
| Election and districts. (Amendment 41.) | 4 | 5 |
|  | 4 | 29 |
| First, contests to be determined how | 27 | 12 |
| Eligibility to | 4 | 17 |
| Grand jury summoned only on order of judge | 1 | 26 |
| Judge, one for each county . . . . . . . . . . . . | 4 | 5 |
| Each, where more than one, invested with powers of all | 4 | 5 |
| Election of. (Amendment 41.) | 4 | 5 |
|  | 4 | 29 |
| Pro tempore, when authorized | 4 | 7 |
| Retirement. (Amendment 25.) | 4 | 3 (a) |
| Sits in any county, when .... | 4 | 2(a) |
|  | 4 | 7 |
| Supreme court duty, performance upon request. (Amendment 38.) | 4 | 2(a) |
| Term of office . . . . . . . . . . . | 4 | 5 |
| Judicial power, vested in | 4 | 1 |
| Jurisdiction, original and appellate. (Amendment 28.) | 4 | 6 |
| Naturalization, power of | 4 | 6 |
| Open, except on nonjudicial days | 4 | 6 |
| Other court, perform duties in. (Amendment 38.) | 4 | 2(a) |
| Probate courts, appellate jurisdiction over | 27 | 10 |
| Jurisdiction, when to be assumed . . . . | 27 | 10 |
| Process extends to all parts of state | 4 | 6 |
| Report to supreme court defects in laws | 4 | 25 |
| Retirement of judges. (Amendment 25.) |  |  |
| Rules of practice, may establish . . . . . | 4 | 24 |
| Salaries of judges | 4 | 13,14 |
| Seal | 27 | 9 |
| Sessions and distribution of business | 4 | 5 |
| Territorial causes and records pass to | 27 | 5 |
| Vacancies, governor to fill . . . . . . . . | 4 | 5 |
| Writs, power to issue | 4 | 6 |
| Supreme court-Chief justice, how determined |  |  |
| Classification of judges by lot | 4 | 3 |
| One class vacates seats every two years | 4 | 3 |
| Clerk to be appointed . . . . . . . . . . . . . . . . | 4 | 22 |
| Court of appeals, rules governing. (Amendment 50.) | 4 | 30 |
| Court of record | 4 | 11 |
| Decisions to be in writing and state grounds | 4 | 2 |


| Supreme court--cont. | Art. | Sec |
| :---: | :---: | :---: |
| Departments of court may be provided | 4 | 2 |
| Election of judges | 4 | 3 |
| Eligibility to office | 4 | 17 |
| Judges, court to consist of five | 4 | 2 |
| Number may be increased | 4 | 2 |
| Retirement. (Amendment 25.) | 4 | 3(a) |
| Salaries . . . . . . . . . . . . . . . | 4 | 13,14 |
| Term of office | 4 | 3 |
| Judicial power vested in | 4 | 1 |
| Jurisdiction, original and appellate | 4 | 4 |
| Open except on nonjudicial days . | 4 | 2 |
| Opinions to be published . . . . . | 4 | 21 |
| Quorum, majority of judges to form and pronounce decisions | 4 | 2 |
| Report of defects in laws to be made to governor | 4 | 25 |
| Reporter to be appointed . . . . . . . . . . . . | 4 | 18 |
| Retirement of judges. (Amendment 25.) | 4 | 3(a) |
| Seal | 27 | 9 |
| Sessions to be held where | 4 | 3 |
| Temporary judicial duties in. (Amendment 38.) | 4 | 2(a) |
| Territorial supreme court, when jurisdiction over causes passes to state court Vacancies, governor to fill | 27 4 | 8 3 |
| Supreme court clerk——(See Clerk of supreme court.) |  |  |
| Supreme court reporters--(See Reporter of supreme court.) |  |  |
| Supreme law-—Constitution of United States is | 1 | 2 |
| Surgery - Practice of, to be regulated by law | 20 | 2 |
| Swamp and overflowed lands--Disclaimer by state of title to patented | 17 | 2 |
| Taxation--(See also Revenue; and Revenue and taxation.) |  |  |
| Ad valorem tax on mines and reforested lands. (Amendment 14.) | 7 | 1 |
| Agricultural lands, actual use | 7 | 11 |
| Assessment or collection by special laws prohibited | 2 | 28(5) |
| Cities, power, to assess and collect local taxes | 11 | 12 |
| Counties, power to assess and collect local ... | 11 | 12 |
| Deficiencies, state tax may be levied for | 7 | 8 |
| Exemption from, allowed certain property | 7 | 1 |
| Indian lands, when | 26 | 2 |
| Property, power of legislature to provide for exemption of. (Amendment 3; Amendment 14) | 7 | 1 |
| Public property, exemption of. (Amendment 14.) | 7 | 1 |
| Real property, retired persons. (Amendment 47.) | 7 | 10 |
| United States lands, when | 7 | 1 |
|  | 26 | 2 |
| Farms, actual use | 7 | 11 |
| Gasoline (certain) taxes limited to highway purposes only. (See Amendment 18.) | 2 | 40 |
| Head of family, power of legislature to provide for exemption of. (Amendment 3; Amendment 14.) | 7 | 1 |
| Indian lands, patented, how taxed | 26 | 2 |
| Intangible property as subject to. (Amendment 14.) | 7 | 1 |
| Jurisdiction, appellate, of supreme court | 4 | 4 |
| Original, of superior court . . . . . . . . | 4 | 6 |
| Law imposing tax must state object . | 7 | 5 |
| Legislative power to provide for exemption. <br> (Amendment 3; Amendment 14.) | 7 | 1 |
| Levy only in pursuance of law .... | 7 | 5 |


| Index | Washingto |  |
| :---: | :---: | :---: |
| Taxation--cont. | Art | Sec |
| Proceeds applied only to object stated | 7 | 5 |
| Property subject to | 7 | 1,2 |
| Local, legislature no power to impose | 11 | 12 |
| Mines and mineral resources, yield tax or ad valorem tax on. (Amendment 14.) | 7 | 1 |
| Municipal corporations vested with power for general purposes and local improvements | 7 | 9 |
| Nonresidents, lands of, how taxed | 26 | 2 |
| Open space lands, actual use | 7 | 11 |
| Power of taxation. (Amendment 14.) | 7 | 1 |
| Property subject to <br> Definition of taxable property. (Amendment 14.) | 7 | 1,2 |
| Property tax limited to 1 per cent of true and fair value. (See Amendment 55.) | 7 | 2 |
| Public purposes, taxation limited to. (Amendment 14.) | 7 | 1 |
| Real estate, uniformity of taxation of. (Amendment 14.) | 7 | 1 |
| Real property, retired persons exemption. (Amendment 47.) | 7 | 10 |
| Rolling stock of railroads subject to | 12 | 7 |
| Standing timber, actual use | 7 | 11 |
| State purposes, payable into treasury in money only | 7 | 6 |
| Taxes, no commutation of county's proportionate share | 11 | 9 |
| Surrender of state's power to tax corporate property prohibited | 7 | 4 |
| Timber lands, actual use | 7 | 11 |
| Towns, power to assess and collect taxes | 11 | 12 |
| Uniformity required | 7 | 1,9 |
| Yield tax authorized as to mines and reforested land. (Amendment 14.) | 7 | 1 |
| Technical schools--Included in public school system | 9 | 2 |
| Telegraph and telephone companies: |  |  |
| Common carriers | 12 | 19 |
| Construction of lines authorized | 12 | 19 |
| Delay and discrimination in handling messages prohibited | 12 | 19 |
| Eminent domain, right extended to | 12 | 19 |
| Railroads to grant like facilities to all companies | 12 | 19 |
| Rights-of-way, railroads must allow use for construction of lines | 12 | 19 |
| Tenure of office--County officers ineligible for more than two terms in succession. (Repealed. Amendment 22.) |  |  |
| Extension of term not to be granted to county and local officers |  |  |
| In office at adoption of Constitution, how |  |  |
| State treasurer ineligible for succeeding term. (Superseded by Amendment 31.) (See Recall of officers; Term of office.) | 3 | 25 |
| Term of office--Attorney general | 3 | 3 |
| Auditor of state |  | 3 |
| Commencement of term | 3 | 4 |
| Of first officers elected under Constitution | 27 | 16 |
| Commissioner of public lands | 3 | 3 |
| Compensation increase during term | 30 | 1 |
| County, district, precinct and township officers |  |  |
| Governor | 3 | 2 |
| Judges of supreme court | 4 | 3 |
| Of superior court | 4 | 5 |
| Lieutenant governor | 3 | 3 |
| Officers not provided for in Constitution, leg. islature to fix |  |  |
| Representatives | 2 | 4,5 |
| Secretary of state | 3 | 3 |


| Term of office--cont. | Art. | Sec. |
| :---: | :---: | :---: |
| Senators | 2 | 6 |
| Superintendent of public instruction | 3 | 3 |
| Treasurer of state <br> (See Recall of officers; Tenure of office.) | 3 | 3 |
| Territory--Accrued debts, fines, etc., inure to state | 27 | 3 |
| Bonds and recognizances given to, pass to state | 27 | 4 |
| Courts of, continue until when | 27 | 8 |
| Causes transferred to state courts | 27 | 5,8 |
| Debts of, assumed by state | 26 | 3 |
| Existing rights, change in form of government not to affect | 27 | 1 |
| Laws to remain in force | 27 | 2 |
| Except those affecting tide lands | 27 | 2 |
| Liabilities, assumption of, by state | 26 | 3 |
| Officers to hold until superseded by state officers | 27 | 6 |
| Process to be valid | 27 | 1 |
| Property of, to vest in state | 27 | 4 |
| Testimony--Accused not required to testify against himself | 1 | 9 |
| Except in case of bribery | 2 | 30 |
| Compulsory in cases of corrupt solicitation | 2 | 30 |
| Treason, what necessary for conviction | 1 | 27 |
| Weight of, not affected by religious belief. (Amendments 4 and 34.) (See Evidence.) | 1 | 11 |
| Tide lands--Ownership by state asserted | 17 | 1 |
| Streets may be extended over, by municipal corporations | 15 | 3 |
| Title to lands patented disclaimed by state | 17 | 2 |
| Vested rights may be asserted in courts | 17 | 1 |
| Tide waters--Control and regulation within harbor areas | 15 | 1-3 |
| Timber--Sale of state lands, how | 16 | 3 |
| Sale, proceeds to common school construction fund. (Amendment 43.) | 9 | 3 |
| Taxation based on actual use | 30 | 1 |
| Timber lands--R eforestation lands, yield tax | 7 | 1 |
| Sale of, when valid | 16 | 3 |
| Taxation based on actual use | 30 | 1 |
| Time--Petition for initiative measures, time for filing. (Amendment 7 (a).) | 2 |  |
| Referendum petition, time for filing. |  | 1(a) |
| (Amendment 7 (d).) | 2 | 1 (d) |
| Title--Assertion by state in tide lands | 17 | 1 |
| Disclaimer by state to patented lands | 17 | 2 |
| Tolerance--Secured in matters of religious sentiment | 26 | 1 |
| Toll--Appellate jurisdiction of supreme court | 4 | 4 |
| Original jurisdiction of superior court | 4 | 6 |
| Towns and villages--Amendment of charter by special act, prohibited |  |  |
| Corporate stock or bonds not to be owned by | 8 | 28(8) |
| Credit not to be loaned, except ........... | 8 | 7 |
| Indebtedness, limitation on. (Amendment 27.) | 8 | 6 |
| Increase, power and restrictions | 8 | 6 |
| Limit may be exceeded for water, light and sewers | 8 | 6 |
| Moneys to be deposited with treasurer | 11 | 15 |
| Use of, by official, a felony | 11 | 14 |


Territory-—Accrued debts, fines, etc., inure
to state $\ldots . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . ~$
27

Courts of, continue until when ................... . . 27 8
Causes transferred to state courts .............. 27 5,8
Debts of, assumed by state ..................... 263
Existing rights, change in form of govern-
ment not to affect ............................. 27 1
Laws to remain in force . . . . . . . . . . . . . . . . . . . . . . . 27 2
Except those affecting tide lands ............... 272
Liabilities, assumption of, by state ............... 26 . 3
Officers to hold until superseded by state of -
ficers ............................ . . . . . . . . . . . . . . 27 . 67
Process to be valid . . . . . . . . . . . . . . . . . . . . . . . . . . . 27
Property of, to vest in state . . . . . . . . . . . . . . . . . . . 274
Testimony——Accused not required to testify
against himself . . . . . . . . . . . . . . . . . . . . . . . . . 1 I 9
Except in case of bribery . . . . . . . . . . . . . . . . . . . 230
Compulsory in cases of corrupt solicitation ...... 230
Treason, what necessary for conviction .......... . 127

(See Evidence.)

| $\begin{array}{l}\text { Tide lands——Ownership by state asserted } \ldots \ldots\end{array}$ |  |  |
| :---: | :---: | :---: | :---: |
| $\begin{array}{c}\text { Streets may be extended over, by municipal } \\ \text { corporations } \ldots . .\end{array}$ | 17 | 1 |

    Title to lands patented disclaimed by state ...... 17 2
    
Timber-—Sale of state lands, how . . . . . . . . . . . . . 16 3

Taxation based 30




Tolerance_-Secured in matters of religious
sentiment . . . . . . . . . . . . . . . . . . . . . . . . . . . . $26 ~$
court . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 44
Original jurisdiction of superior court ............ 46
Towns and villages-Amendment of charter
Corporate stock or bonds not to be owned by
Credit not to be loaned, except ............
Indebtedness, limitation on. (Amendment
27.) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 8
Increase, power and restrictions on . . . . . . . . . . . $8 \quad 8$
Moneys to be deposited with treasurer ........... $11 \quad 15$
Use of, by official, a felony . . . . . . . . . . . . . . . . . . . 11 14
[Wash. Coast.——p 88]


[Wash. Const.——p 90]

## RULES OF COURT

## ADOPTED BY THE SUPREME COURT OF THE STATE OF WASHINGTON

## Table of Contents

PREFACE
I. RULES OF GENERAL APPLICATION General Rules (GR)
Code of Judicial Conduct (CJC) Code of Professional Responsibility (CPR)
Admission to Practice Rules (APR)
Discipline Rules for Attorneys (DRA)
Judicial Information System Committee Rules (JISCR)
PART II. RULES FOR APPELLATE COURT ADMINISTRATION
Supreme Court Administrative Rules (SAR)
Court of Appeals Administrative Rules (CAR)

PART III. RULES ON APPEAL
Rules of Appellate Procedure (RAP)
Appendix of Forms
PART IV. RULES FOR SUPERIOR COURT
Superior Court Administrative Rules (AR)
Superior Court Civil Rules (CR)
Superior Court Special Proceedings Rules (SPR)
Superior Court Criminal Rules (CrR)
Superior Court Mental Proceedings Rules (MPR)
Juvenile Court Rules (JuCR)
INDEX TO PARTS I-IV
PART V. RULES FOR COURTS OF LIMITED JURISDICTION
Justice Court Administrative Rules (JAR)
Justice Court Civil Rules (JCR)
Justice Court Criminal Rules (JCrR)
Justice Court Traffic Rules (JTR)
Appendix to Part V
INDEX TO PART V

## PREFACE

1. Order adopting rules, November 22, 1950.

## IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In the Matter of the Adoption of Rules by the Supreme Court of the State of Washington.

The Supreme Court of the state of Washington, in conformity with its rule-making power, hereby adopts, prescribes and promulgates the following:

Rules peculiar to the business of the supreme court;
Rules on appeal;
Rules of pleading, procedure and practice;
General rules of the superior courts;
A code of ethics;
Rules for admission to practice; and
Rules for the discipline of attorneys.
These rules are prescribed and promulgated by this court by virtue of and under the authority conferred on it by the constitution of the state of Washington.

This court reserves the power granted to it by the constitution to prescribe from time to time the forms of writs and all other process; the mode and manner of framing and filing of proceedings and pleadings; of giving notice and serving writs and process of all kinds; of taking and obtaining evidence; of drawing up, entering and enrolling orders and judgments; and generally to regulate and prescribe by rule the forms for and the kind and character of the entire pleading, practice and procedure to be used in all suits, actions, appeals and proceedings of whatever nature by itself, the superior courts and justices of the peace of the state of Washington.
These rules will take effect on the 2nd day of January, 1951, and thereafter all laws and rules in conflict therewith shall be of no further force or effect.
2. Order Adopting Rules for Admission to Prac-tice-—January 29, 1965. (See footnote following Admission to Practice Rules, Rule 1.)
3. Order Adopting Rules for Discipline of Attor-neys--June 16, 1965. (See footnote following Discipline Rules for Attorneys, Rule 1.)
4. Order Adopting Revision of Rules on Appeal Rule 42-—June 28, 1965. (See footnote following Rules on Appeal, Rule 42.)
5. Order Superseding the Existing Rules on Appeal, Rules 46, 47 and 55(g)——May 4, 1966. (See footnote following Rules on Appeal, Rule 46.)

## Preface

6. Order Establishing Special Account for Indigent Appeals-May 24, 1966. (See footnote following Rules on Appeal, Rule 55.)
7. Order Adopting Rules of Court——May 5, 1967. (See Appendix to Part IV.)
8. Order Correcting and Amending the Order Adopting Rules-—June 28, 1967. (See Appendix to Part IV.)
9. Orders Relating to Courts of Limited Jurisdiction. (See Appendix to Part V.)
10. History Notes, Cross Reference Notes, and Index Entries.
(1) The history notes, which are set forth in brackets following each rule, refer to adoptive and effective dates commencing with November 22, 1950 and January 2, 1951, which are, respectively, the adoptive and effective dates of the recompilation of court rules published in 34 Wn. (2d). Rules of court in effect prior to January 2, 1951, are published in the Washington Reports as follows:

| 25 Wash. (1901) | 178 Wash. (1935) |
| :--- | ---: |
| 51 Wash. (1909) | 186 Wash. (1937) |
| 63 Wash. (1911) | 193 Wash. (1938) |
| 71 Wash. (1913) | 6 Wn. (2d) (1941) |
| 81 Wash. (1914) | 11 Wn. (2d) (1942) |
| 82 Wash. (1915) | 15 Wn. (2d) (1943) |
| 124 Wash. (1923) | 16 Wn. (2d) (1943) |
| 140 Wash. (1926) | 17 Wn. (2d) (1943) |
| 143 Wash. (1927) | 18 Wn. (2d) (1944) |
| 150 Wash. (1929) | 23 Wn. (2d) (1945) |
| 157 Wash. (1930) | 32 Wn. (2d) (1949) |
| 159 Wash. (1931) | 34 Wn. (2d) (1951) |
| 169 Wash. (1933) |  |

(2) A major change in the rules of court was adopted May 5, 1967, further amended June 28, 1967, and became effective July 1, 1967. The changes are incorporated herein and also appear in 71 Wn . (2d) (1967). Rules of court adopted or amended prior to July 1, 1967 and subsequent to the January 2, 1951, recompilation are published in the Washington Reports as follows:

| 44 Wn. (2d) (1954) | 57 Wn. (2d) (1961) |
| :---: | :---: |
| 45 Wn. (2d) (1955) | 59 Wn. (2d) (1962) |
| 46 Wn. (2d) (1955) | 61 Wn. (2d) (1963) |
| 47 Wn. (2d) (1955) | 63 Wn. (2d) (1964) |
| 48 Wn. (2d) (1956) | 65 Wn. (2d) (1965) |
| 49 Wn. (2d) (1957) | 66 Wn. (2d) (1965) |
| 51 Wn. (2d) (1958) | 67 Wn. (2d) (1966) |
| $52 \mathrm{Wn} .(2 \mathrm{~d})$ (1959) | 68 Wn. (2d) (1966) |
| 54 Wn. (2d) (1960) | 69 Wn. (2d) (1966) |
| 55 Wn. (2d) (1960) | 70 Wn. (2d) (1967) |

(3) Cross reference notes, referring to the statutes, have been inserted following some of the rules. Note however the provisions of chapter 118, Laws of 1925, ex. sess. (RCW 2.04.180-2.04.200) and particularly section 2 thereof (RCW 2.04.200) to the effect that

[^10][Preface-D 2]

Note also similar language contained in the adoptive order published herein, and the language contained in the Foreword appearing in Vol. 34 (2d) of the Washington Reports which states
". . In this volume the members of the bench and bar will find all of the rules and regulations which have to do with appeals to this court, so that, in taking the necessary steps to perfect an appeal, attorneys will not have to refer to other than this volume."
(4) Index entries: The rules of court are indexed separately from the main RCW Subject Index. The index for parts I, II, III and IV of Rules of Court may be found following part IV, while the index to part $V$ (Rules for Courts of Limited Jurisdiction) may be found following part V.

## Part I

RULES OF GENERAL APPLICATION
Title of Rules

| General Rules ................... (GR) |  |
| :---: | :---: |
| Code of Judicial Conduct . . . . . . . . (CJC) | (CJE) |
| Code of Professional Responsibility . (CPR) | (CPE) |
| Admission to Practice Rules. . . . . . (APR) | (RAP) |
| Discipline Rules for Attorneys . . . . (DRA) | (RDA) |
| Judicial Information System Committee Rules. |  |Titte of RulesAbbreviation

PART V. RULES FOR COURTS OF LIMITED JURISDICTION
Justice Court Administrative Rules ..... JAR
Justice Court Civil Rules ..... JCR
Justice Court Criminal Rules ..... JCrR
Justice Court Traffic Rules ..... JTR[Amd. Sept. 8, 1976, eff. Sept. 24, 1976; amd. Jan. 28,1976, eff. July 1, 1976; amd. Jan. 31, 1974, eff. July 1,1974; adop. June 28, 1967, eff. July 1, 1967.]
CODE OF JUDICIAL CONDUCT (CJC)
Table of Contents
PREAMBLE

1. Compliance with the Code of Judicial Conduct
2. Effective Date of Compliance

CANON 1. A judge should uphold the integrity and independence of the judiciary.

CANON 2. A judge should avoid impropriety and the appearance of impropriety in all his activities.

CANON 3. A judge should perform the duties of his office impartially and diligently.
A. Adjudicative Responsibilities
B. Administrative Responsibilities
C. Disqualification
D. Remittal of Disqualification

CANON 4. A judge may engage in activities to improve the law, the legal system, and the administration of justice.

CANON 5. A judge should regulate his extra-judicial activities to minimize the risk of conflict with his judicial duties.
A. Avocational Activities
B. Civic and Charitable Activities
C. Financial Activities
D. Fiduciary Activities
E. Arbitration
F. Practice of Law
G. Extra-judicial Appointments

## CANON 6. A judge should regularly file reports of compensation received for quasi-judicial and extra-judicial activities.

## A. Compensation <br> B. Expense Reimbursement <br> C. Public Reports

CANON 7. A judge should refrain from political activity inappropriate to his judicial office.
A. Political Conduct in General
B. Campaign Conduct

## PREAMBLE

1. Compliance with the Code of Judicial Conduct. Anyone, whether or not a lawyer, who is an officer of a judicial system performing judicial functions, including an officer such as a referee in bankruptcy, special master, court commissioner, or magistrate, is a judge for the purpose of this Code. All judges should comply with this Code except as provided below.
A. Part-time Judge. A part-time judge is a judge who serves on a continuing or periodic basis, but is permitted by law to devote time to some other profession or occupation and whose compensation for that reason is less than that of a full-time judge. A part-time judge:
(1) is not required to comply with Canon $5 \mathrm{C}(2), \mathrm{D}, \mathrm{E}$, $F$, and $G$, and Canon $6 C$;
(2) should not act as a lawyer in a proceeding in which he has served as a judge or in any other proceeding related thereto.
B. Judge Pro Tempore. A judge pro tempore is a person who is appointed to act temporarily as a judge.
(1) While acting as such, a judge pro tempore is not required to comply with Canon $5 \mathrm{C}(2)$, (3), D, E, F, and G , and Canon 6 C .
(2) A person who has been a judge pro tempore should not act as a lawyer in a proceeding in which he has served as a judge or in any other proceeding related thereto.
C. Retired Judge. If a retired appellate court judge engages in the practice of law, he shall be ineligible to serve as a judge pro tempore of an appellate court.
2. Effective Date of Compliance. A person to whom this Code becomes applicable should arrange his affairs as soon as reasonably possible to comply with it. If, however, the demands on his time and the possibility of conflicts of interest are not substantial, a person who holds judicial office on the date this Code becomes effective may:
(a) continue to act as an officer, director, or non-legal advisor of a family business;
(b) continue to act as an executor, administrator, trustee, or other fiduciary for the estate or person of one who is not a member of his family. [Amended June 19, 1974, effective July 1, 1974; Adopted October 31, 1974, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 1

## A Judge Should Uphold the Integrity and Independence of the Judiciary

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective. [Adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 2

## A Judge Should Avoid Impropriety and the

 Appearance of Impropriety in all his ActivitiesA. A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
B. A judge should not allow his family, social, or other relationships to influence his judicial conduct or judgment. He should not lend the prestige of his office to advance the private interests of others; nor should he convey or permit others to convey the impression that they are in a special position to influence him. He should not testify voluntarily as a character witness.

> Commentary: Public confidence in the judiciary is eroded by irresponsibie or improper conduct by judges. A judge must avoid all impropriety and appearance of impropriety. He must expect to be the subject of constant public scrutiny. He must therefore accept restrictions on his conduct that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.
> The testimony of a judge as a character witness injects the prestige of his office into the proceeding in which he testifies and may be misunderstood to be an official testimonial. This Canon, however, does not afford him a privilege against testifying in response to an official summons.
[Adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted October 31, 1950, effective January 2, 1951.]

## CANON 3

## A Judge Should Perform the Duties of his Office Impartially and Diligently

The judicial duties of a judge take precedence over all his other activities. His judicial duties include all the duties of his office prescribed by law. In the performance of these duties, the following standards apply:

## A. Adjudicative Responsibilities.

(1) A judge should be faithful to the law and maintain professional competence in it. He should be unswayed by partisan interests, public clamor, or fear of criticism.
(2) A judge should maintain order and decorum in proceedings before him.
(3) A judge should be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom he deals in his official capacity, and should require similar conduct of lawyers, and of his staff, court officials, and others subject to his direction and control.

Commentary: The duty to hear all proceedings fairly and with patience is not inconsistent with the duty to dispose promptly of the business of the court. Courts can be efficient and business-like while being patient and deliberate.
(4) A judge should accord to every person who is legally interested in a proceeding, or his lawyer, full right to be heard according to law, and, except as authorized by law, neither initiate nor consider ex parte or other communications concerning a pending or impending proceeding. A judge, however, may obtain the advice of a disinterested expert on the law applicable to a proceeding before him, by amicus curiae only, if he affords the parties reasonable opportunity to respond.

Commentary: The proscription against communications concerning a proceeding includes communications from lawyers, law teachers, and other persons who are not participants in the proceeding, except to the limited extent permitted. It does not preclude a judge from consulting with other judges, or with court personnel whose function is to aid the judge in carrying out his adjudicative responsibilities.
An appropriate and of ten desirable procedure for a court to obtain the advice of a disinterested expert on legal issues is to invite him to file a brief amicus curiae.
(5) A judge should dispose promptly of the business of the court.
Commentary: Prompt disposition of the court's business requires a judge to devote adequate time to his duties, to be punctual in attending court and expeditious in determining matters under submission, and to insist that court officials, litigants and their lawyers cooperate with him to that end.
(6) A judge should abstain from public comment about a pending or impending proceeding in any court, and should require similar abstention on the part of court personnel subject to his direction and control. This subsection does not prohibit judges from making public statements in the course of their official duties or from explaining for public information the procedures of the court.

Commentary: "Court personnel" does not include the lawyers in a proceeding before a judge. The conduct of lawyers is governed by DR 7-107 of the Code of Professional Responsibility.
(7) A judge may permit broadcasting, televising, recording, and taking photographs in the courtroom during sessions of the court, including recesses between sessions, under the following conditions:
(a) Permission shall have first been expressly granted by the judge and under such conditions as the judge may prescribe;
(b) The media personnel will not distract participants or impair the dignity of the proceedings; and
(c) No witness, juror or party who expresses any prior objection to the judge shall be photographed nor shall the testimony of such a witness, juror or party be broadcast or telecast.

## Note: The Illustrative Broadcast Guidelines and Illustrative Print

 Media Guidelines set forth below were attached to the order amending Canon $3(A)(7)$ as illustrative only and were not adopted by the court.
## ILLUSTRATIVE BROADCAST GUIDELINES

1. Officers of court. The judge has the authority to direct whether broadcast equipment may be taken within the courtroom. The broadcast news person should advise the bailiff prior to the start of a court session that he or she desires to electronically record and/or broadcast
live from within the courtroom. The bailiff may have prior instructions from the judge as to where the broadcast reporter and/or camera operator may position themselves. In the absence of any directions from the judge or bailiff, the position should be behind the front row of spectator seats by the least used aisleway or other unobtrusive but viable location.
2. Pooling. Unless the judge directs otherwise, no more than one TV camera should be taking pictures in the courtroom (as presently constructed) at any one time. Where coverage is by both radio and TV, the microphones used by TV should also serve for radio and radio should be permitted to feed from the TV sound system. Multiple radio feeds, if any, should be provided by a junction box. It should be the responsibility of each broadcast news representative present at the opening of each session of court to achieve an understanding with all other broadcast representatives as to who will function at any given time, or, in the alternative, how they will pool their photographic coverage. This understanding should be reached outside the courtroom and without imposing on the judge or court personnel.

Broadcast coverage outside the courtroom should be handled with care and discretion, but need not be pooled.
3. Broadcast equipment. All running wires used should be securely taped to the floor. All broadcast equipment should be handled as inconspicuously and quietly as reasonably possible. Sufficient film and/or tape capacities should be provided to obviate film and/or tape changes except during court recess. No camera should give any indication of whether it is or is not operating such as a red light on some studio cameras. No additional lights should be used without the specific approval of the presiding judge and then only as he may specifically approve as may be needed in the case of appellate hearings.
4. Decorum. Broadcast representatives' dress should not set them apart unduly from other trial spectators. Camera operators should not move tripod-mounted cameras except during court recesses. All broadcast equipment should be in place and ready to function no less than 15 minutes before the beginning of each session of court.

## ILLUSTRATIVE PRINT MEDIA GUIDELINES

1. The judge has authority to direct whether photographs may be taken within the courtroom. The photographer should advise the bailiff, prior to the start of a court session, that he desires to take photographs. The bailiff may have prior instructions from the judge as to where the photographer may position himself. In the absence of any directions from the judge or bailiff, the photographer should remain behind the front row of spectator seats.
2. Unless the judge directs otherwise, no more than one still picture photographer is to be taking pictures in the courtroom at any one time. It is the responsibility of each photographer present at the opening of each session of court to achieve an understanding with all other photographers present as to which will function at any given time, or, in the laternative, how they will pool their photographic coverage. This understanding must be reached outside the courtroom and without imposing the judge or court personnel.
3. The photographer's dress and equipment should not set him apart unduly from other trial spectators. Cameras which operate without flash and with a minimum of noise should be utilized.
4. The photographer's movements in and out of the courtroom and while taking pictures should be unobtrusive. He should not, for example, assume body positions inappropriate for spectators.

## B. Administrative Responsibilities.

(1) A judge should diligently discharge his administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other judges and court officials.
(2) A judge should require his staff and court officials subject to his direction and control to observe the standards of fidelity and diligence that apply to him.
(3) A judge should take or initiate appropriate disciplinary measures against a lawyer for unprofessional conduct of which the judge may become aware.

[^11](4) A judge should not make unnecessary appointments. He should exercise his power of appointment only on the basis of merit, avoiding nepotism and favoritism. He should not approve compensation of appointees beyond the fair value of services rendered.

Commentary: Appointees of the judge include officials such as referees, commissioners, special masters, receivers, guardians and personnel such as clerks, secretaries, and bailiffs. Consent by the parties to an appointment or an award of compensation does not relieve the judge of the obligation prescribed by this subsection.

## C. Disqualification.

(1) A judge should disqualify himself in a proceeding in which his impartiality might reasonably be questioned, including but not limited to instances where:
(a) he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
(b) he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

> Commentary: A lawyer in a governmental agency does not necessarily have an association with other lawyers employed by that agency within the meaning of this subsection; a judge formerly employed by a governmental agency, however, should disqualify himself in a proceeding if his impartiality might reasonably be questioned because of such association.
(c) he knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;
(d) he or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
(i) is a party to the proceeding, or an officer, director, or trustee of a party;
(ii) is acting as a lawyer in the proceeding;

Commentary: The fact that a lawyer in a proceeding is affiliated with a law firm with which a lawyer-relative of the judge is affiliated does not of itself disqualify the judge. Under appropriate circumstances, the fact that "his impartiality might reasonably be questioned" under Canon $3 \mathrm{C}(1)$, or that the lawyer-relative is known by the judge to have an interest in the law firm that could be "substantially affected by the outcome of the proceeding" under Canon 3C(l)(d)(iii) may require his disqualification.
(iii) is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;
(iv) is to the judge's knowledge likely to be a material witness in the proceeding;
(2) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.
(3) For the purposes of this section:
(a) the degree of relationship is calculated according to the civil law system;

Commentary: According to the civil law system, the third degree of relationship test would, for example, disqualify the judge if his or his spouse's father, grandfather, uncle, brother, or niece's husband were a party or lawyer in the proceeding, but would not disqualify him if a cousin were a party or lawyer in the proceeding.
(b) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;
(c) "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that:
(i) ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund;
(ii) an office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;
(iii) the proprietary interest of a policy holder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;
(iv) ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.
D. Remittal of Disqualification. A judge disqualified by the terms of Canon $3 \mathrm{C}(1)(\mathrm{c})$ or Canon $3 \mathrm{C}(1)(\mathrm{d})$ may, instead of withdrawing from the proceeding, disclose on the record the basis of his disqualification. If, based on such disclosure, the parties and lawyers, independently of the judge's participation, all agree in writing that the judge's relationship is immaterial or that his financial interest is insubstantial, the judge is no longer disqualified, and may participate in the proceeding. The agreement, signed by all parties and lawyers, shall be incorporated in the record of the proceeding.

> Commentary: This procedure is designed to minimize the chance that a party or lawyer will feel coerced into an agreement. When a party is not immediately available, the judge without violating this section may proceed on the written assurance of the lawyer that his party's consent will be subsequently filed.
[Amd. July 23, 1976, eff. Sept. 20, 1976; adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1974.]

## CANON 4

## A Judge may Engage in Activities to Improve the Law, the Legal System, and the Administration of Justice

A judge, subject to the proper performance of his judicial duties, may engage in the following quasi-judicial activities, if in doing so he does not cast doubt on his capacity to decide impartially any issue that may come before him:
A. He may speak, write, lecture, teach, and participate in other activities concerning the law, the legal system, and the administration of justice.
B. He may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system, and the administration of justice, and he may otherwise consult with an executive or legislative body or official, but only on matters concerning the administration of justice.
C. He may serve as a member, officer, or director of an organization or governmental agency devoted to the improvement of the law, the legal system, or the administration of justice. He may assist such an organization in raising funds and may participate in their management and investment, but should not personally participate in public fund raising activities. He may make recommendations to public and private fund-granting agencies on projects and programs concerning the law, the legal system, and the administration of justice.

> Commentary: As a judicial officer and person specially learned in the law, a judge is in a unique position to contribute to the improvement of the law, the legal system, and the administration of justice, including revision of substantive and procedural law and improvement of criminal and juvenile justice. To the extent that his time permits, he is encouraged to do so, either independently or through a bar association, judicial conference, or other organization dedicated to the improvement of the law.
> Extra-judicial activities are governed by Canon 5.

[Adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 5

## A Judge Should Regulate his Extra-Judicial Activities to Minimize the Risk of Conflict With his Judicial Duties

A. Avocational Activities. A judge may write, lecture, teach, and speak on non-legal subjects, and engage in the arts, sports, and other social and recreational activities, if such avocational activities do not detract from the dignity of his office or interfere with the performance of his judicial duties.

> Commentary: Complete separation of a judge from extra-judicial activities is neither possible nor wise; he should not become isolated from the society in which he lives.
B. Civic and Charitable Activities. A judge may participate in civic and charitable activities that do not reflect adversely upon his impartiality or interfere with the performance of his judicial duties. A judge may serve as an officer, director, trustee, or non-legal advisor of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members, subject to the following limitations:
(1) A judge should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before him or will be regularly engaged in adversary proceedings in any court.

[^12]decisions that may have political significance or imply commitment to causes that may come before the courts for adjudication.
(2) A judge should not solicit funds for any educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of his office for that purpose, but he may be listed as an officer, director, or trustee of such an organization. He should not be a speaker or the guest of honor at any organization's fund raising events, but he may attend such events.
(3) A judge should not give investment advice to such an organization, but he may serve on its board of directors or trustees even though it has the responsibility for approving investment decisions.
Commentary: A judge's participation in an organization devoted to quasi-judicial activities is governed by Canon 4.

## C. Financial Activities.

(1) A judge should refrain from financial and business dealings that tend to reflect adversely on his impartiality, interfere with the proper performance of his judicial duties, exploit his judicial position, or involve him in frequent transactions with lawyers or persons likely to come before the court on which he serves.
(2) Subject to the requirements of subsection (1), a judge may hold and manage investments, including real estate, and engage in other remunerative activity, but should not serve as an officer, director, manager, advisor, or employee of any business.

> Commentary: The Preamble, section 2 , of this Code qualifies this subsection with regard to a judge engaged in a family business at the time this Code becomes effective.
(3) A judge should manage his investments and other financial interests to minimize the number of cases in which he is disqualified. As soon as he can do so without serious financial detriment, he should divest himself of investments and other financial interests that might require frequent disqualification.
(4) Neither a judge nor a member of his family residing in his household should accept a gift, bequest, favor, or loan from anyone except as follows:
(a) a judge may accept a gift incident to a public testimonial to him; books supplied by publishers on a complimentary basis for official use; or an invitation to the judge and his spouse to attend a bar-related function or activity devoted to the improvement of the law, the legal system, or the administration of justice;
(b) a judge or a member of his family residing in his household may accept ordinary social hospitality; a gift, bequest, favor, or loan from a relative; a wedding or engagement gift; a loan from a lending institution in its regular course of business on the same terms generally available to persons who are not judges; or a scholarship or fellowship awarded on the same terms applied to other applicants;
(c) a judge or a member of his family residing in his household may accept any other gift, bequest, favor, or loan only if the donor is not a party or other person whose interests have come or are likely to come before him, and, if its value exceeds $\$ 100$, the judge reports it in the same manner as he reports compensation in Canon 6 C .

Commentary: This subsection does not apply to contributions to a judge's campaign for judicial office, a matter governed by Canon 7.
(5) For the purposes of this section "member of his family residing in his household" means any relative of a judge by blood or marriage, or a person treated by a judge as a member of his family, who resides in his household.
(6) A judge is not required by this Code to disclose his income, debts, or investments, except as provided in this Canon and Canons 3 and 6.

Commentary: Canon 3 requires a judge to disqualify himself in any proceeding in which he has a financial interest, however small; Canon 5 requires a judge to refrain from engaging in business and from financial activities that might interfere with the impartial performance of his judicial duties; Canon 6 requires him to report all compensation he receives for activities outside his judicial office. A judge has the rights of an ordinary citizen, including the right to privacy of his financial affairs, except to the extent that limitations thereon are required to safeguard the proper performance of his duties. Owning and receiving income from investments do not as such affect the performance of a judge's duties.
(7) Information acquired by a judge in his judicial capacity should not be used or disclosed by him in financial dealings or for any other purpose not related to his judicial duties.
D. Fiduciary Activities. A judge should not serve as the executor, administrator, trustee, guardian, or other fiduciary, except for the estate, trust, or person of a member of his family, and then only if such service will not interfere with the proper performance of his judicial duties. "Member of his family" includes a spouse, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close familial relationship. As a family fiduciary a judge is subject to the following restrictions:
(1) He should not serve if it is likely that as a fiduciary he will be engaged in proceedings that would ordinarily come before him, or if the estate, trust, or ward becomes involved in adversary proceedings in the court on which he serves or one under its appellate jurisdiction.

> Commentary: The Preamble, section 2 , of this Code qualifies this subsection with regard to a judge who is an executor, administrator, trustee, or other fiduciary at the time this Code becomes effective.
(2) While acting as a fiduciary a judge is subject to the same restrictions on financial activities that apply to him in his personal capacity.

Commentary: A judge's obligation under this Canon and his obligation as a fiduciary may come into conflict. For example, a judge should resign as trustee if it would result in detriment to the trust to divest it of holdings whose retention would place the judge in violation of Canon $5 \mathrm{C}(3)$.
E. Arbitration. A judge should not act as an arbitrator or mediator.

## F. Practice of Law. A judge should not practice law.

G. Extra-judicial Appointments. A judge should not accept appointment to a governmental committee, commission, or other position that is concerned with issues of fact or policy on matters other than the improvement of
the law, the legal system, or the administration of justice. A judge, however, may represent his country, state, or locality on ceremonial occasions or in connection with historical, educational, and cultural activities.

> Commentary: Valuable services have been rendered in the past to the states and the nation by judges appointed by the executive to undertake important extra-judicial assignments. The appropriateness of conferring these assignments on judges must be reassessed, however, in light of the demands on judicial manpower created by today's crowded dockets and the need to protect the courts from involvement in extra-judicial matters that may prove to be controversial. Judges should not be expected or permitted to accept governmental appointments that could interfere with the effectiveness and independence of the judiciary.
[Adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 6

## A Judge Should Regularly File Reports of Compensation Received for Quasi-Judicial and Extra-Judicial Activities

A judge may receive compensation and reimbursement of expenses for the quasi-judicial and extra-judicial activities permitted by this Code, if the source of such payments does not give the appearance of influencing the judge in his judicial duties or otherwise give the appearance of impropriety, subject to the following restrictions:
A. Compensation. Compensation should not exceed a reasonable amount nor should it exceed what a person who is not a judge would receive for the same activity.
B. Expense Reimbursement. Expense reimbursement should be limited to the actual cost of travel, food, and lodging reasonably incurred by the judge and, where appropriate to the occasion, by his spouse. Any payment in excess of such an amount is compensation.
C. Public Reports. A judge should report the date, place, and nature of any activity for which he received compensation, and the name of the payor and the amount of compensation so received. Compensation or income of a spouse attributed to the judge by operation of a community property law is not extra-judicial compensation to the judge. His report should be made at least annually and should be filed as a public document in the office of the clerk of the court on which he serves or other office designated by rule of court. [Adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 7

## A Judge Should Refrain From Political Activity Inappropriate to his Judicial Office

## A. Political Conduct in General.

(1) A judge or a candidate for election to judicial office should not:
(a) act as a leader or hold any office in a political organization;
(b) make speeches for a political organization or candidate or publicly endorse a nonjudicial candidate for public office;
(c) solicit funds for or pay an assessment or make a contribution to a political organization or nonjudicial candidate, attend political gatherings, or purchase tickets for political party dinners, or other functions, except as authorized in subsection $\mathbf{A ( 2 ) ;}$
(2) A judge holding an office filled by public election between competing candidates or candidates for such office, may, attend political gatherings and speak to such gatherings on his own behalf. The judge or candidate shall not identify himself as a member of a political party, and he shall not contribute to a political party or organization.
(3) A judge shall resign his office when he becomes a candidate either in a party primary or in a general election for a non-judicial office, except that he may continue to hold his judicial office while being a candidate for election to or serving as a delegate in a state constitutional convention, if he is otherwise permitted by law to do so.
(4) A judge should not engage in any other political activity except on behalf of measures to improve the law, the legal system, or the administration of justice.

## B. Campaign Conduct.

(1) A candidate, including an incumbent judge, for a judicial office that is filled either by public election between competing candidates or on the basis of a merit system election:
(a) should maintain the dignity appropriate to judicial office, and should encourage members of his family to adhere to the same standards of political conduct that apply to him;
(b) should prohibit public officials or employees subject to his direction or control from doing for him what he is prohibited from doing under this Canon; and except to the extent authorized under subsection $B(2)$ or $B(3)$, he should not allow any other person to do for him what he is prohibited from doing under this Canon;
(c) should not make pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office; announce his views on disputed legal or political issues; or misrepresent his identity, qualifications, present position, or other fact.
(2) A candidate, including an incumbent judge, for a judicial office that is filled by public election between competing candidates should not himself solicit or accept campaign funds, but he may establish committees of responsible persons to secure and manage the expenditure of funds for his campaign and to obtain public statements of support for his candidacy. Such committees are not prohibited from soliciting campaign contributions and public support from lawyers or others. A candidate's committees may solicit funds for his campaign no earlier than 120 days from the date when filing for that office is first permitted and no later than 30 days after the last election in which he participates during the election year. A candidate should not use or permit the use of campaign contributions for the private benefit of himself or members of his family.

Commentary: Unless the candidate is required by law to file a list of his campaign contributors, their names should not be revealed to the candidate.
(3) An incumbent judge who is a candidate for retention in or re-election to office without a competing candidate, and whose candidacy has drawn active opposition, may campaign in response thereto and may obtain publicly stated support and campaign funds in the manner provided in subsection $\mathbf{B}(2)$. [Adopted October 31, 1973, effective January 1, 1974. Prior: Canons of Judicial Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CODE OF PROFESSIONAL RESPONSIBILITY (CPR)

## Table of Contents

CANON 1. A lawyer should assist in maintaining the integrity and competence of the legal profession.
DR 1-101 Maintaining Integrity and Competence of the Legal Profession.
DR 1-102 Misconduct.
DR 1-103 Disclosure of Information to Authorities.
Ethical Considerations
EC 1-1 through EC 1-6
CANON 2. A lawyer should assist the legal profession in fulfilling its duties to make counsel available.
DR 2-101 Publicity in General.
DR 2-102 Professional Notices, Letterheads, Offices, and Law Lists.
DR 2-103 Recommendation of Professional Employment.
DR 2-104 Suggestion of Need of Legal Services.
DR 2-105 Limitation of Practice.
DR 2-106 Fees for Legal Services.
DR 2-107 Division of Fees Among Lawyers.
DR 2-108 Agreements Restricting the Practice of a Lawyer.
DR 2-109 Acceptance of Employment.
DR 2-110 Withdrawal From Employment. Ethical Considerations
EC 2-1 through EC 2-32
CANON 3. A lawyer should assist in preventing the unauthorized practice of law.
DR 3-101 Aiding Unauthorized Practice of Law.
DR 3-102 Dividing Legal Fees With a NonLawyer.
DR 3-103 Forming a Partnership With a NonLawyer.
Ethical Considerations
EC 3-1 through EC 3-9

CANON 4. A lawyer should preserve the cofidences and secrets of a client.
DR 4-101 Preservation of Confidences and Secrets of a Client.
Ethical Considerations
EC 4-1 through EC 4-6
CANON 5. A lawyer should exercise independent professional judgment on behalf of a client.
DR 5-101 Refusing Employment When the Interests of the Lawyer May Impair His Independent Professional Judgment.
DR 5-102 Withdrawal as Counsel When the Lawyer Becomes a Witness.
DR 5-103 Avoiding Acquisition of Interest in Litigation.
DR 5-104 Limiting Business Relations With a Client.
DR 5-105 Refusing to Accept or Continue Employment if the Interests of Another Client May Impair the Independent Professional Judgment of the Lawyer.
DR 5-106 Settling Similar Claims of Clients.
DR 5-107 Avoiding Influence by Others Than the Client.
Ethical Considerations
EC 5-1 through EC 5-24
CANON 6. A lawyer should represent a client competently.
DR 6-101 Failing to Act Competently.
DR 6-102 Limiting Liability to Client. Ethical Considerations
EC 6-1 through EC 6-6
CANON 7. A lawyer should represent a client zealously within the bounds of the law.
DR 7-101 Representing a Client Zealously.
DR 7-102 Representing a Client Within the Bounds of the Law.
DR 7-103 Performing the Duty of Public Prosecutor or Other Government Lawyer.
DR 7-104 Communicating With One of Adverse Interest.
DR 7-105 Threatening Criminal Prosecution.
DR 7-106 Trial Conduct.
DR 7-107 Trial Publicity.
DR 7-108 Communication With or Investigation of Jurors.
DR 7-109 Contact With Witnesses.
DR 7-110 Contact With Officials.
Ethical Considerations
EC 7-1 through EC 7-39
CANON 8. A lawyer should assist in improving the legal system.
DR 8-101 Action as a Public Official.
DR 8-102 Statements Concerning Judges and Other Adjudicatory Officers.
Ethical Considerations
EC 8-i through EC 8-9

CANON 9. A lawyer should avoid even the appearance
DR 9-101 Avoiding Even the Appearance of Impropriety.
DR 9-102 Preserving Identity of Funds and Property of a Client. Ethical Considerations
EC 9-1 through EC 9-6

## Code of Professional Responsibility Preamble and Preliminary Statement <br> Preamble

The continued existence of a free and democratic society depends upon recognition of the concept that justice is based upon the rule of law grounded in respect for the dignity of the individual and his capacity through reason for enlightened self-government. Law so grounded makes justice possible, for only through such law does the dignity of the individual attain respect and protection. Without it, individual rights become subject to unrestrained power, respect for law is destroyed, and rational self-government is impossible.

Lawyers, as guardians of the law, play a vital role in the preservation of society. The fulfillment of this rule requires an understanding by lawyers of their relationship with and function in our legal system. A consequent obligation of lawyers is to maintain the highest standards of ethical conduct.

In fulfilling his professional responsibilities, a lawyer necessarily assumes various roles that require the performance of many difficult tasks. Not every situation which he may encounter can be foreseen, but fundamental ethical principles are always present to guide him. Within the framework of these principles, a lawyer must with courage and foresight be able and ready to shape the body of the law to the ever-changing relationships of society.

The Code of Professional Responsibility points the way to the aspiring and provides standards by which to judge the transgressor. Each lawyer must find within his own conscience the touchstone against which to test the extent to which his actions should rise above minimum standards. But in the last analysis it is the desire for the respect and confidence of the members of his profession and the society which he serves that should provide to a lawyer the incentive for the highest possible degree of ethical conduct. The possible loss of that respect and confidence is the ultimate sanction. So long as its practitioners are guided by these principles, the law will continue to be a noble profession. This is its greatness and its strength, which permit of no compromise.

## Preliminary Statement

In furtherance of the principles stated in the Preamble this Code of Professional Responsibility has been promulgated consisting of three separate but interrelated parts: Canons, Ethical Considerations, and Disciplinary Rules. The Code is designed to be adopted by appropriate agencies both as an inspirational guide to the members of the profession and as a basis for disciplinary
action when the conduct of a lawyer falls below the required minimum standards stated in the Disciplinary Rules.

Obviously the Canons, Ethical Considerations, and Disciplinary Rules cannot apply to non-lawyers; however, they do define the type of ethical conduct that the public has a right to expect not only of lawyers but also of their non-professional employees and associates in all matters pertaining to professional employment. A lawyer should ultimately be responsible for the conduct of his employees and associates in the course of the professional representation of the client.

The Canons are statements of axiomatic norms, expressing in general terms the standards of professional conduct expected of lawyers in their relationships with the public, with the legal system, and with the legal profession. They embody the general concepts from which the Ethical Consideration and the Disciplinary Rules are derived.

The Ethical Considerations are aspirational in character and represent the objectives toward which every member of the profession should strive. They constitute a body of principles upon which the lawyer can rely for guidance in many specific situations.

The Disciplinary Rules, unlike the Ethical Considerations, are mandatory in character. The Disciplinary Rules state the minimum level of conduct below which no lawyer can fall without being subject to disciplinary action. Within the framework of fair trial, the Disciplinary Rules should be uniformly applied to all lawyers, regardless of the nature of their professional activities. The Code makes no attempt to prescribe either disciplinary procedures or penalties for violation of a Disciplinary Rule, nor does it undertake to define standards for civil liability of lawyers for professional conduct. The severity of judgment against one found guilty of violating a Disciplinary Rule should be determined by the character of the offense and the attendant circumstances. An enforcing agency, in applying the Disciplinary Rules, may find interpretive guidance in the basic principles embodied in the Canons and in the objectives reflected in the Ethical Considerations.

## CANON 1

## A Lawyer Should Assist in Maintaining the Integrity and Competence of the Legal Profession

## DR 1-101 Maintaining Integrity and Competence of the Legal Profession.

(A) A lawyer is subject to discipline if he has made a materially false statement in, or if he has deliberately failed to disclose a material fact requested in connection with, his application for admission to the bar.
(B) A lawyer shall not further the application for admission to the bar of another person known by him to be unqualified in respect to character, education, or other relevant attribute.

## DR 1-102 Misconduct.

(A) A lawyer shall not:
(1) Violate a Disciplinary Rule.
(2) Circumvent a Disciplinary Rule through actions of another.
(3) Engage in illegal conduct involving moral turpitude.
(4) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.
(5) Engage in conduct that is prejudicial to the administration of justice.
(6) Engage in any other conduct that adversely reflects on his fitness to practice law.

## DR 1-103 Disclosure of Information to Authorities.

(A) A lawyer possessing unprivileged knowledge or evidence of a violation of DR 1-102 concerning another lawyer or a judge shall reveal fully such knowledge or evidence upon proper request of a tribunal or other authority empowered to investigate or act upon the conduct of lawyers or judges.

## Ethical Considerations

EC 1-1 A basic tenet of the professional responsibility of lawyers is that every person in our society should have ready access to the independent professional services of a lawyer of integrity and competence. Maintaining the integrity and improving the competence of the bar to meet the highest standards is the ethical responsibility of every lawyer.

EC 1-2 The public should be protected from those who are not qualified to be lawyers by reason of a deficiency in education or moral standards or of other relevant factors but who nevertheless seek to practice law. To assure the maintenance of high moral and educational standards of the legal profession, lawyers should affirmatively assist courts and other appropriate bodies in promulgating, enforcing, and improving requirements for admission to the bar. In like manner, the bar has a positive obligation to aid in the continued improvement of all phases of pre-admission and post-admission legal education.

EC 1-3 Before recommending an applicant for admission, a lawyer should satisfy himself that the applicant is of good moral character. Although a lawyer should not become a self-appointed investigator or judge of applicants for admission, he should report to proper officials all unfavorable information he possesses relating to the character or other qualifications of an applicant.

EC 1-4 The integrity of the profession can be maintained only if conduct of lawyers in violation of the Disciplinary Rules is brought to the attention of the proper officials. A lawyer should reveal voluntarily to those officials all unprivileged knowledge of conduct of lawyers which he believes clearly to be in violation of the Disciplinary Rules. A lawyer should upon request serve on and assist committees and boards having responsibility for the administration of the Disciplinary Rules.

EC 1-5 A lawyer should maintain high standards of professional conduct and should encourage fellow lawyers to do likewise. He should be temperate and dignified, and he should refrain from all illegal and morally reprehensible conduct. Because of his position in society, even minor violations of law by a lawyer may tend to lessen public confidence in the legal profession. Obedience to law exemplifies respect for law. To lawyers especially, respect for the law should be more than a platitude.

EC 1-6 An applicant for admission to the bar or a lawyer may be unqualified, temporarily or permanently, for other than moral and educational reasons, such as mental or emotional instability. Lawyers should be diligent in taking steps to see that during a period of disqualification such person is not granted a license or, if licensed, is not permitted to practice. In like manner, when the disqualification has terminated, members of the bar should assist such person in being licensed, or, if licensed, in being restored to his full right to practice.
[Adopted December 7, 1971, effective January 1, 1972.

Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 2

A lawyer Should Assist the Legal Profession in Fulfilling its Duty to Make Legal Counsel Available

## DR 2-101 Publicity in General.

(A) A lawyer shall not prepare, cause to be prepared, use, or participate in the use of, any form of public communication that contains professionally self-laudatory statements calculated to attract lay clients; as used herein, "public communication" includes, but is not limited to, communication by means of television, radio, motion picture, newspaper, magazine, or book.
(B) A lawyer shall not publicize himself, his partner, or associate as a lawyer through newspaper or magazine advertisements, radio or television announcements, display advertisements in city or telephone directories, or other means of commercial publicity, nor shall he authorize or permit others to do so in his behalf except as permitted under DR 2-103. This does not prohibit limited and dignified identification of a lawyer as a lawyer as well as by name:
(1) In political advertisements when his professional status in germane to the political campaign or to a political issue.
(2) In public notices when the name and profession of a lawyer are required or authorized by law or are reasonably pertinent for a purpose other than the attraction of potential clients.
(3) In routine reports and announcements of a bona fide business, civic, professional, or political organization in which he serves as a director or officer.
(4) In and on legal documents prepared by him.
(5) In and on legal textbooks, treatises, and other legal publications, and in dignified advertisements thereof.
(C) A lawyer shall not compensate or give any thing of value to representatives of the press, radio, television, or other communication medium in anticipation of or in return for professional publicity in a news item.
DR 2-102 Professional Notices, Letterheads, Offices, and Law Lists.
(A) A lawyer or law firm shall not use professional cards, professional announcement cards, office signs, letterheads, telephone directory listings, law lists, legal directory listings, or similar professional notices or devices, except that the following may be used if they are in dignified form:
(1) A professional card of a lawyer identif ying him by name and as a lawyer, and giving his addresses, telephone numbers, the name of his law firm, and any information permitted under DR 2-105. A professional card of a law firm may also give the names of members and associates. Such cards may be used for identification but may not be published in periodicals, magazines, newspapers, or other media.
(2) A brief professional announcement card stating new or changed associations or addresses, change of firm name, or similar matters pertaining to the professional
office of a lawyer or law firm, which may be mailed to lawyers, clients, former clients, personal friends, and relatives. It shall not state biographical data except to the extent reasonably necessary to identify the lawyer or to explain the change in his association, but it may state the immediate past position of the lawyer. It may give the names and dates of predecessor firms in a continuing line of succession. It shall not state the nature of the practice except as permitted under DR 2-105.
(3) A sign on or near the door of the office and in the building directory identif ying the law office. The sign shall not state the nature of the practice, except as permitted under DR 2-105.
(4) A letterhead of a lawyer identifying him by name and as a lawyer, and giving his addresses, telephone numbers, the name of his law firm, associates and any information permitted under DR 2-105. A letterhead of a law firm may also give the names of members and associates, and names and dates relating to deceased and retired members. A lawyer may be designated "Of Counsel" on a letterhead if he has a continuing relationship with a lawyer or law firm, other than as a partner or associate. A lawyer or law firm may be designated as "General Counsel" or by similar professional reference on stationery of a client if he or the firm devotes a substantial amount of professional time in the representation of that client. The letterhead of a law firm may give the names and dates of predecessor firms in a continuing line of succession.
(5) A listing of the office of a lawyer or law firm in the alphabetical and classified sections of the telephone directory or directories for the geographical area or areas in which the lawyer resides or maintains offices or in which a significant part of his clientele resides and in the city directory of the city in which his or the firm's office is located; but the listing may give only the name of the lawyer or law firm, the fact he is a lawyer, addresses, and telephone numbers. The listing shall not be in distinctive form or type. A law firm may have a listing in the firm name separate from that of its members and associates. The listing in the classified section shall not be under a heading or classification other than "Attorneys" or "Lawyers," except that additional headings or classifications descriptive of the types of practice referred to in DR 2-105 are permitted.
(6) A listing in a reputable law list or legal directory giving brief biographical and other informative data. A law list or directory is not reputable if its management or contents are likely to be misleading or injurious to the public or to the profession. A law list is conclusively established to be reputable if it is certified by the American Bar Association as being in compliance with its rules and standards. The published data may include only the following: name, including name of law firm and names of professional associates; addresses and telephone numbers; one or more fields of law in which the lawyer or law firm concentrates; a statement that practice is limited to one or more fields of law; a statement that the lawyer or law firm specializes in a particular field of law or law practice but only if authorized under DR $2-105(\mathrm{~A})(4)$; date and place of birth; date and place of admission to the bar of state and federal courts; schools
attended, with dates of graduation, degrees, and other scholastic distinctions; public of quasi-public offices; military service; posts of honor; legal authorships; legal teaching positions; memberships, offices, committee assignments, and section memberships in bar associations; memberships and offices in legal fraternities and legal societies; technical and professional licenses; memberships in scientific, technical and professional associations and societies; foreign language ability; names and addresses of references, and, with their consent, names of clients regularly represented.
(B) A lawyer in private practice shall not practice under a trade name, a name that is misleading as to the identity of the lawyer or lawyers practicing under such name, or a firm name containing names other than those of one or more of the lawyers in the firm, except that the name of a professional corporation or professional association may contain "P.C." or "P.A." or similar symbols indicating the nature of the organization, and if otherwise lawful a firm may use as, or continue to include in, its name the name or names of one or more deceased or retired members of the firm or of a predecessor firm in a continuing line of succession. A lawyer who assumes a judicial, legislative, or public executive or administrative post or office shall not permit his name to remain in the name of a law firm or to be used in professional notices of the firm during any significant period in which he is not actively and regularly practicing law as a member of the firm, and during such period other members of the firm shall not use his name in the firm name or in professional notices of the firm.
(C) A lawyer shall not hold himself out as having a partnership with one or more other lawyers unless they are in fact partners.
(D) A partnership shall not be formed or continued between or among lawyers licensed in different jurisdictions unless all enumerations of the members and associates of the firm on its letterhead and in other permissible listings make clear the jurisdictional limitations on those members and associates of the firm not licensed to practice in all listed jurisdictions; however, the same firm name may be used in each jurisdiction.
(E) A lawyer who is engaged both in the practice of law and another profession or business shall not so indicate on his letterhead, office sign, or professional card, nor shall he identify himself as a lawyer in any publication in connection with his other profession or business.
(F) Nothing contained herein shall prohibit a lawyer from using or permitting the use, in connection with his name, an earned degree or title derived therefrom indicating his training in the law.

## DR 2-103 Recommendation of Professional Employment.

(A) A lawyer shall not recommend employment, as a private practitioner, of himself, his partner, or associate to a non-lawyer who has not sought his advice regarding employment of a lawyer.
(B) Except as permitted under DR 2-103(C), a lawyer shall not compensate or give anything of value to a
person or organization to recommend or secure his employment by a client, or as a reward for having made a recommendation resulting in his employment by a client.
(C) A lawyer shall not request a person or organization to recommend employment, as a private practitioner, of himself, his partner, or associate, except that he may request referrals from a lawyer referral service operated, sponsored, or approved by a bar association representative of the general bar of the geographical area in which the association exists and may pay its fees incident thereto.
(D) A lawyer shall not knowingly assist a person or organization that recommends, furnishes, or pays for legal services to promote the use of his services or those of his partners or associates. However, he may cooperate in a dignified manner with the legal service activities of any of the following, provided that his independent professional judgment is exercised in behalf of his client without interference or control by any organization or other person:
(1) A legal aid office or public defender office:
(a) Operated or sponsored by a duly accredited law school.
(b) Operated or sponsored by a bona fide nonprofit community organization.
(c) Operated or sponsored by a governmental agency.
(d) Operated, sponsored, or approved by a bar association representative of the general bar of the geographical area in which the association exists.
(2) A military legal assistance office.
(3) A lawyer referral service operated, sponsored, or approved by a bar association representative of the general bar of the geographical area in which the association exists.
(4) A bar association representative of the general bar of the geographical area in which the association exists.
(5) Any other organization that recommends, furnishes or pays for legal services to its members or beneficiaries, but only when and if the following conditions are met:
(a) The lawyer shall not have solicited the use of his services by the organization or its members in violation of any Disciplinary Rule in this Code of Professional Responsibility.
(b) The organization shall not derive a profit or commercial benefit from the rendition of legal services by the lawyer.
(c) A written agreement between the lawyer and the organization is in force containing provisions insuring that:
(i) Any member of the organization may obtain legal services independently of the arrangement from any attorney of his choice;
(ii) No unlicensed person will provide legal services under the arrangement;
(iii) Neither the organization nor any member thereof shall interfere or attempt to interfere with the lawyer's independent exercise of his professional judgment;
(iv) The member to whom the legal services are rendered, and not the organization, is the client of the lawyer;
(v) All parties agree that in providing legal services the lawyer must comply with all the Disciplinary Rules contained in this Code;
(vi) The nature and extent of the legal services to be rendered to the members of the group are fully disclosed;
(vii) Any publicity given by the organization to its members will not describe the lawyer beyond giving his name, address and telephone number and such other information as may be required to facilitate the access of a member to the services of the lawyer; and any publicity disseminated by the organization to non-members will not identify the lawyer; and
(viii) The agreement will be terminated in the event of any substantial violation of the foregoing provisions.
(d) Such written agreement has been filed with the regulatory agency having authority to discipline the lawyer.
(e) The lawyer shall advise the State Bar, on forms provided by it, of the following matters: The name of the group, its address, whether it is incorporated, its primary purposes and activities, the number of its members and a general description of the types of legal services offered pursuant to the written agreement. Annually on January 31, he shall report to the State Bar, on forms provided by it, any changes in such matters, and the number of members of the group to whom legal services were rendered during the calendar year. Each report filed pursuant hereto and the information contained therein, except the name and address of the group, the fact that it has a written agreement for the provision of legal services and the names of members of the State Bar providing such services shall be confidential.
(f) In the case of such an organization created or operated solely or primarily for the purpose of providing legal services, the lawyer shall not render any legal services until there has been obtained from the regulatory agency having authority to discipline the lawyer a certificate stating that the operation of the legal services program complies with all applicable laws and court rules and with these Disciplinary Rules. The certificate shall provide that it will be revoked and the lawyer will terminate his services in the event of any substantial breach of these rules or of the agreement provided for herein.
(E) A lawyer shall not accept employment when he knows or it is obvious that the person who seeks his services does so as a result of conduct prohibited under this Disciplinary Rule.

## DR 2-104 Suggestion of Need of Legal Services.

(A) A lawyer who has given unsolicited advice to a layman that he should obtain counsel or take legal action shall not accept employment resulting from that advice, except that:
(1) A lawyer may accept employment by a close friend, relative, former client (if the advice is germane to the former employment), or one whom the lawyer reasonably believes to be a client.
(2) A lawyer may accept employment that results from his participation in activities designed to educate laymen to recognize legal problems, to make intelligent
selection of counsel, or to utilize available legal services, if such activities are conducted or sponsored by any of the offices or organizations enumerated in DR 2-103(D)(1) through (5), to the extent and under the conditions prescribed therein.
(3) A lawyer who is furnished or paid by any of the offices or organizations enumerated in DR 2-103(D)(1), (2), or (5) may represent a member or beneficiary thereof, to the extent and under the conditions prescribed therein.
(4) Without affecting his right to accept employment, a lawyer may speak publicly or write for publication on legal topics so long as he does not emphasize his own professional experience or reputation and does not understand to give individual advice.
(5) If success in asserting rights or defenses of his client in litigation in the nature of a class action is dependent upon the joinder of others, a lawyer may accept, but shall not seek, employment from those contacted for the purpose of obtaining their joinder.

## DR 2-105 Limitation of Practice.

(A) A lawyer shall not hold himself out publicly as a specialist or as limiting his practice, except as permitted under DR 2-102(A)(6) or as follows:
(1) A lawyer admitted to practice before the United States Patent Office may use the designation Patent Attorney, Patent Lawyer, Trademark Attorney, or Trademark Lawyer, or any combination of those terms, on his letterhead and office sign, and a lawyer actively engaged in the admiralty practice may use the designation Admiralty or Admiralty Lawyer on his letterhead and office sign.
(2) A lawyer may permit his name to be listed in lawyer referral service offices according to the fields of law in which he will accept referrals.
(3) A lawyer available to act as a consultant to or as an associate of other lawyers in a particular branch of law or legal service may distribute to other lawyers and publish in local legal journals a dignified announcement of such availability, but the announcement shall not contain a representation of special competence or experience. The announcement shall not be distributed to lawyers more frequently than once in a calendar year, but it may be published periodically in local legal journals.
(4) A lawyer who is certified as a specialist in a particular field of law or law practice by the authority having jurisdiction under state law over the subject of specialization by lawyers may hold himself out as such specialist but only in accordance with the rules prescribed by that authority.

## DR 2-106 Fees for Legal Services.

(A) A lawyer shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee.
(B) A fee is clearly excessive when, after a review of the facts, a lawyer of ordinary prudence would be left with a definite and firm conviction that the fee is in excess of a reasonable fee. Factors to be considered as guides in determining the reasonableness of a fee include the following:
(1) The time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly.
(2) The likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer.
(3) The fee customarily charged in the locality for similar legal services.
(4) The amount involved and the results obtained.
(5) The time limitations imposed by the client or by the circumstances.
(6) The nature and length of the professional relationship with the client.
(7) The experience, reputation, and ability of the lawyer or lawyers performing the services.
(8) Whether the fee is fixed or contingent.
(C) A lawyer shall not enter into an arrangement for, charge, or collect a contingent fee for representing a defendant is a criminal case.

## DR 2-107 Division of Fees Among Lawyers.

(A) A lawyer shall not divide a fee for legal services with another lawyer who is not a partner in or associate of his law firm or law office, unless:
(1) The client consents to employment of the other lawyer after a full disclosure that a division of fees will be made.
(2) The division is made in proportion to the services performed and responsibility assumed by each.
(3) The total fee of the lawyers does not clearly exceed reasonable compensation for all legal services they rendered the client.
(B) This Disciplinary Rule does not prohibit payment to a former partner or associate pursuant to a separation or retirement agreement.

## DR 2-108 Agreements Restricting the Practice of a Lawyer.

(A) A lawyer shall not be a party to or participate in a partnership or employment agreement with another lawyer that restricts the right of a lawyer to practice law after the termination of a relationship created by the agreement, except as a condition to payment of retirement benefits.
(B) In connection with the settlement of a controversy or suit, a lawyer shall not enter into an agreement that restricts his right to practice law.

## DR 2-109 Acceptance of Employment.

(A) A lawyer shall not accept employment on behalf of a person if he knows or it is obvious that such person wishes to:
(1) Bring a legal action, conduct a defense, or assert a position in litigation, or otherwise have steps taken for him, merely for the purpose of harassing or maliciously injuring any person.
(2) Present a claim or defense in litigation that is not warranted under existing law, unless it can be supported by good faith argument for an extension, modification, or reversal of existing law.

## DR 2-110 Withdrawal From Employment.

(A) In general.
(1) If permission for withdrawal from employment is required by the rules of a tribunal, a lawyer shall not withdraw from employment in a proceeding before that tribunal without its permission.
(2) In any event, a lawyer shall not withdraw from employment until he has taken reasonable steps to avoid foreseeable prejudice to the rights of his client, including giving due notice to his client, allowing time for employment of other counsel, delivering to the client all papers and property to which the client is entitled, and complying with applicable laws and rules.
(3) A lawyer who withdraws from employment shall refund promptly any part of a fee paid in advance that has not been earned.
(B) Mandatory withdrawal.

A lawyer representing a client before a tribunal, with its permission if required by its rules, shall withdraw from employment, and a lawyer representing a client in other matters shall withdraw from employment, if:
(1) He knows or it is obvious that his client is bringing the legal action, conducting the defense, or asserting a position in the litigation, or is otherwise having steps taken for him, merely for the purpose of harassing or maliciously injuring any person.
(2) He knows or it is obvious that his continued employment will result in violation of a Disciplinary Rule.
(3) His mental or physical condition renders it unreasonably difficult for him to carry out the employment effectively.
(4) He is discharged by his client.
(C) Permissive withdrawal.

If DR $2-110(B)$ is not applicable, a lawyer may not request permission to withdraw in matters pending before a tribunal, and may not withdraw in other matters, unless such request or such withdrawal is because:
(1) His client:
(a) Insists upon presenting a claim or defense that is not warranted under existing law and cannot be supported by good faith argument for an extension, modification, or reversal of existing law.
(b) Personally seeks to pursue an illegal course of conduct.
(c) Insists that the lawyer pursue a course of conduct that is illegal or that is prohibited under the Disciplinary Rules.
(d) By other conduct renders it unreasonably difficult for the lawyer to carry out his employment effectively.
(e) Insists, in a matter not pending before a tribunal, that the lawyer engage in conduct that is contrary to the judgment and advice of the lawyer but not prohibited under the Disciplinary Rules.
(f) Deliberately disregards an agreement or obligation to the lawyer as to expenses or fees.
(2) His continued employment is likely to result in a violation of a Disciplinary Rule.
(3) His inability to work with co-counsel indicates that the best interests of the client likely will be served by withdrawal.
(4) His mental or physical condition renders it difficult for him to carry out the employment effectively.
(5) His client knowingly and freely assents to termination of his employment.
(6) He believes in good faith, in a proceeding pending before a tribunal, that the tribunal will find the existence of other good cause for withdrawal.

## Ethical Considerations

EC 2-1 The need of members of the public for legal services is met only if they recognize their legal problems, appreciate the importance of seeking assistance, and are able to obtain the services of acceptable legal counsel. Hence, important functions of the legal profession are to educate laymen to recognize their problems, to facilitate the process of intelligent selection of lawyers, and to assist in making legal services fully available.

## Recognition of Legal Problems

EC 2-2 The legal profession should assist laymen to recognize legal problems because such problems may not be self-revealing and often are not timely noticed. Therefore, lawyers acting under proper auspices should encourage and participate in educational and public relations programs concerning our legal system with particular reference to legal problems that frequently arise. Such educational programs should be motivated by a desire to benefit the public rather than to obtain publicity or employment for particular lawyers. Examples of permissible activities include preparation of institutional advertisements and professional articles for lay publications and participation in seminars, lectures, and civic programs. But a lawyer who participates in such activities should shun personal publicity.

EC 2-3 Whether a lawyer acts properly in volunteering advice to a layman to seek legal services depends upon the circumstances. The giving of advice that one should take legal action could well be in fulfillment of the duty of the legal profession to assist laymen in recognizing legal problems. The advice is proper only if motivated by a desire to protect one who does not recognize that he may have legal problems or who is ignorant of his legal rights or obligations. Hence, the advice is improper if motivated by a desire to obtain personal benefit, secure personal publicity, or cause litigation to be brought merely to harass or injure another. Obviously, a lawyer should not contact a non-client, directly or indirectly, for the purpose of being retained to represent him for compensation.

EC 2-4 Since motivation is subjective and often difficult to judge, the motives of a lawyer who volunteers advice likely to produce legal controversy may well be suspect if he receives professional employment or other benefits as a result. A lawyer who volunteers advice that one should obtain the services of a lawyer generally should not himself accept employment, compensation, or other benefit in connection with that matter. However, it is not improper for a lawyer to volunteer such advice and render resulting legal services to close friends, relatives, former clients (in regard to matters germane to former employment), and regular clients.

EC 2-5 A lawyer who writes or speaks for the purpose of educating members of the public to recognize their legal problems should carefully refrain from giving or appearing to give a general solution applicable to all apparently similar individual problems, since slight changes in fact situations may require a material variance in the applicable advice; otherwise, the public may be misled and misadvised. Talks and writings by lawyers for laymen should caution them not to attempt to solve individual problems upon the basis of the information contained therein.

## Selection of a Lawyer: Generally

EC 2-6 Formerly a potential client usually knew the reputations of local lawyers for competency and integrity and therefore could select a practitioner in whom he had confidence. This traditional selection process worked well because it was initiated by the client and the choice was an informed one.

EC 2-7 Changed conditions, however, have seriously restricted the effectiveness of the traditional selection process. Often the reputations of lawyers are not sufficiently known to enable laymen to make intelligent choices. The law has become increasingly complex and specialized. Few lawyers are willing and competent to deal with every kind of
legal matter, and many laymen have difficulty in determining the competence of lawyers to render different types of legal services. The selection of legal counsel is particularly difficult for transients, persons moving into new areas, persons of limited education or means, and others who have little or no contact with lawyers.

EC 2-8 Selection of a lawyer by a layman of ten is the result of the advice and recommendation of third parties-relatives, friends, acquaintances, business associates, or other lawyers. A layman is best served if the recommendation is disinterested and informed. In order that the recommendation be disinterested, a lawyer should not seek to influence another to recommend his employment. A lawyer should not compensate another person for recommending him, for influencing a prospective client to employ him, or to encourage future recommendations.

## Selection of a Lawyer: Professional Notices and Listings

EC 2-9 The traditional ban against advertising by lawyers, which is subject to certain limited exceptions, is rooted in the public interest. Competitive advertising would encourage extravagant, artful, selflaudatory brashness in seeking business and thus could mislead the layman. Furthermore, it would inevitably produce unrealistic expectations in particular cases and bring about distrust of the law and lawyers. Thus, public confidence in our legal system would be impaired by such advertisements of professional services. The attorney-client relationship is personal and unique and should not be established as the result of pressures and deceptions. History has demonstrated that public confidence in the legal system is best preserved by strict, self-imposed controls over, rather than by unlimited, advertising.

EC 2-10 Methods of advertising that are subject to the objections stated above should be and are prohibited. However, the Disciplinary Rules recognize the value of giving assistance in the selection process through forms of advertising that furnish identification of a lawyer while avoiding such objections. For example, a lawyer may be identified in the classified section of the telephone directory, in the office building directory, and on his letterhead and professional card. But at all times the permitted notices should be dignified and accurate.

EC 2-11 The name under which a lawyer conducts his practice may be a factor in the selection process. The use of a trade name or an assumed name could mislead laymen concerning the identity, responsibility, and status of those practicing thereunder. Accordingly, a lawyer in private practice should practice only under his own name, the name of a lawyer employing him, a partnership name composed of the name of one or more of the lawyers practicing in a partnership, or, if permitted by law, in the name of a professional legal corporation, which should be clearly designated as such. For many years some law firms have used a firm name retaining one or more names of deceased or retired partners and such practice is not improper if the firm is a bona fide successor of a firm in which the deceased or retired person was a member, if the use of the name is authorized by law or by contract, and if the public is not misled thereby. However, the name of a partner who withdraws from a firm but continues to practice law should be omitted from the firm name in order to avoid misleading the public.

EC 2-12 A lawyer occupying a judicial, legislative, or public executive or administrative position who has the right to practice law concurrently may allow his name to remain in the name of the firm if he actively continues to practice law as a member thereof. Otherwise, his name should be removed from the firm name, and he should not be identified as a past or present member of the firm; and he should not hold himself out as being a practicing lawyer.

EC 2-13 In order to avoid the possibility of misleading persons with whom he deals, a lawyer should be scrupulous in the representation of his professional status. He should not hold himself out as being a partner or associate of a law firm if he is not one in fact, and thus should not hold himself out as a partner or associate if he only shares offices with another lawyer.

EC 2-14 In some instances a lawyer confines his practice to a particular field of law. In the absence of state controls to insure the existence of special competence, a lawyer should not be permitted to hold himself out as a specialist or as having special training or ability, other than in the historically excepted fields of admiralty, trademark, and patent law.

EC 2-15 The legal profession has developed lawyer referral systems designed to aid individuals who are able to pay fees but need assistance in locating lawyers competent to handle their particular problems. Use of a lawyer referral system enables a layman to avoid an uninformed selection of a lawyer because such a system makes possible the employment of cempetent lawyers who have indicated an interest in the subject matter involved. Lawyers should support the principle of lawyer referral systems and should encourage the evolution of other ethical plans which aid in the selection of qualified counsel.

EC 2-16 The legal profession cannot remain a viable force in fulfilling its role in our society unless its members receive adequate compensation for services rendered, and reasonable fees should be charged in appropriate cases to clients able to pay them. Nevertheless, persons unable to pay all or a portion of a reasonable fee should be able to obtain necessary legal services, and lawyers should support and participate in ethical activities designed to achieve that objective.

## Financial Ability to Employ Counsel:

## Persons Able to Pay Reasonable Fees

EC 2-17 The determination of a proper fee requires consideration of the interests of both client and lawyer. A lawyer should not charge more than a reasonable fee, for excessive cost of legal service would deter laymen from utilizing the legal system in protection of their rights. Furthermore, an excessive charge abuses the professional relationship between lawyer and client. On the other hand, adequate compensation is necessary in order to enable the lawyer to serve his client effectively and to preserve the integrity and independence of the profession.
EC 2-18 The determination of the reasonableness of a fee requires consideration of all relevant circumstances, including those stated in the Disciplinary Rules. The fees of a lawyer will vary according to many factors, including the time required, his experience, ability, and reputation, the nature of the employment, the responsibility involved, and the results obtained. Suggested fee schedules and economic reports of state and local bar associations provide some guidance on the subject of reasonable fees. It is a commendable and long-standing tradition of the bar that special consideration is given in the fixing of any fee for services rendered a brother lawyer or a member of his immediate family.

EC 2-19 As soon as feasible after a lawyer has been employed, it is desirable that he reach a clear agreement with his client as to the basis of the fee charges to be made. Such a course will not only prevent later misunderstanding but will also work for good relations between the lawyer and the client. It is usually beneficial to reduce to writing the understanding of the parties regarding the fee, particularly when it is contingent. A lawyer should be mindful that many persons who desire to employ him may have had little or no experience with fee charges of lawyers, and for this reason he should explain fully to such persons the reasons for the particular fee arrangement he proposes.

EC 2-20 Contingent fee arrangements in civil cases have long been commonly accepted in the United States in proceedings to enforce claims. The historical bases of their acceptance are that (1) they often, and in a variety of circumstances, provide the only practical means by which one having a claim against another can economically afford, finance, and obtain the services of a competent lawyer to prosecute his claim, and (2) a successful prosecution of the claim produces a res out of which the fee can be paid. Although a lawyer generally should decline to accept employment on a contingent fee basis by one who is able to pay a reasonable fixed fee, it is not necessarily improper for a lawyer, where justified by the particular circumstances of a case, to enter into a contingent fee contract in a civil case with any client who, after being fully informed of all relevant factors, desires that arrangement. Because of the human relationships involved and the unique character of the proceedings, contingent fee arrangements in domestic relation cases are rarely justified. In administrative agency proceedings contingent fee contracts should be governed by the same consideration as in other civil cases. Public policy properly condemns contingent fee arrangements in criminal cases, largely on the ground that legal services in criminal cases do not produce a res with which to pay the fee.

EC 2-21 A lawyer should not accept compensation or any thing of value incident to his employment or services from one other than his client without the knowledge and consent of his client after full disclosure.

EC 2-22 Without the consent of his client, a lawyer should not associate in a particular matter another lawyer outside his firm. A fee may properly be divided between lawyers properly associated if the division is in proportion to the services performed and the responsibility assumed by each lawyer and if the total fee is reasonable.

EC 2-23 A lawyer should be zealous in his efforts to avoid controversies over fees with clients and should attempt to resolve amicably any differences on the subject. He should not sue a client for a fee unless necessary to prevent fraud or gross imposition by the client.

## Financial A bility to Employ Counsel: Persons Unable to Pay Reasonable Fees

EC 2-24 A layman whose financial ability is not sufficient to permit payment of any fee cannot obtain legal services, other than in cases where a contingent fee is appropriate, unless the services are provided for him. Even a person of moderate means may be unable to pay a reasonable fee which is large because of the complexity, novelty, or difficulty of the problem or similar factors.

EC 2-25 Historically, the need for legal services of those unable to pay reasonable fees has been met in part by lawyers who donated their services or accepted court appointments on behalf of such individuals. The basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer. Every lawyer, regardless of professional prominence or professional workload, should find time to participate in serving the disadvantaged. The rendition of free legal services to those unable to pay reasonable fees continues to be an obligation of each lawyer, but the efforts of individual lawyers are of ten not enough to meet the need. Thus it has been necessary for the profession to institute additional programs to provide legal services. Accordingly, legal aid offices, lawyer referral services, and other related programs have been developed, and others will be developed, by the profession. Every lawyer should support all proper efforts to meet this need for legal services.

## Acceptance and Retention of Employment

EC 2-26 A lawyer is under no obligation to act as adviser or advocate for every person who may wish to become his client; but in furtherance of the objective of the bar to make legal services fully available, a lawyer should not lightly decline proffered employment. The fulfillment of this objective requires acceptance by a lawyer of his share of tendered employment which may be unattractive both to him and the bar generally.

EC 2-27 History is replete with instances of distinguished and sacrificial services by lawyers who have represented unpopular clients and causes. Regardless of his personal feelings, a lawyer should not decline representation because a client or a cause is unpopular or community reaction is adverse.

EC 2-28 The personal preference of a lawyer to avoid adversary alignment against judges, other lawyers, public officials, or influential members of the community does not justify his rejection of tendered employment.

EC 2-29 When a lawyer is appointed by a court or requested by a bar association to undertake representation of a person unable to obtain counsel, whether for financial or other reasons, he should not seek to be excused from undertaking the representation except for compelling reasons. Compelling reasons do not include such factors as the repugnance of the subject matter of the proceeding, the identity or position of a person involved in the case, the belief of the lawyer that the defendant in a criminal proceeding is guilty, or the belief of the lawyer regarding the merits of the civil case.

EC 2-30 Employment should not be accepted by a lawyer when he is unable to render competent service or when he knows or it is obvious that the person seeking to employ him desires to institute or maintain an action merely for the purpose of harassing or maliciously injuring another. Likewise, a lawyer should decline employment if the intensity of his personal feeling, as distinguished from a community attitude, may impair his effective representation of a prospective client. If a lawyer knows a client has previously obtained counsel, he should not accept employment in the matter unless the other counsel approves or withdraws, or the client terminates the prior employment.

EC 2-31 Full availability of legal counsel requires both that persons be able to obtain counsel and that lawyers who undertake representation complete the work involved. Trial counsel for a convicted defendant should continue to represent his client by advising whether to take an appeal and, if the appeal is prosecuted, by representing him through the appeal unless new counsel is substituted or withdrawn is permitted by the appropriate court.

EC 2-32 A decision by a lawyer to withdraw should be made only on the basis of compelling circumstances, and in a matter pending before a tribunal he must comply with the rules of the tribunal regarding withdrawal. A lawyer should not withdraw without considering carefully and endeavoring to minimize the possible adverse effect on the rights of his client and the possibility of prejudice to his client as a result of his withdrawal. Even when he justifiably withdraws, a lawyer should protect the welfare of his client by giving due notice of his withdrawal, suggesting employment of other counsel, delivering to the client all papers and property to which the client is entitled, cooperating with counsel subsequently employed, and otherwise endeavoring to minimize the possibility of harm. Further, he should refund to the client any compensation not earned during the employment.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 3

## A Lawyer Should Assist in Preventing the Unauthorized Practice of law

## DR 3-101 Aiding Unauthorized Practice of Law.

(A) A lawyer shall not aid a non-lawyer in the unauthorized practice of law.
(B) A lawyer shall not practice law in a jurisdiction where to do so would be in violation of regulations of the profession in that jurisdiction.

## DR 3-102 Dividing Legal Fees With a Non-Lawyer.

(A) A lawyer or law firm shall not share legal fees with a non-lawyer, except that:
(1) An agreement by a lawyer with his firm, partner, or associate may provide for the payment of money, over a reasonable period of time after his death, to his estate or to one or more specified persons.
(2) A lawyer who undertakes to complete unfinished legal business of a deceased lawyer may pay to the estate of the deceased lawyer that proportion of the total compensation which fairly represents the services rendered by the deceased lawyer.
(3) A lawyer or law firm may include non-Jawyer employees in a retirement plan, even though the plan is based in whole or in part on a profit-sharing arrangement.

## DR 3-103 Forming a Partnership With a Non-Lawyer.

(A) A lawyer shall not form a partnership with a nonlawyer if any of the activities of the partnership consist of the practice of law.

## Ethical Considerations

EC 3-1 The prohibition against the practice of law by a layman is grounded in the need of the public for integrity and competence of those who undertake to render legal services. Because of the fiduciary and personal character of the lawyer-client relationship and the inherently complex nature of our legal system, the public can better be assured of the requisite responsibility and competence if the practice of law is confined to those who are subject to the requirements and regulations imposed upon members of the legal profession.

EC 3-2 The sensitive variations in the considerations that bear on legal determinations of ten make it difficult even for a lawyer to exercise appropriate professional judgment, and it is therefore essential that the personal nature of the relationship of client and lawyer be preserved. Competent professional judgment is the product of a trained familiarity with law and legal processes, a disciplined, analytical approach to legal problems, and a firm ethical commitment.

EC 3-3 A non-lawyer who undertakes to handle legal matters is not governed as to integrity or legal competence by the same rules that govern the conduct of a lawyer. A lawyer is not only subject to that regulation but also is committed to high standards of ethical conduct. The public interest is best served in legal matters by a regulated profession committed to such standards. The Disciplinary Rules protect the public in that they prohibit a lawyer from seeking employment by improper overtures, from acting in cases of divided loyalties, and from submitting to the control of others in the exercise of his judgment. Moreover, a person who entrusts legal matters to a lawyer is protected by the attorney-client privilege and by the duty of the lawyer to hold inviolate the confidences and secrets of his client.

EC 3-4 A layman who seeks legal services often is not in a position to judge whether he will receive proper professional attention. The entrustment of a legal matter may well involve the confidences, the reputation, the property, the freedom, or even the life of the client. Proper protection of members of the public demands that no person be permitted to act in the confidential and demanding capacity of a lawyer unless he is subject to the regulations of the legal profession.

EC 3-5 It is neither necessary nor desirable to attempt the formulation of a single, specific definition of what constitutes the practice of law. Functionally, the practice of law relates to the rendition of services for others that call for the professional judgment of a lawyer. The essence of the professional judgment of the lawyer is his educated ability to relate the general body and philosophy of law to a specific legal problem of a client; and thus, the public interest will be better served if only lawyers are permitted to act in matters involving professional judgment. Where this professional judgment is not involved, non-lawyers, such as court clerks, police officers, abstracters, and many governmental employees, may engage in occupations that require a special knowledge of law in certain areas. But the services of a lawyer are essential in the public interest whenever the exercise of professional legal judgment is required.

EC 3-6 A lawyer of ten delegates tasks to clerks, secretaries, and other lay persons. Such delegation is proper if the lawyer maintains a direct relationship with his client, supervises the delegated work, and has complete professional responsibility for the work product. This delegation enables a lawyer to render legal service more economically and efficiently.

EC 3-7 The prohibition against a non-lawyer practicing law does not prevent a layman from representing himself, for then he is ordinarily exposing only himself to possible injury. The purpose of the legal profession is to make educated legal representation available to the public; but anyone who does not wish to avail himself of such representation is not required to do so. Even so, the legal profession should help members of the public to recognize legal problems and to understand why it may be unwise for them to act for themselves in matters having legal consequences.

EC 3-8 Since a lawyer should not aid or encourage a layman to practice law, he should not practice law in association with a layman or otherwise share legal fees with a layman. This does not mean, however, that the pecuniary value of the interest of a deceased lawyer in his firm or practice may not be paid to his estate or specified persons such as his widow or heirs. In like manner, profit-sharing retirement plans of a lawyer or law firm which include non-lawyer office employees are not improper. These limited exceptions to the rule against sharing legal fees with laymen are permissible since they do not aid or encourage laymen to practice law.

EC 3-9 Regulation of the practice of law is accomplished principally by the respective states. Authority to engage in the practice of law conferred in any jurisdiction is not per se a grant of the right to practice elsewhere, and it is improper for a lawyer to engage in practice where he is not permitted by law or by court order to do so. However, the demands of business and the mobility of our society pose distinct problems in the regulation of the practice of law by the states.

In furtherance of the public interest, the legal profession should discourage regulation that unreasonably imposes territorial limitations upon the right of a lawyer to handle the legal affairs of his client or upon the opportunity of a client to obtain the services of a lawyer of his choice in all matters including the presentation of a contested matter in a tribunal before which the lawyer is not permanently admitted to practice.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 4

A Lawyer Should Preserve the Confidences and Secrets of a Client
DR 4-101 Preservation of Confidences and Secrets of a Client.
(A) "Confidence" refers to information protected by the attorney-client privilege under applicable law, and "secret" refers to other information gained in the professional relationship that the client has requested be held inviolate or the disclosure of which would be embarrassing or would be likely to be detrimental to the client.
(B) Except when permitted under DR 4-101(C) and (D), a lawyer shall not knowingly during or after termination of the professional relationship to his client:
(1) Reveal a confidence or secret of his client.
(2) Use a confidence or secret of his client to the disadvantage of the client.
(3) Use a confidence or secret of his client for the advantage of himself or of a third person, unless the client consents after full disclosure.
(C) A lawyer may reveal:
(1) Confidences or secrets with the consent of the client or clients affected, but only after a full disclosure to them.
(2) Confidences or secrets when permitted under Disciplinary Rules or required by law or court order.
(3) The intention of his client to commit a crime and the information necessary to prevent the crime.
(4) Confidences or secrets necessary to establish or collect his fee or to defend himself or his employees or associates against an accusation of wrongful conduct.
(D) A lawyer shall exercise reasonable care to prevent his employees, associates, and others whose services are utilized by him from disclosing or using confidences or secrets of a client, except that a lawyer may reveal the information allowed by DR 4-101(C) through an employee.

## Ethical Considerations

EC 4-1 Both the fiduciary relationship existing between lawyer and client and the proper functioning of the legal system require the preservation by the lawyer of confidences and secrets of one who has employed or sought to employ him. A client must feel free to discuss whatever he wishes with his lawyer and a lawyer must be equally free to obtain information beyond that volunteered by his client. A lawyer should be fully informed of all the facts of the matter he is handling in order for his client to obtain the full advantage of our legal system. It is for the lawyer in the exercise of his independent professional judgment to separate the relevant and important from the irrelevant and unimportant. The observance of the ethical obligation of a lawyer to hold inviolate the confidences and secrets of his client not only facilitates the full development of facts essential to proper representation of the client but also encourages laymen to seek early legal assistance.

EC 4-2 The obligation to protect confidences and secrets obviously does not preclude a lawyer from revealing information when his client consents after full disclosure, when necessary to perform his professional employment, when permitted by a Disciplinary Rule, or when required by law. Unless the client otherwise directs, a lawyer may disclose the affairs of his client to partners or associates of his firm. It is a matter of common knowledge that the normal operation of a law office exposes confidential professional information to non-lawyer employees of the office, particularly secretaries and those having access to the files; and this obligates a lawyer to exercise care in selecting and training his employees so that the sanctity of all confidences and secrets of his clients may be preserved. If the obligation extends to two or more clients as to the same information, a lawyer should obtain the permission of all before revealing the information. A lawyer must always be sensitive to the rights and wishes of his client and act scrupulously in the making of decisions which may involve the disclosure of information obtained in this professional relationship. Thus, in the absence of consent of his client after full disclosure, a lawyer should not associate another lawyer in the handling of a matter; nor should he, in the absence of consent, seek counsel from another lawyer if there is a reasonable possibility that the identity of the client or his confidences or secrets would be revealed to such lawyer. Both social amenities and professional duty should cause a lawyer to shun indiscreet conversations concerning his clients.
EC 4-3 Unless the client otherwise directs, it is not improper for a lawyer to give limited information from his files to an outside agency necessary for statistical, bookkeeping, accounting, data processing, banking, printing, or other legitimate purposes, provided he exercises due care in the selection of the agency and warns the agency that the information must be kept confidential.

EC 4-4 The attorney-client privilege is more limited than the ethical obligation of a lawyer to guard the confidences and secrets of his client. This ethical precept, unlike the evidentiary privilege, exists without regard to the nature or source of information or the fact that others share the knowledge. A lawyer should endeavor to act in a manner which preserves the evidentiary privilege; for example, he should avoid professional discussions in the presence of persons to whom the privilege does not extend. A lawyer owes an obligation to advise the client of the attorney-client privilege and timely to assert the privilege unless it is waived by the client.
EC 4-5 A lawyer should not use information acquired in the course of the representation of a client to the disadvantage of the client and a lawyer should not use, except with the consent of his client after full disclosure, such information for his own purposes. Likewise, a lawyer should be diligent in his efforts to prevent the misuse of such information by his employees and associates. Care should be exercised by a lawyer to prevent the disclosure of the confidences and secrets of one client to another, and no employment should be accepted that might require such disclosure.
EC 4-6 The obligation of a lawyer to preserve the confidences and secrets of his client continues after the termination of his employment. Thus an attorney, as successor to another practice, must preserve inviolate the secrets and confidences reflected in the files in the same respect as required by his predecessor. A lawyer should take all reasonable steps, providing safeguards from disclosing the confidences and secrets reflected in the files of his client, following the termination of his practice of the law whether termination is due from disability or retirement.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 5 <br> A Lawyer Should Exercise Independent Professional Judgment on Behalf of a Client

## DR 5-101 Refusing Employment When the Interests of the Lawyer May Impair His Independent Professional Judgment.

(A) Except with the consent of his client after full disclosure, a lawyer shall not accept employment if the
exercise of his professional judgment on behalf of his client will be or reasonably may be affected by his own financial, business, property, or personal interests.
(B) A lawyer shall not accept employment in contemplated or pending litigation if he knows or it is obvious that he or a lawyer in his firm ought to be called as a witness, except that he may undertake the employment and he or a lawyer in his firm may testify:
(1) If the testimony will relate solely to an uncontested matter.
(2) If the testimony will relate solely to a matter of formality and there is no reason to believe that substantial evidence will be offered in opposition to the testimony.
(3) If the testimony will relate solely to the nature and value of legal services rendered in the case by the lawyer or his firm to the client.
(4) As to any matter, if refusal would work a substantial hardship on the client because of the distinctive value of the lawyer or his firm as counsel in the particular case.

## DR 5-102 Withdrawal as Counsel When the Lawyer Becomes a Witness.

(A) If, after undertaking employment in contemplated or pending litigation, a lawyer learns or it is obvious that he or a lawyer in his firm ought to be called as a witness on behalf of his client, he shall withdraw from the conduct of the trial and his firm, if any, shall not continue representation in the trial, except that he may continue the representation and he or a lawyer in his firm may testify in the circumstances enumerated in DR 5-101(B) (1) through (4).
(B) If, after undertaking employment in contemplated or pending litigation, a lawyer learns or it is obvious that he or a lawyer in his firm may be called as a witness other than on behalf of his client, he may continue the representation until it is apparent that his testimony is or may be prejudicial to his client.

## DR 5-103 Avoiding Acquisition of Interest in Litigation.

(A) A lawyer shall not acquire a proprietary interest in the cause of action or subject matter of litigation he is conducting for a client, except that he may:
(1) Acquire a lien granted by law to secure his fee or expenses.
(2) Contract with a client for a reasonable contingent fee in a civil case.
(B) While representing a client in connection with contemplated or pending litigation, a lawyer shall not advance or guarantee financial assistance to his client, except that a lawyer may advance or guarantee the expenses of litigation, including court costs, expenses of investigation, expenses of medical examination, and costs of obtaining and presenting evidence, provided the client remains ultimately liable for such expenses.

## DR 5-104 Limiting Business Relations With a Client.

(A) A lawyer shall not enter into a business transaction with a client if they have differing interests therein and if the client expects the lawyer to exercise his professional judgment therein for the protection of the client, unless the client has consented after full disclosure.
(B) Prior to conclusion of all aspects of the matter giving rise to his employment, a lawyer shall not enter into any arrangement or understanding with a client or a prospective client by which he acquires an interest in publication rights with respect to the subject matter of his employment or proposed employment.
DR 5-105 Refusing to Accept or Continue Employment if the Interests of Another Client May Impair the Independent Professional Judgment of the Lawyer.
(A) A lawyer shall decline proffered employment if the exercise of his independent professional judgment in behalf of a client will be or is likely to be adversely affected by the acceptance of the proffered employment, except to the extent permitted under DR 5-105(C).
(B) A lawyer shall not continue multiple employment if the exercise of his independent professional judgment in behalf of a client will be or is likely to be adversely affected by his representation of another client, except to the extent permitted under DR 5-105(C).
(C) In the situations covered by DR 5-105(A) and (B), a lawyer may represent multiple clients if it is obvious that he can adequately represent the interests of each and if each consents to the representation after full disclosure of the possible effect of such representation on the exercise of his independent professional judgment on behalf of each.
(D) If a lawyer is required to decline employment or to withdraw from employment under DR $5-105$, no partner or associate of his or his firm may accept or continue such employment.

## DR 5-106 Settling Similar Claims of Clients.

(A) A lawyer who represents two or more clients shall not make or participate in the making of an aggregate settlement of the claims of or against his clients, unless each client has consented to the settlement after being advised of the existence and nature of all the claims involved in the proposed settlement, of the total amount of the settlement, and of the participation of each person in the settlement.
DR 5-107 Avoiding Influence by Others Than the Client.
(A) Except with the consent of his client after full disclosure, a lawyer shall not:
(1) Accept compensation for his legal services from one other than his client.
(2) Accept from one other than his client any thing of value related to his representation of or his employment by his client.
(B) A lawyer shall not permit a person who recommends, employs, or pays him to render legal services for another to direct or regulate his professional judgment in rendering such legal services.
(C) A lawyer shall not practice with or in the form of a professional corporation or association authorized to practice law for a profit, if:
(1) A non-lawyer owns any interest therein, except that a fiduciary representative of the estate of a lawyer may hold the stock or interest of the lawyer for a reasonable time during administration;
(2) A non-lawyer is a corporate director or officer thereof; or
(3) A non-lawyer has the right to direct or control the professional judgment of a lawyer.

## Ethical Considerations

EC 5-1 The professional judgment of a lawyer should be exercised, within the bounds of the law, solely for the benefit of his client and free of compromising influences and loyalties. Neither his personal interests, the interests of other clients, nor the desires of third persons should be permitted to dilute his loyalty to his client.

## Interests of a Lawyer That May Affect His Judgment

EC 5-2 A lawyer should not accept proffered employment if his personal interests or desires will, or there is a reasonable probability that they will, affect adversely the advice to be given or services to be rendered the prospective client. After accepting employment, a lawyer carefully should refrain from acquiring a property right or assuming a position that would tend to make his judgment less protective of the interests of his client.

EC 5-3 The self-interest of a lawyer resulting from his ownership of property in which his client also has an interest or which may affect property of his client may interfere with the exercise of free judgment on behalf of his client. If such interference would occur with respect to a prospective client, a lawyer should decline employment proffered by him. After accepting employment, a lawyer should not acquire property rights that would adversely affect his professional judgment in the representation of his client. Even if the property interests of a lawyer do not presently interfere with the exercise of his independent judgment, but the likelihood of interference can reasonably be foreseen by him, a lawyer should explain the situation to his client and should decline employment or withdraw unless the client consents to the continuance of the relationship after full disclosure. A lawyer should not seek to persuade his client to permit him to invest in an undertaking of his client nor make improper use of his professional relationship to influence his client to invest in an enterprise in which the lawyer is interested.

EC 5-4 If, in the course of his representation of a client, a lawyer is permitted to receive from his client a beneficial ownership in publication rights relating to the subject matter of the employment, he may be tempted to subordinate the interests of his client to his own anticipated pecuniary gain. For example, a lawyer in a criminal case who obtains from his client television, radio, motion picture, newspaper, magazine, book, or other publication rights with respect to the case may be influenced, consciously or unconsciously, to a course of conduct that will enhance the value of his publication rights to the prejudice of his client. To prevent these potentially differing interests, such arrangements should be scrupulously avoided prior to the termination of all aspects of the matter giving rise to the employment, even though his employment has previously ended.

EC 5-5 A lawyer should not suggest to his client that a gift be made to himself or for his benefit. If a lawyer accepts a gift from his client, he is peculiarly susceptible to the charge that he unduly influenced or over-reached the client. If a client voluntarily offers to make a gift to his lawyer, the lawyer may accept the gift, but before doing so, he should urge that his client secure disinterested advice from an independent, competent person who is cognizant of all the circumstances. Other than in exceptional circumstances, a lawyer should insist that an instrument in which his client desires to name him beneficially be prepared by another lawyer selected by the client.
EC 5-6 A lawyer should not consciously influence a client to name him as executor, trustee, or lawyer in an instrument. In those cases where a client wishes to name his lawyer as such, care should be taken by the lawyer to avoid even the appearance of impropriety.

EC 5-7 The possibility of an adverse effect upon the exercise of free judgment by a lawyer on behalf of his client during litigation generally makes it undesirable for the lawyer to acquire a proprietary interest in the cause of his client or otherwise to become financially interested in the outcome of the litigation. However, it is not improper for a lawyer to protect his right to collect a fee for his services by the assertion of legally permissible liens, even though by doing so he may acquire an interest in the outcome of the litigation. Although a contingent fee arrangement gives a lawyer a financial interest in the outcome of litigation, a reasonable contingent fee is permissible in civil cases because it may be the only means by which a layman can obtain the services of a lawyer of his choice. But a lawyer, because he is in a better position to evaluate a cause of action, should enter into a contingent fee arrangement only in those instances where the arrangement will be beneficial to the client.

EC 5-8 A financial interest in the outcome of litigation also results if monetary advances are made by a lawyer to his client. Although this assistance is generally not encouraged, there are instances when it is not improper to advance or guarantee the expenses of litigation, including court costs, expenses of investigation, expenses of medical examination, and the cost of obtaining and presenting evidence, provided that the client remains ultimately liable for such expenses.

EC 5-9 Occasionally a lawyer is called upon to decide in a particular case whether he will be a witness or an advocate. If a lawyer is both counsel and witness, he becomes more easily impeachable for interest and thus may be a less effective witness. Conversely, the opposing counsel may be handicapped in challenging the credibility of the lawyer when the lawyer also appears as an advocate in the case. An advocate who becomes a witness is in the unseemly and ineffective position of arguing his own credibility. The roles of an advocate and of a witness are inconsistent; the function of an advocate is to advance or argue the cause of another, while that of a witness is to state facts objectively.

EC 5-10 Problems incident to the lawyer-witness relationship arise at different stages; they relate either to whether a lawyer should accept employment or should withdraw from employment. Regardless of when the problem arises, his decision is to be governed by the same basic considerations. It is not objectionable for a lawyer who is a potential witness to be an advocate if it is unlikely that he will be called as a witness because his testimony would be merely cumulative or if his testimony will relate only to an uncontested issue. In the exceptional situation where it will be manifestly unfair to the client for the lawyer to refuse employment or to withdraw when he will likely be a witness on a contested issue, he may serve as advocate even though he may be a witness. In making such decision, he should determine the personal or financial sacrifice of the client that may result from his refusal of employment or withdrawal therefrom, the materiality of his testimony, and the effectiveness of his representation in view of his personal involvement. In weighing these factors, it should be clear that refusal or withdrawal will impose an unreasonable hardship upon the client before the lawyer accepts or continues the employment. Where the question arises, doubts should be resolved in favor of the lawyer testifying and against his becoming or continuing as an advocate.

EC 5-11 A lawyer should not permit his personal interests to influence his advice relative to a suggestion by his client that additional counsel be employed. In like manner, his personal interests should not deter him from suggesting that additional counsel be employed; on the contrary, he should be alert to the desirability of recommending additional counsel when, in his judgment, the proper representation of his client requires it. However, a lawyer should advise his client not to employ additional counsel suggested by the client if the lawyer believes that such employment would be a disservice to the client, and he should disclose the reasons for his belief.

EC 5-12 Inability of co-counsel to agree on a matter vital to the representation of their client requires that their disagreement be submitted by them jointly to their client for his resolution, and the decision of the client shall control the action to be taken.

EC 5-13 A lawyer should not maintain membership in or be influenced by any organization of employees that undertakes to prescribe, direct, or suggest when or how he should fulfill his professional obligations to a person or organization that employs him as a lawyer. Although it is not necessarily improper for a lawyer employed by a corporation or similar entity to be a member of an organization of
employees, he should be vigilant to safeguard his fidelity as a lawyer to his employer, free from outside influences.

## Interests of Multiple Clients

EC 5-14 Maintaining the independence of professional judgment required of a lawyer precludes his acceptance or continuation of employment that will adversely affect his judgment on behalf of or dilute his loyalty to a client. This problem arises whenever a lawyer is asked to represent two or more clients who may have differing interests, whether such interests be conflicting, inconsistent, diverse, or otherwise discordant.

EC 5-15 If a lawyer is requested to undertake or to continue representation of multiple clients having potentially differing interests, he must weigh carefully the possibility that his judgment may be impaired or his loyalty divided if he accepts or continues the employment. He should resolve all doubts against the propriety of the representation. A lawyer should never represent in litigation multiple clients with differing interests; and there are few situations in which he would be justified in representing in litigation multiple clients with potentially differing interests. If a lawyer accepted such employment and the interests did become actually differing, he would have to withdraw from employment with likelihood of resulting hardship on the clients; and for this reason it is preferable that he refuse the employment initially On the other hand, there are many instances in which a lawyer may properly serve multiple clients having potentially differing interests in matters not involving litigation. If the interests vary only slightly, it is generally likely that the lawyer will not be subjected to an adverse influence and that he can retain his independent judgment on behalf of each client; and if the interests become differing, withdrawal is less likely to have a disruptive effect upon the causes of his clients.

EC 5-16 In those instances in which a lawyer is justified in representing two or more clients having differing interests, it is nevertheless essential that each client be given the opportunity to evaluate his need for representation free of any potential conflict and to obtain other counsel if he so desires. Thus before a lawyer may represent multiple clients, he should explain fully to each client the implications of the common representation and should accept or continue employment only if the clients consent. If there are present other circumstances that might cause any of the multiple clients to question the undivided loyalty of the lawyer, he should also advise all of the clients of those circumstances.

EC 5-17 Typically recurring situations involving potentially differing interests are those in which a lawyer is asked to represent co-defendants in a criminal case, co-plaintiffs in a personal injury case, an insured and his insurer, and beneficiaries of the estate of a decedent Whether a lawyer can fairly and adequately protect the interests of multiple clients in these and similar situations depends upon an analysis of each case. In certain circumstances, there may exist little chance of the judgment of the lawyer being adversely affected by the slight possibility that the interests will become actually differing; in other circumstances, the chance of adverse effect upon his judgment is not unlikely.

EC 5-18 A lawyer employed or retained by a corporation or similar entity owes his allegiance to the entity and not to a stockholder, director, officer, employee, representative, or other person connected with the entity. In advising the entity, a lawyer should keep paramount its interests and his professional judgment should not be influenced by the personal desires of any person or organization. Occasionally a lawyer for an entity is requested by a stockholder, director, officer, employee, representative, or other person connected with the entity to represent him in an individual capacity; in such case the lawyer may serve the individual only if the lawyer is convinced that differing interests are not present.

EC 5-19 A lawyer may represent several clients whose interests are not actually or potentially differing. Nevertheless, he should explain any circumstances that might cause a client to question his undivided loyalty. Regardless of the belief of a lawyer that he may properly represent multiple clients, he must defer to a client who holds the contrary belief and withdraw from representation of that client.

EC 5-20 A lawyer is of ten asked to serve as an impartial arbitrator or mediator in matters which involve present or former clients. He may serve in either capacity if he first discloses such present or former
relationships. After a lawyer has undertaken to act as an impartial arbitrator or mediator, he should not thereafter represent in the dispute any of the parties involved.

## Desires of Third Persons

EC 5-21 The obligation of a lawyer to exercise professional judgment solely on behalf of his client requires that he disregard the desires of others that might impair his free judgment. The desires of a third person will seldom adversely affect a lawyer unless that person is in a position to exert strong economic, political, or social pressures upon the lawyer. These influences are of ten subtle, and a lawyer must be alert to their existence. A lawyer subjected to outside pressures should make full disclosure of them to his client; and if he or his client believes that the effectiveness of his representation has been or will be impaired thereby, the lawyer should take proper steps to withdraw from representation of his client.

EC 5-22 Economic, political, or social pressures by third persons are less likely to impinge upon the independent judgment of a lawyer in a matter in which he is compensated directly by his client and his professional work is exclusively with his client. On the other hand, if a lawyer is compensated from a source other than his client, he may feel a sense of responsibility to someone other than his client.

EC 5-23 A person or organization that pays or furnishes lawyers to represent others possesses a potential power to exert strong pressures against the independent judgment of those lawyers. Some employers may be interested in furthering their own economic, political, or social goals without regard to the professional responsibility of the lawyer to his individual client. Others may be far more concerned with establishment or extension of legal principles than in the immediate protection of the rights of the lawyer's individual client. On some occasions, decisions on priority of work may be made by the employer rather than the lawyer with the result that prosecution of work already undertaken for clients is postponed to their detriment. Similarly, an employer may seek, consciously or unconsciously, to further its own economic interests through the actions of the lawyers employed by it. Since a lawyer must always be free to exercise his professional judgment without regard to the interests or motives of a third person, the lawyer who is employed by one to represent another must constantly guard against erosion of his professional freedom.

EC 5-24 To assist a lawyer in preserving his professional independence, a number of courses are available to him. For example, a lawyer should not practice with or in the form of a professional legal corporation, even though the corporate form is permitted by law, if any director, officer, or stockholder of it is a non-lawyer. Although a lawyer may be employed by a business corporation with non-lawyers serving as directors or officers, and they necessarily have the right to make decisions of business policy, a lawyer must decline to accept direction of his professional judgment from any layman. Various types of legal aid offices are administered by boards of directors composed of lawyers and laymen. A lawyer should not accept employment from such an organization unless the board sets only broad policies and there is no interference in the relationship of the lawyer and the individual client he serves. Where a lawyer is employed by an organization, a written agreement that defines the relationship between him and the organization and provides for his independence is desirable since it may serve to prevent misunderstanding as to their respective roles. Although other innovations in the means of supplying legal counsel may develop, the responsibility of the lawyer to maintain his professional independence remains constant, and the legal profession must insure that changing circumstances do not result in loss of the professional independence of the lawyer.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 6 <br> A Lawyer Should Represent a Client Competently

## DR 6-101 Failing to Act Competently.

(A) A lawyer shall not:
(1) Handle a legal matter which he knows or should know that he is not competent to handle, without associating with him a lawyer who is competent to handle it.
(2) Handle a legal matter without preparation adequate in the circumstances.
(3) Neglect a legal matter entrusted to him.

## DR 6-102 Limiting Liability to Client.

(A) A lawyer shall not attempt to exonerate himself from or limit his liability to his client for his personal malpractice.

## Ethical Considerations

EC 6-1 Because of his vital role in the legal process, a lawyer should act with competence and proper care in representing clients. He should strive to become and remain proficient in his practice and should accept employment only in matters which he is or intends to become competent to handle.
EC 6-2 A lawyer is aided in attaining and maintaining his competence by keeping abreast of current legal literature and developments, participating in continuing legal education programs, concentrating in particular areas of the law, and by utilizing other available means. He has the additional ethical obligation to assist in improving the legal profession, and he may do so by participating in bar activities intended to advance the quality and standards of members of the profession. Of particular importance is the careful training of his younger associates and the giving of sound guidance to all lawyers who consult him. In short, a lawyer should strive at all levels to aid the legal profession in advancing the highest possible standards of integrity and competence and to meet those standards himself.
EC 6-3 While the licensing of a lawyer is evidence that he has met the standards then prevailing for admission to the bar, a lawyer generally should not accept employment in any area of the law in which he is not qualified. However, he may accept such employment if in good faith he expects to become qualified through study and investigation, as long as such preparation would not result in unreasonable delay or expense to his client. Proper preparation and representation may require the association by the lawyer of professionals in other disciplines. A lawyer offered employment in a matter in which he is not and does not expect to become so qualified should either decline the employment or, with the consent of his client, accept the employment and associate a lawyer who is competent in the matter.

EC 6-4 Having undertaken representation, a lawyer should use proper care to safeguard the interests of his client. If a lawyer has accepted employment in a matter beyond his competence but in which he expected to become competent, he should diligently undertake the work and study necessary to qualify himself. In addition to being qualified to handle a particular matter, his obligation to his client requires him to prepare adequately for and give appropriate attention to his legal work.

EC 6-5 A lawyer should have pride in his professional endeavors. His obligation to act competently calls for higher motivation than that arising from fear of civil liability or disciplinary penalty.

EC 6-6 A lawyer should not seek, by contract or other means, to limit his individual liability to his client for his malpractice. A lawyer who handles the affairs of his client properly has no need to attempt to limit his liability for his professional activities and one who does not handle the affairs of his client properly should not be permitted to do so. A lawyer who is a stockholder in or is associated with a professional legal corporation may, however, limit his liability for malpractice of his associates in the corporation, but only to the extent permitted by law.
[Adopted December 7, 1971, effective January 1, 1972.

Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 7 <br> A Lawyer Should Represent a Client Zealously Within the Bounds of the law

## DR 7-101 Representing a Client Zealously.

(A) A lawyer shall not intentionally:
(1) Fail to seek the lawful objectives of his client through reasonably available means permitted by law and the Disciplinary Rules, except as provided by DR 7101(B). A lawyer does not violate this Disciplinary Rule, however, by acceding to reasonable requests of opposing counsel which do not prejudice the rights of his client, by being punctual in fulfilling all professional commitments, by avoiding offensive tactics, or by treating with courtesy and consideration all persons involved in the legal process.
(2) Fail to carry out a contract of employment entered into with a client for professional services, but he may withdraw as permitted under DR 2-110, DR 5-102, and DR 5-105.
(3) Prejudice or damage his client during the course of the professional relationship, except as required under DR 7-102(B).
(B) In his representation of a client, a lawyer may:
(1) Where permissible, exercise his professional judgment to waive or fail to assert a right or position of his client.
(2) Refuse to aid or participate in conduct that he believes to be unlawful, even though there is some support for an argument that the conduct is legal.

## DR 7-102 Representing a Client Within the Bounds of the Law.

(A) In his representation of a client, a lawyer shall not:
(1) File a suit, assert a position, conduct a defense, delay a trial, or take other action on behalf of his client when he knows or when it is obvious that such action would serve merely to harass or maliciously injure another.
(2) Knowingly advance a claim or defense that is unwarranted under existing law, except that he may advance such claim or defense if it can be supported by good faith argument for an extension, modification, or reversal of existing law.
(3) Conceal or knowingly fail to disclose that which he is required by law to reveal.
(4) Knowingly use perjured testimony or false evidence.
(5) Knowingly make a false statement of law or fact.
(6) Participate in the creation or preservation of evidence when he knows or it is obvious that the evidence is false.
(7) Counsel or assist his client in conduct that the lawyer knows to be illegal or fraudulent.
(8) Knowingly engage in other illegal conduct or conduct contrary to a Disciplinary Rule.
(B) A lawyer who receives information clearly establishing that:
(1) His client has, in the course of the representation, perpetrated a fraud upon a person or tribunal, shall promptly call upon his client to rectify the same, and if his client refuses or is unable to do so, he shall reveal the fraud to the affected tribunal and may reveal the fraud to the affected person.
(2) A person other than his client has perpetrated a fraud upon a tribunal shall promptly reveal the fraud to the tribunal.

## DR 7-103 Performing the Duty of Public Prosecutor or Other Government Lawyer.

(A) A public prosecutor or other government lawyer shall not institute or cause to be instituted criminal charges when he knows or it is obvious that the charges are not supported by probable cause.
(B) A public prosecutor or other government lawyer in criminal litigation shall make timely disclosure to counsel for the defendant, or to the defendant if he has no counsel, of the existence of evidence, known to the prosecutor or other government lawyer, that tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the punishment.

## DR 7-104 Communicating With One of Adverse Interest.

(A) During the course of his representation of a client a lawyer shall not:
(1) Communicate or cause another to communicate on the subject of the representation with a party he knows to be represented by a lawyer in that matter unless he has the prior consent of the lawyer representing such other party or is authorized by law to do so.
(2) Give advice to a person who is not represented by a lawyer, other than the advice to secure counsel, if the interests of such person are or have a reasonable possibility of being in conflict with the interests of his client.

## DR 7-105 Threatening Criminal Prosecution.

(A) A lawyer shall not present, participate in presenting, or threaten to present criminal charges solely to obtain an advantage in a civil matter.

## DR 7-106 Trial Conduct.

(A) A lawyer shall not disregard or advise his client to disregard a standing rule of a tribunal or a ruling of a tribunal made in the course of a proceeding, but he may take appropriate steps in good faith to test the validity of such rule or ruling.
(B) In presenting a matter to a tribunal, a lawyer shall disclose:
(1) Legal authority in the controlling jurisdiction known to him to be directly adverse to the position of his client and which is not disclosed by opposing counsel.
(2) Unless privileged or irrelevant, the identities of the clients he represents and of the persons who employed him.
(C) In appearing in his professional capacity before a tribunal, a lawyer shall not:
(1) State or allude to any matter that he has no reasonable basis to believe is relevant to the case or that will not be supported by admissible evidence.
(2) Ask any question that he has no reasonable basis to believe is relevant to the case and that is intended to degrade a witness or other person.
(3) Assert his personal knowledge of the facts in issue, except when testifying as a witness.
(4) Assert his personal opinion as to the justness of a cause, as to the credibility of a witness, as to the culpability of a civil litigant, or as to the guilt or innocence of an accused; but he may argue, on his analysis of the evidence, for any position or conclusion with respect to the matters stated herein.
(5) Fail to comply with known local customs of courtesy or practice of the bar or a particular tribunal without giving to opposing counsel timely notice of his intent not to comply.
(6) Engage in undignified or discourteous conduct which is degrading to a tribunal.
(7) Intentionally or habitually violate any established rule of procedure or of evidence.

## DR 7-107 Trial Publicity.

(A) A lawyer participating in or associated with the investigation of a criminal matter shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that does more than state without elaboration:
(1) Information contained in a public record.
(2) That the investigation is in progress.
(3) The general scope of the investigation including a description of the offense and, if permitted by law, the identity of the victim.
(4) A request for assistance in apprehending a suspect or assistance in other matters and the information necessary thereto.
(5) A warning to the public of any dangers.
(B) A lawyer or law firm associated with the prosecution or defense of a criminal matter shall not, from the time of the filing of a complaint, information, or indictment, the issuance of an arrest warrant, or arrest until the commencement of the trial or disposition without trial, make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that relates to:
(1) The character, reputation, or prior criminal record (including arrests, indictments, or other charges of crime) of the accused.
(2) The possibility of a plea of guilty to the offense charged or to a lesser offense.
(3) The existence or contents of any confession, admission, or statement given by the accused or his refusal or failure to make a statement.
(4) The performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests.
(5) The identity, testimony, or credibility of a prospective witness.
(6) Any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case.
(C) DR 7-107(B) does not preclude a lawyer during such period from announcing:
(1) The name, age, residence, occupation, and family status of the accused.
(2) If the accused has not been apprehended, any information necessary to aid in his apprehension or to warn the public of any dangers he may present.
(3) A request for assistance in obtaining evidence.
(4) The identity of the victim of the crime.
(5) The fact, time, and place of arrest, resistance, pursuit, and use of weapons.
(6) The identity of investigating and arresting officers or agencies and the length of the investigation.
(7) At the time of seizure, a description of the physical evidence seized, other than a confession, admission, or statement.
(8) The nature, substance, or text of the charge.
(9) Quotations from or references to public records of the court in the case.
(10) The scheduling or result of any step in the judicial proceedings.
(11) That the accused denies the charges made against him.
(D) During the selection of a jury or the trial of a criminal matter, a lawyer or law firm associated with the prosecution or defense of a criminal matter shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that relates to the trial, parties, or issues in the trial or other matters that are reasonably likely to interfere with a fair trial, except that he may quote from or refer without comment to public records of the court in the case.
(E) After the completion of a trial or disposition without trial of a criminal matter and prior to the imposition of sentence, a lawyer or law firm associated with the prosecution or defense shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by public communication and that is reasonably likely to affect the imposition of sentence.
(F) The foregoing provisions of DR 7-107 also apply to professional disciplinary proceedings and juvenile disciplinary proceeding when pertinent and consistent with other law applicable to such proceedings.
(G) A lawyer or law firm associated with a civil action shall not during its investigation or litigation make or participate in making an extrajudicial statement, other than a quotation from or reference to public records, that a reasonable person would expect to be disseminated by means of public communication and that relates to:
(1) Evidence regarding the occurrence or transaction involved.
(2) The character, credibility, or criminal record of a party, witness, or prospective witness.
(3) The performance or results of any examinations or tests or the refusal or failure of a party to submit to such.
(4) His opinion as to the merits of the claims or defenses of a party, except as required by law or administrative rule.
(5) Any other matter reasonably likely to interfere with a fair trial of the action.
(H) During the pendency of an administrative proceeding, a lawyer or law firm associated therewith shall not make or participate in making a statement, other than a quotation from or reference to public records, that a reasonable person would expect to be disseminated by means of public communication if it is made outside the official course of the proceeding and relates to:
(1) Evidence regarding the occurrence or transaction involved.
(2) The character, credibility, or criminal record of a party, witness, or prospective witness.
(3) Physical evidence or the performance or results of any examinations or tests or the refusal or failure of a party to submit to such.
(4) His opinion as to the merits of the claims, defenses, or positions of an interested person.
(5) Any other matter reasonably likely to interfere with a fair hearing.
(I) The foregoing provisions of DR 7-107 do not preclude a lawyer from replying to charges of misconduct publicly made against him or from participating in the proceedings of legislative, administrative, or other investigative bodies.
(J) A lawyer shall exercise reasonable care to prevent his employees, associates and clients from making an extrajudicial statement that he would be prohibited from making under DR 7-107.

## DR 7-108 Communication With or Investigation of Jurors.

(A) Before the trial of a case a lawyer connected therewith shall not communicate with or cause another to communicate with anyone he knows to be a member of the venire from which the jury will be selected for the trial of the case.
(B) During the trial of a case:
(1) A lawyer connected therewith shall not communicate with or cause another to communicate with any member of the jury.
(2) A lawyer who is not connected therewith shall not communicate with or cause another to communicate with a juror concerning the case.
(C) Dr 7-108(A) and (B) do not prohibit a lawyer from necessary communication with veniremen or jurors solely in the course of official proceedings.
(D) After discharge of the jury from further consideration of a case with which the lawyer was connected, the lawyer shall not ask questions of or make comments to a member of that jury that are calculated merely to harass or embarrass the juror or to influence his actions in future jury service.
(E) A lawyer shall not conduct or cause, by financial support or otherwise, another to conduct a vexatious or harassing investigation of either a venireman or a juror.
(F) All restrictions imposed by DR 7-108 upon a lawyer also apply to communications with or investigations of members of a family of a venireman or a juror.
(G) A lawyer shall reveal promptly to the court improper conduct by a venireman or a juror, or by another toward a venireman or a juror or a member of his family, of which the lawyer has knowledge.

## DR 7-109 Contact With Witnesses.

(A) A lawyer shall not suppress any evidence that he or his client has a legal obligation to reveal or produce.
(B) A lawyer shall not advise or cause a person to secrete himself or to leave the jurisdiction of a tribunal for the purpose of making him unavailable as a witness therein.
(C) A lawyer shall not pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent upon the content of his testimony or the outcome of the case. But a lawyer may advance, guarantee, or acquiesce in the payment of:
(1) Expenses reasonably incurred by a witness in attending or testifying.
(2) Reasonable compensation to a witness for his loss of time in attending or testifying.
(3) A reasonable fee for the professional services of an expert witness.

## DR 7-110 Contact With Officials.

(A) A lawyer shall not give or lend any thing of value to a judge, official, or employee of a tribunal which might be reasonably construed as being for the purpose of influencing his official acts.
(B) In an adversary proceeding, a lawyer shall not communicate, or cause another to communicate, as to the merits of the cause with a judge or an official before whom the proceeding is pending, except:
(1) As required in the course of official proceedings in the cause.
(2) In writing if he promptly delivers a copy of the writing to opposing counsel or to the adverse party if he is not represented by a lawyer.
(3) Orally upon adequate notice to opposing counsel or to the adverse party if he is not represented by a lawyer.
(4) As otherwise authorized by law.

## Ethical Considerations

EC 7-1 The duty of a lawyer, both to his client and to the legal system, is to represent his client zealously within the bounds of the law, which includes Disciplinary Rules and enforceable professional regulations. The professional responsibility of a lawyer derives from his membership in a profession which has the duty of assisting members of the public to secure and protect available legal rights and benefits. In our government of laws and not of men, each member of our society is entitled to have his conduct judged and regulated in accordance with the law; to seek any lawful objective through legally permissible means; and to present for adjudication any lawful claim, issue, or defense.

EC 7-2 The bounds of the law in a given case are often difficult to ascertain. The language of legislative enactments and judicial opinions may be uncertain as applied to varying factual situations. The limits and specific meaning of apparently relevant law may be made doubtful by changing or developing constitutional interpretations, inadequately expressed statutes or judicial opinions, and changing public and judicial attitudes. Certainty of law ranges from well-settled rules through areas of conflicting authority to areas without precedent.

EC 7-3 Where the bounds of law are uncertain, the action of a lawyer may depend on whether he is serving as advocate or adviser. A lawyer may serve simultaneously as both advocate and adviser, but the two roles are essentially different. In asserting a position on behalf of his client, an advocate for the most part deals with past conduct and must take the facts as he finds them. By contrast, a lawyer serving as adviser primarily assists his client in determining the course of future conduct and relationships. While serving as advocate, a lawyer should resolve in favor of his client doubts as to the bounds of the law. In
serving a client as adviser, a lawyer in appropriate circumstances should give his professional opinion as to what the ultimate decisions of the courts would likely be as to the applicable law.

## Duty of the Lawyer to a Client

EC 7-4 The advocate may urge any permissible construction of the law favorable to his client, without regard to his professional opinion as to the likelihood that the construction will ultimately prevail. His conduct is within the bounds of the law, and therefore permissible, if the position taken is supported by the law or is supportable by a good faith argument for an extension, modification, or reversal of the law. However, a lawyer is not justified in asserting a position in litigation that is frivolous.

EC 7-5 A lawyer as adviser furthers the interest of his client by giving his professional opinion as to what he believes would likely be the ultimate decision of the courts on the matter at hand and by informing his client of the practical effect of such decision. He may continue in the representation of his client even though his client has elected to pursue a course of conduct contrary to the advice of the lawyer so long as he does not thereby knowingly assist the client to engage in illegal conduct or to take a frivolous legal position. A lawyer should never encourage or aid his client to commit criminal acts or counsel his client on how to violate the law and avoid punishment therefor.

EC 7-6 Whether the proposed action of a lawyer is within the bounds of the law may be a perplexing question when his client is contemplating a course of conduct having legal consequences that vary according to the client's intent, motive, or desires at the time of the action. Often a lawyer is asked to assist his client in developing evidence relevant to the state of mind of the client at a particular time. He may properly assist his client in the development and preservation of evidence of existing motive, intent, or desire; obviously, he may not do anything furthering the creation or preservation of false evidence. In many cases a lawyer may not be certain as to the state of mind of his client, and in those situations he should resolve reasonable doubts in favor of his client.

EC 7-7 In certain areas of legal representation not affecting the merits of the cause or substantially prejudicing the rights of a client, a lawyer is entitled to make decisions on his own. But otherwise the authority to make decisions is exclusively that of the client and, if made within the framework of the law, such decisions are binding on his lawyer. As typical examples in civil cases, it is for the client to decide whether he will accept a settlement offer or whether he will waive his right to plead an affirmative defense. A defense lawyer in a criminal case has the duty to advise his client fully on whether a particular plea to a charge appears to be desirable and as to the prospects of success on appeal, but it is for the client to decide what plea should be entered and whether an appeal should be taken.
EC 7-8 A lawyer should exert his best efforts to insure that decisions of his client are made only after the client has been informed of relevant considerations. A lawyer ought to initiate this decision-making process if the client does not do so. Advice of a lawyer to his client need not be confined to purely legal considerations. A lawyer should advise his client of the possible effect of each legal alternative. A lawyer should bring to bear upon this decision-making process the fullness of his experience as well as his objective viewpoint. In assisting his client to reach a proper decision, it is of ten desirable for a lawyer to point out those factors which may lead to a decision that is morally just as. well as legally permissible. He may emphasize the possibility of harsh consequences that might result from assertion of legally permissible positions. In the final analysis, however, the lawyer should always remember that the decision whether to forego legally available objectives or methods because of non-legal factors is ultimately for the client and not for himself. In the event that the client in a non-adjudicatory matter insists upon a course of conduct that is contrary to the judgment and advice of the lawyer but not prohibited by Disciplinary Rules, the lawyer may withdraw from the employment.

EC 7-9 In the exercise of his professional judgment on those decisions which are for his determination in the handling of a legal matter, a lawyer should always act in a manner consistent with the best interests of his client. However, when an action in the best interest of his client seems to him to be unjust, he may ask his client for permission to forego such action.

EC 7-10 The duty of a lawyer to represent his client with zeal does not militate against his concurrent obligation to treat with consideration all persons involved in the legal process and to avoid the infliction of needless harm.
EC-11 The responsibilities of a lawyer may vary according to the intelligence, experience, mental condition or age of a client, the obligation of a public officer, or the nature of a particular proceeding. Examples include the representation of an illiterate or an incompetent, service as a public prosecutor or other government lawyer, and appearances before administrative and legislative bodies.

EC 7-12 Any mental or physical condition of a client that renders him incapable of making a considered judgment on his own behalf casts additional responsibilities upon his lawyer. Where an incompetent is acting through a guardian or other legal representative, a lawyer must look to such representative for those decisions which are normally the prerogative of the client to make. If a client under disability has no legal representatives, his lawyer may be compelled in court proceedings to make decisions on behalf of the client. If the client is capable of understanding the matter in question or of contributing to the advancement of his interests, regardless of whether he is legally disqualified from performing certain acts, the lawyer should obtain from him all possible aid. If the disability of a client and the lack of a legal representative compel the lawyer to make decisions for his client, the lawyer should consider all circumstances then prevailing and act with care to safeguard and advance the interests of his client. But obviously a lawyer cannot perform any act or make any decision which the law requires his client to perform or make, either acting for himself if competent, or by a duly constituted representative if legally incompetent.

EC 7-13 The responsibility of a public prosecutor differs from that of the usual advocate; his duty is to seek justice, not merely to convict. This special duty exists because: (1) the prosecutor represents the sovereign and therefore should use restraint in the discretionary exercise of governmental powers, such as in the selection of cases to prosecute; (2) during trial the prosecutor is not only an advocate but he also may make decisions normally made by an individual client, and those affecting the public interest should be fair to all; and (3) in our system of criminal justice the accused is to be given the benefit of all reasonable doubts. With respect to evidence and witnesses, the prosecutor has responsibilities different from those of a lawyer in private practice; the prosecutor should make timely disclosure to the defense of available evidence, known to him, that tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the punishment. Further, a prosecutor should not intentionally avoid pursuit of evidence merely because he believes it will damage the prosecutor's case or aid the accused.

EC 7-14 A government lawyer who has discretionary power relative to litigation should refrain from instituting or continuing litigation that is obviously unfair. A government lawyer not having such discretionary power who believes there is lack of merit in a controversy submitted to him should so advise his superiors and recommend the avoidance of unfair litigation. A government lawyer in a civil action or administrative proceeding has the responsibility to seek justice and to develop a full and fair record, and he should not use his position or the economic power of the government to harass parties or to bring about unjust settlements or results.
EC 7-15 The nature and purpose of proceedings before administrative agencies vary widely. The proceedings may be legislative or quasi-judicial, or a combination of both. They may be ex parte in character, in which event they may originate either at the instance of the agency or upon motion of an interested party. The scope of an inquiry may be purely investigative or it may be truly adversary looking toward the adjudication of specific rights of a party or of classes of parties. The foregoing are but examples of some of the types of proceedings conducted by administrative agencies. A lawyer appearing before an administrative agency, regardless of the nature of the proceeding it is conducting, has the continuing duty to advance the cause of his client within the bounds of the law. Where the applicable rules of the agency impose specific obligations upon a lawyer, it is his duty to comply therewith, unless the lawyer has a legitimate basis for challenging the validity thereof. In all appearances before administrative agencies, a lawyer should identify himself, his client if identity of his client is not privileged, and the representative nature of his appearance. It is not improper, however, for a lawyer to seek from an agency information available to the public without identifying his client.

EC 7-16 The primary business of a legislative body is to enact laws rather than to adjudicate controversies, although on occasion the activities of a legislative body may take on the characteristics of an adversary proceeding, particularly in investigative and impeachment matters. The role of a lawyer supporting or opposing proposed legislation normally is quite different from his role in representing a person under investigation or on trial by a legislative body. When a lawyer appears in connection with proposed legislation, he seeks to affect the lawmaking process, but when he appears on behalf of a client in investigatory or impeachment proceedings, he is concerned with the protection of the rights of his client. In either event, he should identify himself and his client, if identity of his client is not privileged, and should comply with applicable laws and legislative rules.

EC 7-17 The obligation of loyalty to his client applies only to a lawyer in the discharge of his professional duties and implies no obligation to adopt a personal viewpoint favorable to the interests or desires of his client. While a lawyer must act always with circumspection in order that his conduct will not adversely affect the rights of a client in a matter he is then handling, he may take positions on public issues and espouse legal reforms he favors without regard to the individual views of any client.

EC 7-18 The legal system in its broadest sense functions best when persons in need of legal advice or assistance are represented by their own counsel. For this reason a lawyer should not communicate on the subject matter of the representation of his client with a person he knows to be represented in the matter by a lawyer, unless pursuant to law or rule of court or unless he has the consent of the lawyer for that person. If one is not represented by counsel, a lawyer representing another may have to deal directly with the unrepresented person; in such an instance, a lawyer should not undertake to give advice to the person who is attempting to represent himself, except that he may advise him to obtain a lawyer.

## Duty of the Lawyer to the Adversary System of Justice

EC 7-19 Our legal system provides for the adjudication of disputes governed by the rules of substantive, evidentiary, and procedural law. An adversary presentation counters the natural human tendency to judge too swiftly in terms of the familiar that which is not yet fully known; the advocate, by his zealous preparation and presentation of facts and law, enables the tribunal to come to the hearing with an open and neutral mind and to render impartial judgments. The duty of a lawyer to his client and his duty to the legal system are the same: to represent his client zealously within the bounds of the law.

EC 7-20 In order to function properly, our adjudicative process requires an informed, impartial tribunal capable of administering justice promptly and efficiently according to procedures that command public confidence and respect. Not only must there be competent, adverse presentation of evidence and issues, but a tribunal must be aided by rules appropriate to an effective and dignified process. The procedures under which tribunals operate in our adversary system have been prescribed largely by legislative enactments, court rules and decisions, and administrative rules. Through the years certain concepts of proper professional conduct have become rules of law applicable to the adversary adjudicative process. Many of these concepts are the basis for standards of professional conduct set forth in the Disciplinary Rules.

EC 7-21 The civil adjudicative process is primarily designed for the settlement of disputes between parties, while the criminal process is designed for the protection of society as a whole. Threatening to use, or using, the criminal process to coerce adjustment of private civil claims or controversies is a subversion of that process; further, the person against whom the criminal process is so misused may be deterred from asserting his legal rights and thus the usefulness of the civil process in settling private disputes is impaired. As in all cases of abuse of judicial process, the improper use of criminal process tends to diminish public confidence in our legal system.
EC 7-22 Respect for judicial rulings is essential to the proper administration of justice; however, a litigant or his lawyer may, in good faith and within the framework of the law, take steps to test the correctness of a ruling of a tribunal.

EC 7-23 The complexity of law often makes it difficult for a tribunal to be fully informed unless the pertinent law is presented by the lawyers in the cause. A tribunal that is fully informed on the applicable law is better able to make a fair and accurate determination of the matter before it. The adversary system contemplates that each lawyer
will present and argue the existing law in the light most favorable to his client. Where a lawyer knows of legal authority in the controlling jurisdiction directly adverse to the position of his client, he should inform the tribunal of its existence unless his adversary has done so; but, having made such disclosure, he may challenge its soundness in whole or in part.

EC 7-24 In order to bring about just and informed decisions, evidentiary and procedural rules have been established by tribunals to permit the inclusion of relevant evidence and argument and the exclusion of all other considerations. The expression by a lawyer of his personal opinion as to the justness of a cause, as to the credibility of a witness, as the culpability of a civil litigant, or as to the guilt or innocence of an accused is not a proper subject for argument to the trier of fact. It is improper as to factual matters because admissible evidence possessed by a lawyer should be presented only as sworn testimony. It is improper as to all other matters because, were the rule otherwise, the silence of a lawyer on a given occasion could be construed unfavorably to his client. However, a lawyer may argue, on his analysis of the evidence, for any position or conclusion with respect to any of the foregoing matters.

EC 7-25 Rules of evidence and procedure are designed to lead to just decisions and are part of the framework of the law. Thus while a lawyer may take steps in good faith and within the framework of the law to test the validity of rules, he is not justified in consciously violating such rules and he should be diligent in his efforts to guard against his unintentional violation of them. As examples, a lawyer should subscribe to or verify only those pleadings that he believes are in compliance with applicable law and rules; a lawyer should not make any prefatory statement before a tribunal in regard to the purported facts of the case on trial unless he believes that his statement will be supported by admissible evidence; a lawyer should not ask a witness a question solely for the purpose of harassing or embarrassing him; and a lawyer should not by subterfuge put before a jury matters which it cannot properly consider.

EC 7-26 The law and Disciplinary Rules prohibit the use of fraudulent false, or perjured testimony or evidence. A lawyer who knowingly participates in introduction of such testimony or evidence is subject to discipline. A lawyer should, however, present any admissible evidence his client desires to have presented unless he knows, or from facts within his knowledge should know, that such testimony or evidence is false, fraudulent, or perjured.

EC 7-27 Because it interferes with the proper administration of justice, a lawyer should not suppress evidence that he or his client has a legal obligation to reveal or produce. In like manner, a lawyer should not advise or cause a person to secrete himself or to leave the jurisdiction of a tribunal for the purpose of making him unavailable as a witness therein.

EC 7-28 Witnesses should always testify truthfully and should be free from any financial inducements that might tempt them to do otherwise. A lawyer should not pay or agree to pay a non-expert witness an amount in excess of reimbursement for expenses and financial loss incident to his being a witness; however, a lawyer may pay or agree to pay an expert witness a reasonable fee for his services as an expert. But in no event should a lawyer pay or agree to pay a contingent fee to any witness. A lawyer should exercise reasonable diligence to see that his client and lay associates conform to these standards.

EC 7-29 To safeguard the impartiality that is essential to the judicial process, veniremen and jurors should be protected against extraneous influences. When impartiality is present, public confidence in the judicial system is enhanced. There should be no extrajudicial communication with veniremen prior to trial or with jurors during trial by or on behalf of a lawyer connected with the case. Furthermore, a lawyer who is not connected with the case should not communicate with or cause another to communicate with a venireman or a juror about the case. After the trial, communication by a lawyer with jurors is permitted so long as he refrains from asking questions or making comments that tend to harass or embarrass the juror or to influence actions of the juror in future cases. Were a lawyer to be prohibited from communicating after trial with a juror, he could not ascertain if the verdict might be subject to legal challenge, in which event the invalidity of a verdict might go undetected. When an extrajudicial communication by a lawyer with a juror is permitted by law, it should be made considerately and with deference to the personal feelings of the juror.

EC 7-30 Vexatious or harassing investigations of veniremen or jurors seriously impair the effectiveness of our jury system. For this reason, a lawyer or anyone on his behalf who conducts an investigation of veniremen or jurors should act with circumspection and restraint.

EC 7-31 Communications with or investigations of members of families of veniremen or jurors by a lawyer or by anyone on his behalf are subject to the restrictions imposed upon the lawyer with respect to his communications with or investigations of veniremen and jurors.

EC 7-32 Because of his duty to aid in preserving the integrity of the jury system, a lawyer who learns of improper conduct by or towards a venireman, a juror, or a member of the family of either should make a prompt report to the court regarding such conduct.

EC 7-33 A goal of our legal system is that each party shall have his case, criminal or civil, adjudicated by an impartial tribunal. The attainment of this goal may be defeated by dissemination of news or comments which tend to influence judge or jury. Such news or comments may prevent prospective jurors from being impartial at the outset of the trial and may also interfere with the obligation of jurors to base their verdict solely upon the evidence admitted in the trial. The release by a lawyer of out-of-court statements regarding an anticipated or pending trial may improperly affect the impartiality of the tribunal. For these reasons, standards for permissible and prohibited conduct of a lawyer with respect to trial publicity have been established.

EC 7-34 The impartiality of a public servant in our legal system may be impaired by the receipt of gifts or loans. A lawyer, therefore, is never justified in making a gift or a loan to a judge, a hearing officer, or an official or an employee of a tribunal which might reasonably be construed as being for the purpose of influencing his official actions.

EC 7-35 All litigants and lawyers should have access to tribunals on an equal basis. Generally, in adversary proceedings a lawyer should not communicate with a judge relative to a matter pending before, or which is to be brought before, a tribunal over which he presides in circumstances which might have the effect or give the appearance of granting undue advantage to one party. For example, a lawyer should not communicate with a tribunal by a writing unless a copy thereof is promptly delivered to opposing counsel or to the adverse party if he is not represented by a lawyer. Ordinarily an oral communication by a lawyer with a judge or hearing officer should be made only upon adequate notice to opposing counsel, or, if there is none, to the opposing party. A lawyer should not condone or lend himself to private importunities by another with a judge or hearing officer on behalf of himself or his client.

EC 7-36 Judicial hearings ought to be conducted through dignified and orderly procedures designed to protect the rights of all parties. Although a lawyer has the duty to represent his client zealously, he should not engage in any conduct that offends the dignity and decorum of proceedings. While maintaining his independence, a lawyer should be respectful, courteous, and aboveboard in his relations with a judge or hearing officer before whom he appears. He should avoid undue solicitude for the comfort or convenience of judge or jury and should avoid any other conduct calculated to gain special consideration.

EC 7-37 In adversary proceedings, clients are litigants and though ill feeling may exist between clients, such ill feeling should not influence a lawyer in his conduct, attitude, and demeanor towards opposing lawyers. A lawyer should not make unfair or derogatory personal reference to opposing counsel. Haranguing and offensive tactics by lawyers interfere with the orderly administration of justice and have no proper place in our legal system.

EC 7-38 A lawyer should be courteous to opposing counsel and should accede to reasonable requests regarding court proceedings, settings, continuances, waiver of procedural formalities, and similar matters which do not prejudice the rights of his client. He should follow local customs of courtesy or practice, unless he gives timely notice to opposing counsel of his intention not to do so. A lawyer should be punctual in fulfilling all professional commitments.

EC 7-39 In the final analysis, proper functioning of the adversary system depends upon cooperation between lawyers and tribunals in utilizing procedures which will preserve the impartiality of tribunals and make their decisional processes prompt and just, without impinging upon the obligation of lawyers to represent their clients zealously within the framework of the law.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 8

## A Lawyer Should Assist in Improving the Legal System

## DR 8-101 Action as a Public Official.

(A) A lawyer who holds public office shall not:
(1) Use his public position to obtain, or attempt to obtain, a special advantage in legislative matters for himself or for a client under circumstances where he knows or it is obvious that such action is not in the public interest.
(2) Use his public position to influence, or attempt to influence, a tribunal to act in favor of himself or of a client.
(3) Accept any thing of value from any person when the lawyer knows or it is obvious that the offer is for the purpose of influencing his action as a public official.

## DR 8-102 Statements Concerning Judges and Other Adjudicatory Officers.

(A) A lawyer shall not knowingly make false statements of fact concerning the qualifications of a candidate for election or appointment to a judicial office.
(B) A lawyer shall not knowingly make false accusations against a judge or other adjudicatory officer.

## Ethical Considerations

EC 8-1 Changes in human affairs and imperfections in human institutions make necessary constant efforts to maintain and improve our legal system. This system should function in a manner that commands public respect and fosters the use of legal remedies to achieve redress of grievances. By reason of education and experience, lawyers are especially qualified to recognize deficiencies in the legal system and to initiate corrective measures therein. Thus they should participate in proposing and supporting legislation and programs to improve the system, without regard to the general interests or desires of clients or former clients.

EC 8-2 Rules of law are deficient if they are not just, understandable, and responsive to the needs of society. If a lawyer believes that the existence or absence of a rule of law, substantive or procedural, causes or contributes to an unjust result, he should endeavor by lawful means to obtain appropriate changes in the law. He should encourage the simplification of laws and the repeal or amendment of laws that are outmoded. Likewise, legal procedures should be improved whenever experience indicates a change is needed.

EC 8-3 The fair administration of justice requires the availability of competent lawyers. Members of the public should be educated to recognize the existence of legal problems and the resultant need for legal services, and should be provided methods for intelligent selection of counsel. Those persons unable to pay for legal services should be provided needed services. Clients and lawyers should not be penalized by undue geographical restraints upon representation in legal matters, and the bar should address itself to improvements in licensing, reciprocity, and admission procedures consistent with the needs of modern commerce.

EC 8-4 Whenever a lawyer seeks legislative or administrative changes, he should identify the capacity in which he appears, whether on behalf of himself, a client, or the public. A lawyer may advocate such changes on behalf of a client even though he does not agree with them. But when a lawyer purports to act on behalf of the public, he should espouse only those changes which he conscientiously believes to be in the public interest.

EC 8-5 Fraudulent, deceptive, or otherwise illegal conduct by a participant in a proceeding before a tribunal or legislative body is inconsistent with fair administration of justice, and it should never be participated in or condoned by lawyers. Unless constrained by his obligation to preserve the confidences and secrets of his client, a lawyer should reveal to appropriate authorities any knowledge he may have of such improper conduct.
EC 8-6 Judges and administrative officials having adjudicatory powers ought to be persons of integrity, competence, and suitable temperament. Generally, lawyers are qualified, by personal observation or investigation, to evaluate the qualifications of persons seeking or being considered for such public offices, and for this reason they have a special responsibility to aid in the selection of only those who are qualified. It is the duty of lawyers to endeavor to prevent political considerations from outweighing judicial fitness in the selection of judges. Lawyers should protest earnestly against the appointment or election of those who are unsuited for the bench and should strive to have elected or appointed thereto only those who are willing to forego pursuits, whether of a business, political, or other nature, that may interfere with the free and fair consideration of questions presented for adjudication. Adjudicatory officials, not being wholly free to defend themselves, are entitled to receive the support of the bar against unjust criticism. While a lawyer as a citizen has a right to criticize such officials publicly, he should be certain of the merit of his complaint, use appropriate language, and avoid petty criticisms, for unrestrained and intemperate statements tend to lessen public confidence in our legal system. Criticisms motivated by reasons other than a desire to improve the legal system are not justified.

EC 8-7 Since lawyers are a vital part of the legal system, they should be persons of integrity, of professional skill, and of dedication to the improvement of the system. Thus a lawyer should aid in establishing, as well as enforcing, standards of conduct adequate to protect the public by insuring that those who practice law are qualified to do so.

EC 8-8 Lawyers often serve as legislators or as holders of other public offices. This is highly desirable, as lawyers are uniquely qualified to make significant contributions to the improvement of the legal system. A lawyer who is a public officer, whether full or part-time, should not engage in activities in which his personal or professional interests are or foreseeably may be in conflict with his official duties.

EC 8-9 The advancement of our legal system is of vital importance in maintaining the rule of law and in facilitating orderly changes; therefore, lawyers should encourage, and should aid in making, needed changes and improvements.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## CANON 9

## A Lawyer Should Avoid Even the Appearance of Professional Impropriety

DR 9-101 Avoiding Even the Appearance of Impropriety.
(A) A lawyer shall not accept private employment in a matter upon the merits of which he has acted in a judicial capacity.
(B) A lawyer shall not accept private employment in a matter in which he had substantial responsibility while he was a public employee.
(C) A lawyer shall not state or imply that he is able to influence improperly or upon irrelevant grounds any tribunal, legislative body, or public official.

## DR 9-102 Preserving Identity of Funds and Property of a Client.

(A) All funds of clients paid to a lawyer or law firm, other than advances for costs and expenses, shall be deposited in one or more identifiable bank accounts maintained in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:
(1) Funds reasonably sufficient to pay bank charges may be deposited therein.
(2) Funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, but the portion belonging to the lawyer or law firm may be withdrawn when due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.
(B) A lawyer shall:
(1) Promptly notify a client of the receipt of his funds, securities, or other properties.
(2) Identify and label securities and properties of a client promptly upon receipt and place them in a safe deposit box or other place of safekeeping as soon as practicable.
(3) Maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accounts to his client regarding them.
(4) Promptly pay or deliver to the client as requested by a client the funds, securities, or other properties in the possession of the lawyer which the client is entitled to receive.

## Ethical Considerations

EC 9-1 Continuation of the American concept that we are to be governed by rules of law requires that the people have faith that justice can be obtained through our legal system. A lawyer should promote public confidence in our system and in the legal profession.

EC 9-2 Public confidence in law and lawyers may be eroded by irresponsible or improper conduct of a lawyer. On occasion, ethical conduct of a lawyer may appear to laymen to be unethical. In order to avoid misunderstandings and hence to maintain confidence, a lawyer should fully and promptly inform his client of material developments in the matters being handled for the client. While a lawyer should guard against otherwise proper conduct that has a tendency to diminish public confidence in the legal system or in the legal profession, his duty to clients or to the public should never be subordinate merely because the full discharge of his obligation may be misunderstood or may tend to subject him or the legal profession to criticism. When explicit ethical guidance does not exist, a lawyer should determine his conduct by acting in a manner that promotes public confidence in the integrity and efficiency of the legal system and the legal profession.

EC 9-3 After a lawyer leaves judicial office or other public employment, he should not accept employment in connection with any matter in which he had substantial responsibility prior to his leaving, since to accept employment would give the appearance of impropriety even if none exists.

EC 9-4 Because the very essence of the legal system is to provide procedures by which matters can be presented in an impartial manner so that they may be decided solely upon the merits, any statement or suggestion by a lawyer that he can or would attempt to circumvent those procedures is detrimental to the legal system and tends to undermine public confidence in it.

EC 9-5 Separation of the funds of a client from those of his lawyer not only serves to protect the client but also avoids even the appearance of impropriety, and therefore commingling of such funds should be avoided.

EC 9-6 Every lawyer owes a solemn duty to uphold the integrity and honor of his profession; to encourage respect for the law and for the courts and judges thereof; to observe the Code of Professional Responsibility; to act as a member of a learned profession, one dedicated to public service; to cooperate with his brother lawyers in supporting the organized bar through the devoting of his time, efforts, and financial support as his professional standing and ability reasonably permit; to conduct himself so as to reflect credit on the legal profession and to inspire the confidence, respect, and trust of his clients and of the public; and to strive to avoid not only professional impropriety but also the appearance of impropriety.
[Adopted December 7, 1971, effective January 1, 1972. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]

## Definitions*

As used in the Disciplinary Rules of the Code of Professional Responsibility:
(1) "Differing interests" include every interest that will adversely affect either the judgment or the loyalty of a lawyer to a client, whether it be a conflicting, inconsistent, diverse, or other interest.
(2) "Law firm" includes a professional legal corporation.
(3) "Person" includes a corporation, an association, a trust, a partnership, and any other organization or legal entity.
(4) "Professional legal corporation" means a corporation, or an association treated as a corporation, authorized by law to practice law for profit.
(5) "State" includes the District of Columbia, Puerto Rico, and other federal territories and possessions.
(6) "Tribunal" includes all courts and all other adjudicatory bodies.
[Adopted Aug. 26, 1971, effective November 9, 1971. Prior: Canons of Professional Ethics, Adopted November 22, 1950, effective January 2, 1951.]
*" Confidence" and "secret" are defined in DR 4-101(A).

## ADMISSION TO PRACTICE RULES (APR)

(Formerly: Rules for Admission to Practice)
Rule
1 Classification of applicants
2 General applicants
A. Definitions
B. Qualifications
C. Time for filing applications and fees payable
D. Law clerks

3 Attorney applicants
A. Definition
B. Qualifications

4 Examinations
A. General applicant's examination-How conducted
B. Attorney applicant's examination
C. Examination-Failure

5 Certificate of results_-Admission oath__Payment of membership fee

6 Special investigations
7 Practice by members of bar from other jurisdictions prohibi-ted-Exception
A. In general
B. Indigent representation

8 Admission for educational purposes
9 Legal interns
A. Admission to limited practice as a legal intern
B. Application for limited license as a legal intern-Qualifica-tions-Procedure
C. Scope of practice by legal intern under the limited license
D. Supervising attorneys-Requirements
E. Term of limited license
F. Termination of this Rule

10 Revocation of order admitting to practice

TABLE OF DISTRIBUTION OF RULES FOR ADMISSION TO
PRACTICE IN EFFECT PRIOR TO FEBRUARY 12, 1965 INTO THE NEW ADMISSION TO PRACTICE RULES IN EFFECT ON AND AFTER FEBRUARY 12, 1965
(For order of adoption, see note following APR Rule 1)

## Old RAP <br> Number

Rule 1
Rule 2 A
Rule 2 B 1
Rule 2 B 2
Rule 2 B 3
Rule 2 B 4
Rule 2 B 5
Rule 2 B 6
Rule 2 B 7

Rule 2 C
Rule 2 D 1
Rule 2 D 2
Rule 2 D 3
Rule 2 D 4
Rule 2 D 5
Rule 2 D 6
Rule 2 D 7
Rule 3 A
Rule 3 B 1
Rule 3 B 2
Rule 3 B 3
Rule 3 B 4
Rule 3 B 5
Rule 3 B 6
Rule 3 B 7
Rule 3 B 8
Rule 3 B 9
Rule 3 B 10
Rule 3 B 11
Rule 4
Rule 5 A
Rule 5 B
Rule 5 C
Rule 5 D
Rule 5 E
Rule 6
Rule 7
Rule 8
Appendix
List of Approved
Law Schools

New APR
Number
Rule 1
Rule 2 A
Rule 2 B 1
Rule 2 B 2
None
Cf.Rule 5 B
Rule 2 B 3
Rule 2 B 4
Rule 2 B 5
Cf.Rule 2 C 1 and
Rule 2 C 2
Rule 2 C
Rule 2 D 1
Rule 2 D 2
Rule 2 D 3
Rule 2 D 4
None
Rule 2 D 5
Cf.Rule 2 C $1-$
Rule 2 C 3
Rule 3 A
Rule 3 B 1
None
Rule 3 B 2
Rule 3 B 3
Rule 3 B 4
Rule 3 B 5
Rule 3 B 6
Rule 3 B 7
Rule 3 B 8
Rule 3 B 9
Rule 3 B 10
Rule 4
Rule 5 A
Cf.Rule 5 B and
Rule 5 C
None
Cf.Rule 5 D and
Rule 5 E (1)
Rule 5 E (2)
Rule 6
Rule 7
Rule 8 and
Rule 2 D 6

[^13][By order of the Supreme Court dated May 5, 1967, and effective July 1, 1967, the Rules for Admission to Practice (RAP) were redesignated "Admission to Practice Rules (APR)".]

Rule 1 Classification of applicants. Every person desiring to be admitted to the bar of the State of Washington must pass a bar examination and satisfy all of the requirements of these Rules applicable to the classification of applicant to which he belongs.
For the purpose of these Rules, applicants for admission to practice in the State of Washington are classified either as "general applicants" or as "attorney applicants." [Adopted January 29, 1965, effective February 12, 1965. Prior: Adopted December 2, 1955, effective December 15, 1955.]

Order of Supreme Court adopting rules for admission to practice and abrogating former rules:
"The Supreme Court of the State of Washington, in conformity with its rule-making power, herewith abrogates the existing Rules for Admission to Practice Law in the State of Washington, as the same appear in RCW Vol. 0, as of the effective date of the new Rules for Admission to Practice Law in the State of Washington adopted herewith.
The attached Rules for Admission to Practice Law in the State of Washington (proposed by the Board of Governors of the Washington State Bar Association and modified in minor respects by this court) are herewith adopted effective as of the date of their publication in the Washington Decisions.

Dated at Olympia, Washington, this 29th day of January, 1965."
Reviser's note: "Rules for Admission to Practice" were redesignated as "Admission to Practice Rules," by order of the Supreme Court adopted May 5, 1967, effective July 1, 1967.

## Rule 2 General applicants.

## A. Definitions

A "general applicant" means either (1) a graduate of an approved law school who does not qualify as an attorney applicant under Rule 3, or (2) a registered law clerk who has satisfactorily completed the course of study prescribed by these Rules.

An "approved law school" means a law school approved by the board of governors. The board of governors shall keep a list of approved law schools on file with the State Bar Association and the Clerk of the Supreme Court.

## B. Qualifications

A general applicant, in order to be permitted to take the bar examination, must
(1) present satisfactory proof of either (a) graduation from an approved law school, or (b) satisfactory completion of the course of study prescribed for a registered law clerk by these Rules;
(2) Be either: (a) a citizen of the United States, or (b) an alien permanently residing in the United States in accordance with Federal Immigration and Naturalization Law who has legally declared his intent to become a citizen and is proceeding with due diligence toward naturalization;
(3) be of good moral character;
(4) execute under oath and file with the State Bar Association within the time specified in Section $C$ of this Rule 2, two copies of his application, one of which shall be in his own handwriting, in such form as may be required by the board of governors. Additional proof of any fact stated in the application may be required by the
board. In the event of the failure or refusal of an applicant to furnish any information or proof, or to answer any interrogatories of the board pertinent to the pending application, the board may deny the application. The form of application shall be provided by the board, and the contents thereof shall be such as the board may direct from time to time;
(5) pay, upon the filing of the application, an examination and admission fee in the amount prescribed in Section $C$ of this Rule 2 and also an investigation fee in the amount prescribed in Section C of this Rule 2. The investigation shall cover all phases of the applicant's qualifications for admission, as the board may deem necessary. No refund of any examination and admission fee shall be made unless the request to withdraw the application is made at least ten (10) days in advance of the examination date. The investigation fee is not subject to refund.

## C. Time for Filing Applications and Fees Payable

(1) A general applicant who has not been admitted to the bar in another state or territory prior to the filing of his application shall pay an examination and admission fee of twenty-five dollars (\$25), and all other general applicants shall pay an examination and admission fee of fifty dollars (\$50).
(2) A general applicant who has not been admitted to the bar anywhere in the world prior to the filing of his application, must file his application to take each bar examination not less than 30 days prior to the examination date, and pay an investigation fee of one hundred dollars (\$100). In the case of late filing the Board of Governors may, for good cause, reduce the time requirement for filing the application to take the bar examination.
(3) A general applicant who has been admitted to the bar anywhere in the world prior to the filing of his application, must file his application to take each bar examination:
(a) ninety days prior to the examination date if he is applying to take the Washington state bar examination for the first time, or
(b) thirty days in advance of the examination date in the case of a repeater.
In the case of late filing the Board of Governors may, for good cause, reduce the time requirement for filing the application to take the bar examination. Said general applicant shall pay at the time of filing his application an investigation fee of one hundred seventy-five dollars (\$175).

## D. Law Clerks

(1) Requisites

Every person who desires subsequently to qualify as a general applicant for admission to practice in the State of Washington, without having been graduated from an approved law school, shall register as a law clerk as hereinafter provided. He must be a bona fide resident of the State of Washington and shall present satisfactory proof that he has been granted a bachelor's degree (other than bachelor of laws) by a college or university offering such degree on the basis of a four-year course of study.

## (2) Registrations-Employment in Law OfficeApplication——Statement of Employer

Such applicant shall obtain regular and full-time employment as a law clerk in the office of a judge of a court of record or an attorney or firm of attorneys licensed to practice law in the State of Washington and engaged in the general practice of law. The person by whom he is employed, or if he be employed by a firm, the person under whose direction he is to study, must have been admitted to practice law in this state for at least ten (10) years at the time the application for registration is filed, and be otherwise eligible to act as tutor. Prior to the commencement of the study of law under this Rule 2 D the applicant shall file with the State Bar Association an application to register as a law clerk. Such application shall be made on a form to be provided by the State Bar Association and shall require answers to such interrogatories as the board may determine from time to time to be relevant to a consideration of the application. Proof of any fact stated in the application may be required by the board. If the applicant fails or refuses to furnish any information or proof or answer any interrogatory required by the application, or independently thereof by the Board, in a manner satisfactory to the board, the application may be denied.

Accompanying the application there must be submitted a statement under oath of the person by whom such applicant is employed as a law clerk, or, if he is employed by a firm, of the person under whose direction he is to study, certifying to the fact of such employment, and that such person will act as tutor for the applicant and will faithfully instruct the applicant in the branches of the law prescribed by the course of study adopted by the board of governors. No person shall be eligible to act as tutor while disciplinary proceedings (following the service of a formal complaint) are pending against him, or if he has ever been censured, reprimanded, suspended or disbarred. If a registered law clerk finds it necessary to change his tutor during his period of study, a new application for registration as a law clerk shall be required and such credit given for study under his prior tutor as the board may determine.

## (3) Course of Study ——How Pursued

A law clerk whose registration has been approved by the board must pursue a course of study for four (4) calendar years of at least forty-eight (48) weeks each year, with a minimum each week of thirty (30) hours of study (it being understood that the time actually spent in the performance of the duties of law clerk is to be considered as time spent in the study of law). The tutor must give personal direction regularly and frequently to the clerk, must examine him at least once a month on the work done in the previous month, and must certify monthly as to compliance with the requirements of subsections 3 and 4 of this Rule $D$.

The examinations shall be written and not oral, and shall be answered by the clerk without research or assistance during the examination. The monthly certificate of compliance submitted by the tutor shall be accompanied by the originals of all written examinations and answers thereto given during the period reported.

If the certificates, together with the required attachments be not filed timely in the office of the State Bar Association, no credit shall be given for any period of such default.

If a registered law clerk does not furnish evidence of completion of his law studies hereunder within a period of six years after registration, the board may cancel such registration.
(4) Course of Study_—Subjects_—Books

The course of study to be pursued by a registered law clerk shall cover subjects, and such text books, case books, and other material, as the board of governors may from time to time require.

## (5) Advanced Standing__Special Students

A registered law clerk who has attended either an approved or a nonapproved law school, may, in the discretion of the board, receive credit for work done and obtain advanced standing. In no event will credit be given for fractional parts of semesters or terms, or for correspondence school work.
(6) Change of Rules-Effect

This latest (1964) revision of these Rules shall not be retroactive as to a law clerk whose registration has been approved by the board of governors prior to the effective date of this revision. Each such person may complete his course of study in accordance with the rules in force at the time of his registration or enrollment and with the same effect as if said rules were still in force. [Amended November 16, 1973, effective January 1, 1974; Amended December 29, 1970, effective March 10, 1971; Amended September 18, 1968, effective September 28, 1968; Amended December 29, 1970, effective March 10, 1971; Amended June 26, 1968, effective August 1, 1968; Amended May 9, 1967; Amended June 25, 1965, effective May 9, 1967; Amended January 29, 1965, effective February 27, 1965. Prior: Adopted December 2, 1955, effective December 15, 1955.]

## Rule 3 Attorney applicants.

## A. Definition

An "attorney applicant" means an attorney who (1) has been in the active full time practice of law in a state or territory of the United States or a foreign country for a period of five years or more, or (2) has held a judicial position at least equal to a judge of the superior court of the State of Washington for a period of five years or more in a state or territory of the United States or a foreign country, or (3) has held a full time teaching position in an approved law school for a period of five years or more.

## B. Qualifications

To qualify as an attorney applicant for admission to practice law in the State of Washington, a person must
(1) satisfy the requirements of Rule $2 \mathrm{~B}(2)$;
(2) have been a bona fide resident of the State of Washington for a period beginning at least one hundred and eighty (180) days prior to the date of the examination;
(3) be of good moral character;
(4) execute under oath and file with the executive director of the State Bar Association
(a) not less than ninety (90) days prior to the examination date, if he is applying to take the Washington State Bar examination for the first time, or
(b) thirty (30) days in advance of each examination date, in the case of a repeater
two copies of his application, one of which shall be in his own handwriting, in such form as may be required by the board of governors. Additional proof of any fact stated in the application may be required by the board. In the event of the failure or refusal of an applicant to furnish any information or proof, or to answer any interrogatory of the board pertinent to the pending application, the board may deny the application. In the case of late filing, the board may, for good cause, reduce the time requirement for filing the application to take the bar examination;
(5) pay, upon the filing of each application, an examination and admission fee of fifty ( $\$ 50$ ) dollars plus an investigation fee of one hundred seventy-five (\$175) dollars. The investigation shall cover all phases of the applicant's qualifications for admission. No refund of any examination and admission fee shall be made unless the request to withdraw the application is made at least ten (10) days in advance of the examination date. The investigation fee is not subject to refund;
(6) have been admitted to practice in another state, territory of the United States or foreign country, where the common law of England exists as a basis of its jurisprudence, and where the requirements for admission are substantially equivalent to those of this state. The applicant shall submit with his application a certificate from the clerk or other officer of the highest court of record of such state, territory of the United States or foreign country, in which he has previously been admitted, or from the clerk of the court of such state, territory of the United States or foreign country, by which attorneys are admitted, under the seal of the court, showing that the applicant has been admitted to, and is entitled to, practice in such state, territory of the United States or foreign country, and the date of his admission;
(7) submit with his application satisfactory evidence that he has been actively and continuously engaged in the general private practice in such state, territory of the United States or foreign country, or has held a judicial position or full-time law-teaching position therein for a total period of at least five (5) years. Admission to practice and such continuous practice or the holding of a judicial position or full-time law-teaching position in two (2) or more states, territories of the United States or foreign countries for a total period of at least five (5) years, shall be equivalent to such admission and practice in one (1) state. The application of such applicant shall not be approved by the board of governors unless it shall be presented within a period of three (3) years from the termination of the period during which the applicant was actually engaged in such practice or was holding such judicial position or full-time law-teaching position: Provided, however, the board may in its discretion approve such application if a longer period has elapsed, upon a showing to the board that the occupation of the applicant during such intervening period was of such character as to keep the applicant in close relationship to the
practice of the law; and provided further that the aforesaid three-year period shall not be deemed to include the time necessarily taken in diligent effort to secure citizenship;
(8) submit with his application a certificate from the chief justice or other member of the court of the state in which he has previously been admitted to practice, under the seal of the court, certifying that the applicant is in good standing at the bar of the court and is an honorable and worthy member of the profession, and if the applicant comes from a place where there is a local bar association, he shall also submit a recommendation from the president and secretary of such association. If either of these certificates cannot be procured on account of lack of acquaintance or lack of existence of a local bar association, then the applicant may present in lieu thereof a certificate of the judge of the highest court of record in the county or counties within which such applicant was so engaged in practice or was holding such judicial or teaching position, and recommendations from at least three (3) members of the local bar of the county where he last practiced. If for sufficient reason the applicant cannot obtain any of the recommendations required, the board of governors may accept other satisfactory proof of his character and reputation. The certificates required by this subsection 8 of this Rule 3 B shall not be conclusive upon the board on the question of the moral or ethical fitness of the applicant, but the board shall in all cases have the right to make such further independent investigation as it may desire upon said questions. If, upon consideration of all the evidence in respect thereto, the board is of the opinion that the applicant does not possess such moral and ethical qualifications, or such character and reputation as is consistent with the standards of the profession, the application shall be rejected;
(9) present himself before the board of governors at such time and place as may be required, for oral examination as to his moral character and as to any other qualifications;
(10) after having satisfied the foregoing requirements, have passed the attorney's examination as prescribed in these Rules, and complied with the provisions concerning enrollment and fees prescribed herein. [Amd. June 4, 1976, eff. July 1, 1976; amd. March 5, 1971, eff. March 10, 1971; amd. December 29, 1970, eff. March 10, 1971; amd. September 18, 1968, eff. September 27, 1968; amd. June 26, 1968, eff. August 1, 1968; amd. January 29, 1965, eff. February 12, 1965. Prior: Adop. December 2, 1955, eff. December 15, 1955.]

## Rule 4 Examinations.

## A. General Applicant's Examination-—How Conducted

The general applicant's examination shall be conducted by and under the direction of the board of governors, who shall, for the purpose of conducting such examination, appoint a committee of three (3) or more active members of the state bar, and this committee shall be known as the committee of law examiners. The examination shall consist of such questions as the committee may select on such subjects as may be listed by the
committee and approved by the board of governors. The board shall furnish to this committee such clerical or other assistance as in the discretion of the board shall be deemed necessary. The State Bar Association shall certify to this committee, on or prior to the morning of the first day of each examination, the names of those whose applications for examinations have been approved by the board of governors. The committee of law examiners shall have charge of the conduct of such examination and shall, as soon as practicable, after the completion thereof, certify to the board of governors the grades of those who have taken the examination.

Examinations for admission to the bar will be held on the third Monday, Tuesday and Wednesday of January and July of each year, commencing at 9 a.m. or on such other dates and at such times as the board of governors may designate, at such location as the board of governors may designate.

## B. Attorney Applicant's Examination

Before being certified for admission, each attorney applicant must pass a written examination, which shall be conducted by the committee of law examiners and which shall be held on the third Monday of January and July of each year, commencing at 9 a.m. or on such other dates and at such times as the board of governors may designate, at such location as the board of governors may designate.
The examination shall consist of such questions as the committee may select on general law and on Washington procedure and Washington substantive, constitutional, and statutory law. The State Bar Association shall certify to the committee, on or prior to the morning of the examination, the names of those whose applications for examination have been approved by the board of governors. As soon as practicable after the completion of the examination, the committee of law examiners shall certify to the board of governors the grades of those who have taken the attorney's examination.

## C. Examination-—Failure

Any applicant failing to pass an examination which he or she takes may apply to take another examination, but after the third failure, no such applicant shall take any subsequent examination unless 11 months have elapsed since the date upon which the last preceding examination was taken. [Amended June 19, 1974, eff ective July 1, 1974; A mended January 29, 1965, effective February 12, 1965. Prior: Adopted December 2, 1955, effective December 15, 1955.]

Rule 5 Certificate of results--Admission oath—— Payment of membership fee. A. Upon completion of the examination and the receipt of the certificate from the committee of law examiners, the board of governors shall cause each applicant to be notified of the result of the examination and shall recommend to the supreme court of the State of Washington the admission or rejection of each applicant who has passed the examination.
B. No applicant shall be recommended to the Su preme Court for admission nor shall any applicant be permitted to take the oath of attorney unless he is then a resident of and domiciled in the State of Washington.

Applications for permission to take the bar examination must state the residence of the applicant at the time of application. Applicants who are not residents of the State of Washington at the time of taking the examination, shall submit to the Board as a prerequisite to the taking of the oath of attorney and being recommended for admission by the Board of Governors, an affidavit that he is a resident of and domiciled in the State of Washington.
C. In all cases the oath of attorney must be taken within one year from the date of the examination, except for good cause shown.
D. The recommendation of the board of governors to the court shall be accompanied by the successful candidates' applications for examination and any other documents deemed pertinent by the board. Such recommendation and all other documents and papers forwarded shall be kept by the clerk of the supreme court in a separate file and such file shall not be a public record. The supreme court may thereupon examine the recommendation and accompanying papers and make such order in each case as it deems advisable. Upon the request of the court, the board shall forward to the court the examination papers of, and all documents presented in connection with, any registration, whether for "clerkship" or "examination", and all papers in connection with the examination of such applicant.
E. The supreme court shall enter an order admitting to practice those applicants it deems qualified, conditioned upon such applicants
(1) taking, and filing with the clerk of the supreme court, the Oath of Attorney as provided herein, and
(2) paying to the Washington State Bar Association its membership fee for the current year.

Upon the entry of such order, the taking and filing of the oath, and payment of said annual membership fee, an applicant shall be enrolled as a member of the bar and shall be entitled to practice law in the State of Washington.
F. The Oath of Attorney must be taken before a court of record in the State of Washington sitting in open court, provided that in the event a successful applicant is outside the State of Washington and the chief justice is satisfied that it is impossible or impractical for him to take the oath below prescribed before a court of record of this state, the chief justice may, upon proper application setting forth all the circumstances designate the person authorized by law to administer oaths, before whom the applicant may appear and take said oath.
G. The oath which all applicants shall take is as follows:

## "OATH OF ATTORNEY

State of Washington, County of --.-.-.-.-., ss.
I, .-......-.-.-.-.-. do solemnly swear:

1. I am fully subject to the laws of the State of Washington and the laws of the United States and will abide by the same;
2. I will support the constitution of the State of Washington and the constitution of the United States;
3. I will abide by the Code of Professional Responsibility approved by the Supreme Court of the State of Washington;
4. I will maintain the respect due to the courts of justice and judicial officers;
5. I will not counsel, or maintain any suit, or proceeding, which shall appear to me to be unjust, or any defense except such as I believe to be honestly debatable under the law of the land, unless it be in defense of a person charged with a public offense; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;
6. I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval;
7. I will abstain from all offensive personalities, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged;
8. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice.

So help me God.

Subscribed and sworn to before me this day of ---------. 19...

Judge."
[Amended April 26, 1974, effective April 26, 1974; Amended December 29, 1970, effective March 10, 1971 ; Amended June 25, 1965, effective July 9, 1965; Amended January 29, 1965, effective February 12, 1965. Prior: Amended February 6, 1964; Adopted December 2, 1955, effective December 15, 1955.]

Rule 6 Special investigation. The board of governors may refer any application for admission, examination, or registration as a law clerk to any existing committee of the state bar association or to a special committee thereof for the purpose of investigating and making recommendations on any matter connected with said application. Any applicant for admission, examination, or registration as a law clerk may be required to appear before the board or any committee of the state bar association upon reasonable notice and submit to an examination touching any matter deemed by the board of governors relevant to a proper consideration of the pending application. Failure to appear before the board or any committee as directed shall be sufficient reason for rejection of the application. The board of governors shall have the power to issue subpoenas to compel the attendance of witnesses or the production of books or documents in connection with any such investigation. [Amended January 29, 1965, effective February 12, 1965. Prior: Adopted December 2, 1955, effective December 15, 1955.]

Rule 7 Practice by members of bar from other jurisdictions prohibited--Exception.

## A. In General.

(1) No person shall appear as attorney or counsel in any of the courts of this state, unless he is an active member of the state bar: Provided, that a member in good standing of the bar of any other state who is a resident of and who maintains a practice in such other state may, with permission of the court, appear as counsel in the trial of an action or proceeding in association only with an active member of the state bar, who shall be the attorney of record therein and responsible for the conduct thereof and shall be present at all court proceedings.
(2) Application to appear as such counsel shall be made to the court before whom the action or proceeding in which it is desired to appear as counsel is pending. The application shall be heard by the court after such notice to the adverse parties as the court shall direct; and an order granting or rejecting the application made, and if rejected, the court shall state the reasons therefor.
(3) No member of the state bar shall lend his name for the purpose of, or in any way assist in, avoiding the effect of this rule.

## B. Indigent Representation.

(1) A member in good standing of the bar of another state, while rendering service in either a Bar Association or governmentally sponsored Legal Services or Public Defender or similar program providing legal services to indigents, and solely in that capacity upon application and approval, may practice law and appear as counsel before the courts of this state in any action or proceeding, subject to the following limitations. Such member shall act only in association with an active member of the state bar, who shall be attorney of record therein and be responsible for the conduct thereof. In the case of a salaried or otherwise compensated attorney for the organization, the period of authorization shall be limited to one year, otherwise such authorization shall extend for the full period of volunteer service of an uncompensated part time attorney.
(2) Application to appear under the rules shall be made to the Supreme Court of the State of Washington and said applicant shall be subject to the Rules for Discipline of Attorneys and the Code of Professional Responsibility. The granting of an application shall be effective for the period of service provided in (1) above or until such time as the individual shall take and fail the Washington state bar examination, or until such time as the Supreme Court deems it necessary to terminate such privilege. [Amended March 31, 1975, effective July 1, 1975; Amended November 5, 1975, effective January 1, 1974; Amended January 29, 1965, effective February 12, 1965. Prior: Adopted December 2, 1955, effective December 15, 1955.]

Rule 8 Admission for educational purposes. Notwithstanding any provision of any other rule to the contrary, an attorney who has been regularly admitted to practice in another state or the District of Columbia and who is enrolled and in good standing as a post graduate student
or faculty member in a program of an approved law school of this state involving clinical work in the courts or in the practice of law which has been approved by the Board of Governors for the purposes of this rule, may, upon application to the Washington State Bar Association and without payment of fee, be admitted to the limited practice of law in this state for the period such applicant actively participates in said program and complies with the Canons of Professional Ethics. An applicant hereunder shall establish in the manner specified by the Board of Governors that he:
(1) Satisfy the requirements of Rule $2 B(2)$;
(2) Is of good moral character;
(3) Is admitted to practice in another state or the District of Columbia, and is in good standing as an attorney of such bar;
(4) Is enrolled and in good standing in such an approved program.

Upon approval of such application by the Board, the applicant shall take the oath of attorney and the Board shall recommend to the Supreme Court the admission of such applicant for the purposes herein stated; such oath, together with any other documents the Board deems pertinent, shall be sent to the Supreme Court which shall enter an appropriate order upon the limited admission of such applicant.

Practice of an applicant so admitted shall be limited to the clinical work of the particular approved course of study in which he is enrolled; no charge shall be made for any services so rendered. When such applicant ceases to actively participate in such program the dean of the law school shall immediately notify the $W$ ashington State Bar Association and the clerk of the court so that the right of the applicant to practice may be terminated of record. [Amended December 29, 1970, effective March 10, 1971; Adopted May 20, 1966, effective May 20, 1966.]

Reviser's note: Former Rule 8 captioned "Change of rules-Effect ${ }^{n}$ adopted December 2, 1955, effective December 15, 1955, was abrogated January 29, 1965, effective February 12, 1965. For later rule on this subject, see APR 2 (D) (6).

## Rule 9 Legal interns.

## A. Admission to Limited Practice as a Legal Intern.

Notwithstanding any provision of any other rule to the contrary, qualified law students, registered law clerks and graduates of approved law schools, upon application and approval in accordance with the requirements set forth in Rule 9B, may be admitted to the status of "legal intern" and may be granted a limited license to engage in the practice of law in any trial court of this state under the direction and supervision of an active member of the Washington State Bar Association who has been actively engaged in the practice of law in the State of Washington or elsewhere as a full-time occupation for at least three years at the time the application is filed. Such supervising and direction of the practice of a legal intern shall be in accordance with the requirements and limitations set forth in Rule 9D.
B. Application for Limited License as a Legal In-tern--Qualifications--Procedure.
(1) Qualifications-The applicant must:
(a) Be a student duly enrolled and in good academic standing at an approved law school with legal studies completed amounting to not less than two-thirds of a prescribed three-year course of study or five-eighths of a prescribed four-year course of study, and have the written approval of his law school dean or a person designated by such dean; or
(b) Be a registered law clerk in compliance with the provision APR 2(d) with not less than three-fourths of the prescribed four-year course of study completed and have the written approval of his tutor; or
(c) Be a graduate of an approved law school and submit satisfactory evidence thereof to the Washington State Bar Association.
(2) Procedure
(a) The applicant shall make his application on a form provided by the Washington State Bar Association, which shall conform to the requirements set forth in Rule 9B1. There shall be no fee for filing such application.
(b) The application shall give the name of the active member of the Washington State Bar Association who is to be the applicant's supervising attorney, as provided in Rule 9C. The application shall be signed by such active member who, in doing so, shall assume the responsibilities of supervising attorney set forth in Rule 9D if the applicant is granted a limited license as a legal intern. Such active member shall be relieved of such responsibilities upon the termination of such limited license or at such earlier time as he or the applicant shall give written notice to the Washington State Bar Association and the Supreme Court of the State of Washington requesting that such active member be so relieved. In the latter event another active member of the Bar may be substituted as such supervising attorney by giving written notice of such substitution, signed by the applicant and by such other active member, to the Washington State Bar Association and the Supreme Court of the State of Washington.
(c) Upon receipt of the application, the Washington State Bar Association shall endorse thereon its approval or disapproval and forward the same to the Supreme Court of the State of Washington.
(d) The Supreme Court of the State of Washington shall issue or refuse the issuance of a limited license as a legal intern. The Court's decision shall be forwarded to the Washington State Bar Association, and the applicant shall be informed of the Court's decision.

## C. Scope of Practice by Legal Intern Under the Limited License.

A legal intern shall be authorized to engage in the practice of law, including appearance in the trial courts of this state in civil and criminal matters, as limited by the provisions of this Rule 9.

## D. Supervising Attorneys--Requirements.

(1) The supervising attorney shall maintain direction and supervision over the work of the legal intern and shall assume personal professional responsibility for any
work undertaken by the legal intern while under his supervision. All pleadings, motions, briefs, and other documents prepared by the legal intern shall be reviewed by the supervising attorney or an attorney from the same office as the supervising attorney. When a legal intern signs any legal document, his signature shall be followed by the title "legal intern" and, if the document is prepared for presentation to a court or for filing with the clerk thereof, the document shall also be signed by the supervising attorney or an attorney from the same office as the supervising attorney.
(2) Supervision shall not require that the supervising attorney be present in the room while the legal intern is advising or negotiating on behalf of a person referred to him by the supervising attorney, or while the legal intern is preparing the necessary pleadings, motions, briefs, or other documents.
(3) The supervising attorney need not be present in the courtroom during the legal intern's appearance in matters before and cases tried in a trial court from the judgment of which there is a right of trial de novo on appeal, except in the representation of a defendant in preliminary criminal hearings. However, if the supervising attorney or an attorney from the same office as the supervising attorney is present, the legal intern may appear in the representation of a defendant in preliminary criminal hearings.
(4) A legal intern may not appear in any superior court proceeding without the presence of the supervising attorney or an attorney from the same office as the supervising attorney except in ex parte matters and other non-contested cases.
(5) A judge may exclude a legal intern from active participation in proceedings before the court in the interest of orderly administration of justice or for the protection of a client or witness, and shall thereupon grant a continuance to secure the attendance of the supervising attorney.
(6) No supervising attorney shall have supervision over more than one (1) legal intern at any one time; however, in the case of recognized legal aid, legal assistance, public defender and similar programs furnishing legal assistance to indigents, or of state, county or municipal legal departments, the supervising attorney may have supervision over two (2) legal interns at one time.
(7) No legal intern may receive payment from a client for his services; however, nothing contained herein shall prevent a legal intern from being paid for his services by his employer or to prevent his employer from making such charges for the service of the legal intern as may otherwise be proper.
(8) Without prior approval of the Board of Governors of the Washington State Bar Association, no person shall be eligible to act as a supervising attorney while disciplinary proceedings (following the service of a formal complaint) are pending against him, or if he has ever been censured, reprimanded, suspended or disbarred.
(9) For purposes of the provisions of this Rule 9D which permit an attorney from the same office as the supervising attorney to sign documents or be present
with a legal intern during court appearances, the attorney so acting must be one who meets all of the qualifications for becoming a supervising attorney under this Rule 9.

## E. Term of Limited License.

(1) A limited license as a legal intern shall not be granted for a period in excess of twelve (12) months, and may be renewed only once.
(2) In no event shall any law school student or graduate be licensed as a legal intern if application is made more than nine (9) months after graduation from law school. In no event shall any registered law clerk be licensed as a legal intern if application is made more than nine (9) months after completion of his law studies under APR 2(d). No legal intern shall be permitted to practice beyond a date twelve (12) months after graduation from law school or completion of law studies under APR 2(d) or beyond a date when the results are announced of the second Washington State Bar exam taken by the legal intern, whichever date first occurs. The time period set forth in this paragraph shall not include periods of active military service following graduation from law school or the completion of law studies under APR 2(d).
(3) The approval given to a law student by his law school dean or his designee may be withdrawn at any time by mailing notice to that effect to the Clerk of the Supreme Court and to the Washington State Bar Association, and shall be withdrawn if the student ceases to be duly enrolled as a student prior to his graduation or ceases to be in good academic standing. The approval given to a registered law clerk by a tutor shall be withdrawn if the law clerk ceases to comply with APR 2(d).
(4) A limited license is granted at the sufferance of the Supreme Court of the State of Washington and may be revoked at any time upon the Court's own motion, or upon the motion of the Board of Governors of the Washington State Bar Association, in either case with or without stated cause.
F. Termination of this Rule. This rule shall expire on December 31, 1976, unless continued by order of the Supreme Court. [Amended September 26, 1973, effective December 31, 1973; Amended February 29, 1972, effective February 29, 1972; Amended May 21, 1971, effective May 21, 1971; Adopted June 4, 1970, effective June 4, 1970.]

Rule 10 Revocation of order admitting to practice. The order admitting to practice an applicant under Rule 2B(2) (b) may be revoked by the Supreme Court, upon the recommendation of the Board of Governors, for failure of the applicant to proceed with due diligence in completing his naturalization process. [Adopted December 29, 1970, effective March 10, 1971.]

## DISCIPLINE RULES FOR ATTORNEYS (DRA)

Table of Rules

## I. GROUNDS FOR DISCIPLINARY ACTION <br> Rule <br> 1.1 Grounds <br> 1.2 Sanctions <br> II. PROCEDURE <br> Rule <br> 2.1 Local Administrative Committee <br> 2 Trial Committee <br> Hearing Panel <br> Disciplinary Board <br> State Bar Counsel <br> Respondent Attorney <br> Complainant

DISCIPLINARY PROCEEDINGS
Rule
Pleadings
Hearings
Stipulation

## INCOMPETENCY OR INCAPACITY TO PRACTICE LAW


4.1 Transfer to Inactive Status

2 Reinstatement to Active Status
.3 Effect of Incompetency on Pending Disciplinary Proceedings
4 Appointment of Counsel to Protect Clients' Interests

## V. REVIEW BY THE BOARD

Rule
5.1 Notices

Statement in Support or Opposition
Additional Hearing
Board Review
Transcript of the Record
Board Action
REVIEW BY THE SUPREME COURT
Rule
6.1 Notification of Filing
6.2 Objections by Respondent Attorney
6.3 Answer of the Bar Association
6.4 Reply of Respondent Attorney
6.5 Hearing
6.6 Opinion
6.7 Disbarred or Suspended Attorneys
VII. COSTS

Rule
7.1 Costs and Expenses
7.2 Supreme Court Expenses
7.3 Termination of Suspension

VIII. REINSTATEMENT AFTER DISBARMENT<br>Rule<br>8.1 Restrictions Against Petitioning<br>8.2 Form of Petition<br>8.3 Fees<br>8.4 Investigation<br>8.5 Hearing Before the Board of Governors<br>8.6 Action by the Board of Governors<br>7 Action on Supreme Court's Determination

IX. SUSPENSION

Rule
9.1 Suspension for Conviction of a Felony
9.2 Suspension During Pendency of Disciplinary Proceedings

## X. SUSPENSION FOR CUMULATIVE DISCIPLINE

Rule
10.1 Criteria
10.2 Procedure
XI. GENERAL PROVISIONS

Rule
11.1 Definitions
11.2 Papers
11.3 Filing


TABLE OF DISTRIBUTION OF RULES FOR DISCIPLINE OF ATTORNEYS IN EFFECT

PRIOR TO JULY 16, 1965,
INTO THE NEW DISCIPLINE RULES
FOR ATTORNEYS IN EFFECT
ON AND AFTER JULY 16, 1965
(For order of adoption, see note
following DRA Rule 1.1)

| Old RDA <br> Number | New DRA <br> Number |
| :--- | :--- |
| Rule 1 | Rule III |
| Rule 2 | Rule IV |
| Rule 3 | Rule V |
| Rule 4 | Rule VI |
| Rule 5 | Rule VII |
| Rule 6 | Rule VIII |
| Rule 7 | Rule IX |
| Rule 8 | Rule X |
| Rule 9 | Rule XII |
| Rule 10 | Rule XIII |
| Rule 11 | Rule XV |

[By order of the Supreme Court dated May 5, 1967, and effective July 1, 1967, the Rules for Discipline of Attorneys (RDA) have been redesignated as "Discipline Rules for Attorneys (DRA)."]

## I. GROUNDS FOR DISCIPLINARY ACTION

Rule
1.1 Grounds.
1.2 Sanctions.

Rule 1.1 Grounds. An attorney at law may be subjected to the disciplinary sanctions or actions set forth in Rule 1.2 for any of the following causes, hereinafter sometimes referred to as violations of the rules of professional conduct:
(a) The commission of any act involving moral turpitude, dishonesty, or corruption, whether the same be committed in the course of his or her conduct as an attorney, or otherwise, and whether the same constitutes a felony or misdemeanor or not; and if the act constitutes a felony or misdemeanor, conviction thereof in a criminal proceeding shall not be a condition precedent to disciplinary action. Upon such conviction, however, the judgment and sentence shall be conclusive evidence at the ensuing disciplinary hearing of the guilt of the respondent attorney of the crime described in the indictment or information, and of his or her violation of the statute upon which it is based. A disciplinary hearing as provided in Rule 3.2 of these rules shall be had to determine, (1) whether moral turpitude was in fact an element of the crime committed by the respondent attorney and, (2) the disciplinary action recommended to result therefrom.
(b) Wilful disobedience or violation of a court order directing him or her to do or cease doing an act which he or she ought in good faith to do or forbear.
(c) Violation of his or her oath or duties as an attorney.
(d) Wilfully appearing without authority as an attorney for a party to an action or proceeding.
(e) Permitting his or her name to be used as an attorney by another person who is not an attorney authorized to practice law in the state of Washington.
(f) Misrepresentation or concealment of a material fact made in his or her application for admission to the bar or admission to the bar examination or reinstatement or in support thereof.
(g) Suspension, disbarment or other disciplinary sanction by competent authority in any state, federal or foreign jurisdiction.
(h) Practicing law with or in cooperation with a disbarred or suspended attorney, or maintaining an office for the practice of law in a room or office occupied or used in whole or in part by a disbarred or suspended attorney, or permitting a disbarred or suspended attorney to use his or her name for the practice of law, or practicing law for or on behalf of a disbarred or suspended attorney, or practicing law under any arrangement or understanding for division of fees or compensation of any kind with a disbarred or suspended attorney, or with any person not authorized to practice law.
(i) Violation of the Code of Professional Responsibility of the profession adopted by the Supreme Court of the State of Washington.
(j) Wilful violation of Rule 2.6 , Rule $3.2(\mathrm{k})$, wilful disregard of the subpoena or notice of a Local Administrative Committee, Hearing Panel, State Bar Counsel, Disciplinary Board, or Board of Governors of the Association, wilful disregard of a restraining order issued pursuant to Rule $2.5(\mathrm{~b})(3)$, wilful disregard of a stipulation approved pursuant to Rule 3.3 , wilful failure to cooperate with an attorney appointed pursuant to Rule 4.4 , or the making of a false statement under oath in any document filed with the Association.
(k) Conduct demonstrating unfitness to practice law.
(l) Engaging in the practice of law while on inactive status. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 1.2 Sanctions. The disciplinary sanctions or actions affecting the status of an attorney are censure, reprimand, suspension disbarment or transfer to inactive status. [Adopted January 21, 1975, effective February 3, 1975.]

Order of Supreme Court adopting rules for discipline of attorneys and superseding prior rules:

The Board of Governors of the Washington State Bar Association having recommended a complete revision of the DRA to update and provide the Association with the organization and procedures to efficiently discharge its functions; and
The proposed DRA having been distributed to the members of the Bench and Bar for comment; and

The court having reviewed the proposal and the comments received from the Bench and Bar and having made such changes as were considered desirable; Now, therefore,

## IT IS HEREBY ORDERED:

a. The existing DRA is superseded by the DRA attached hereto except as to pending matters heard by a trial committee. Such pending matters shall be completed under the DRA in effect at the time of the hearing by the trial committee, and
b. The revised DRA shall be published expeditiously in the Washington Reports and shall become effective on February 3, 1975.

DATED at Olympia, Washington this 21st day of January, 1975.
Order of Supreme Court adopting rules for discipline of attorneys and superseding prior rules:
"WHEREAS, the Board of Governors of the Washington State Bar Association has recommended to the Supreme Court for adoption the attached Discipline Rules for Attorneys, and the Court having considered the proposed Rules; it is hereby

ORDERED that the existing Discipline Rules for Attorneys are superseded by the Discipline Rules for Attorneys attached hereto and by reference made a part hereof; and

It is further ORDERED that the attached rules be published expeditiously in the Washington Decisions with notification that criticism, comment or objection be received in the office of the Clerk of the Supreme Court by June 18, 1969 for the purpose of consideration and evaluation by the Supreme Court; and

It is further ORDERED that the attached rules will become effective on July 1, 1969, subject to such revision or modification as is made by the Supreme Court prior thereto, and

It is further ORDERED that disciplinary proceedings wherein the formal complaint has been served on the respondent prior to July 1, 1969 shall continue to be governed by and disposed of under the presently existing rules.

Dated at Olympia, Washington this 12th May, 1969."
Order of Supreme Court adopting rules for discipline of attorneys and abrogating former rules: "The Supreme Court of the State of Washington in conformity with its rule-making power herewith abrogates the existing Rules for Discipline of Attorneys in the State of Washington as the same appear in RCW Vol. 0 as of the effective date of the new Rules for Discipline of Attorneys in the State of Washington adopted herewith, except as to proceedings then pending before the Board of Governors of the Washington State Bar Association, or before the Supreme Court of the State of Washington.
The attached Rules for Discipline of Attorneys (proposed by the Board of Governors of the Washington State Bar Association and modified in minor respects by this court) are herewith adopted, effective as of the date of their publication in the Washington Decisions.

Dated at Olympia, Washington this 25th day of June, 1965."
Reviser's note: By order of the Supreme Court dated May 5, 1967, and effective July 1, 1967, the Rules for Discipline of Attorneys (RDA) have been redesignated as "Discipline Rules for Attorneys (DRA)."

## II. PROCEDURE

Rule
2.1 Local Administrative Committee.
(a) Appointment.
(b) Term of Office.
(c) Duties.
(d) Perpetuation of Testimony.
(e) Authority.
(f) Special Circumstances.
(g) Matters Involving Related Pending Civil or Criminal Litigation.
2.2 Trial Committee.
(a) Appointment.
(b) Term of Office.
2.3 Hearing Panel.
(a) Hearing Panel.
(b) Authority and Duties of Hearing Panel.
(c) Disagreement.
2.4 Disciplinary Board.
(a) Membership.
(b) Term of Office.
(c) Continuity.
(d) Chairperson.
(e) Vacancies.
(f) Responsibilities.
2.5 State Bar Counsel.
(a) Appointment and Duties.
(b) Discovery Prior to Formal Complaint.
2.6 Respondent Attorney.
2.7 Complainant.

## Rule 2.1 Local administrative committee.

(a) Appointment. The board of Governors shall appoint a Local Administrative Committee consisting of three or more members in each county or district as herein defined. The Board of Governors may create districts consisting of two or more counties, a portion of one or more counties, or one or more counties and a portion of one or
more counties. These Committees shall be known as "Local Administrative Committee of .-......... County (or ----...-. District). ${ }^{n}$ All members of the Local Administrative Committees shall be chosen by the Board of Governors from the active members of the Association whose residences are in the county or district for which they are appointed and who have been admitted to practice not less than 5 years.
(b) Term of Office. The members of the Local Administrative Committees shall serve at the pleasure of the Board of Governors. The Board of Governors shall designate each year one member of each Local Administrative Committee to serve as chairperson thereof for 1 year or until his or her successor is appointed. Members heretofore appointed by the Board of Governors shall continue to serve until replaced.
(c) Duties. It shall be the duty of a Local Administrative Committee to:
(1) Take cognizance of any alleged or apparent violation of the rules of professional conduct coming to its attention, whether by complaint or otherwise, to investigate the same promptly and to submit a report to the Board within 30 days from the date the matter first came to the attention of such committee, unless the time is extended by said Board.
(2) Initiate Reports.
(i) Reports shall be in such form and pursuant to such procedures as may from time to time be prescribed by the Board.
(ii) Reports made by Local Administrative Committees shall form a part of the permanent records of the Association and may be used as a basis for the commencement of disciplinary proceedings.
(d) Perpetuation of Testimony. Where, in the discretion of a Local Administrative Committee or State Bar Counsel, there is reasonable cause to believe that testimony should be perpetuated, the Committee may, upon reasonable notice to the attorney investigated, cause the deposition of any witness to be taken under oath before a notary public or before any other officer authorized by the law of the jurisdiction where the deposition is taken to administer an oath, and have the same transcribed for use in any further proceedings under these rules to which the said attorney may be a party. Save as in this paragraph specifically provided, proceedings before a Local Administrative Committee shall be informal and witnesses need not be sworn.
(e) Authority.
(1) Trivial Matters. The committee shall have power conditionally to settle and dispose of complaints of a trivial nature; provided, that a complete report of the disposition of each such complaint shall be made to the Board; upon filing of such written report with the Board such conditional disposition shall be deemed conclusive unless the Board acts otherwise within 60 days from receipt of such report.
(2) Settlement, Compromise or Restitution. Settlement of, compromise of, or restitution in a matter shall not justify the committee in failing to undertake or
complete its investigation and report thereon to the Board.
(f) Special Circumstances. The Board, in lieu of referring a matter to a Local Administrative Committee for investigation, in its discretion may:
(1) Appoint a special committee composed of Local Administrative Committee members from more than one county or district to conduct an investigation; or
(2) Refer a complaint to bar counsel or bar staff for investigation; or
(3) Direct the filing of a formal complaint without investigation.
(g) Matters Involving Related Pending Civil or Criminal Litigation.
(1) Processing of complaints involving material allegations which are substantially similar to the material allegations of pending criminal or civil litigation may be deferred when authorized by the board. In such event, the respondent attorney shall make all reasonable efforts to obtain the prompt trial and disposition of such pending litigation.
(2) The acquittal of the respondent attorney on criminal charges or a verdict or judgment in his or her favor in a civil litigation involving substantially similar material allegations shall not in and of itself justify abatement of a disciplinary investigation predicated upon the same material allegations. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 2.2 Trial committee.

(a) Appointment. The Board of Governors shall appoint a Trial Committee consisting of three or more members in each county or special district as herein defined. The Board of Governors may create special districts consisting of two or more counties, a portion of one or more counties, or one or more counties and a portion of one or more counties. Those committees shall be known as "Local Trial Committee of
County (or .-........- Special District)." All members of Local Trial Committees shall be chosen by the Board of Governors from the active members of the Association whose residences are in the county or special district for which they are appointed, and who have been active members of the Association for at least 5 years.
(b) Term of Office. The members of the Local Trial Committees shall serve at the pleasure of the Board of Governors; provided, however, that any member designated to serve on a Hearing Panel shall continue as a member of the Local Trial Committee until the completion of his or her duties as a member of such Hearing Panel. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 2.3 Hearing panel.

(a) Hearing Panel. Each disciplinary matter referred for hearing shall be heard by a Hearing Panel appointed by the chairperson of the Board. A Hearing Panel shall consist of either one or three members, as determined by said chairperson. The Panel may be composed of not more than one attorney member from the Board, not
more than one member from the Local Trial Committee of the county or special district where the respondent attorney had his or her residence at the time of the alleged violation of the rules of professional conduct, and one or more members from trial committees elsewhere in the state. In the event the Panel consists of more than one member, the chairperson of the Board shall designate a chairperson of that Panel to conduct the hearing. The Board may direct a hearing which has been assigned to a Panel in one county or special district to be transferred to another county or special district or to a special Panel appointed by the chairperson of the Board.
(b) Authority and Duties of Hearing Panel. It shall be the duty of the Panel to whom a cause has been referred for hearing to conduct the hearing in the manner hereinafter provided. The Panel chairperson shall pass on all questions of procedure and admission of evidence. The Panel shall make its findings of fact, conclusions of law and recommendation, submitting them to the Board together with all pleadings, documents and exhibits in accordance with Rule 3.2(1).
(c) Disagreement. In the event of disagreement the dissenting member shall file independent findings, conclusions and recommendation within 15 days after the time provided for in Rule 3.2(1). [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 2.4 Disciplinary board.

(a) Membership.
(1) Composition. The Board shall be comprised of two lay members appointed by the Supreme Court and one attorney member from each congressional district in the state of Washington. Attorney members shall be appointed by the Board of Governors. Each member, whether lay or attorney, shall have one vote.
(2) Qualification. Lay members must be residents of the state of Washington. Attorney members must have been active members of the Washington State Bar Association for at least 10 years and their residences must be in the congressional district from which they are appointed.
(3) Quorum. Five or more members shall constitute a quorum. Given a quorum, the concurrence of a majority of those present shall constitute the action of the Board.
(b) Term of Office. The term of office for all members of the Board shall be 3 years. Members may not serve consecutive terms.
(c) Continuity. Notwithstanding the expiration of the term of office of a member of the Board, he or she shall have the authority to act in any matter assigned to him or her prior to the expiration of his or her term.
(d) Chairperson. The Board of Governors shall designate one member of the Board to act as its chairperson and another as its vice chairperson. The chairperson shall have duties and powers as are specified in the Discipline Rules for Attorneys, and shall preside at Board meetings. The vice chairperson shall serve in the absence or at the request of the chairperson.
(e) Vacancies. Vacancies in attorney membership on the Board and in the office of the chairperson and vice chairperson shall be filled by the Board of Governors. Vacancies in lay membership shall be filled by the Supreme Court.

## (f) Responsibilities.

(1) General. The Board shall have the powers and duties provided in these Discipline Rules for Attorneys, together with those delegated to it in writing by the Board of Governors.
(2) Specific. The Board shall review all reports or allegations of violations of the rules of professional conduct or matters within the purview of Rules 4.1-.4 and take such action pursuant to these Discipline Rules for Attorneys as it deems appropriate.
(3) Letter of Admonition. Where it appears to the Board that, even if the findings of the Local Administrative Committee or bar staff were true, the misconduct charged is not of sufficient magnitude to warrant a trial, the Board, in its discretion, may dismiss the complaint and send the attorney a letter of admonition warning against such conduct in the future. Such a letter shall not constitute a finding of misconduct.
(4) Division of Authority. The Board of Governors shall have no right or responsibility to review decisions or recommendations of Hearing Panels or of the Board in specific disciplinary matters. It shall, however, have the responsibility generally for the proper functioning of the Local Administrative Committees, Trial Committees, the Disciplinary Board, the bar staff, and bar counsel. Any publicity with reference to pending disciplinary proceedings shall be released only through the Board of Governors.
(5) Meetings. The Board shall hold at least eight meetings a year at such times and places as it may determine. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 2.5 State bar counsel.

(a) Appointment and Duties. The Executive Director of the State Bar Association under the direction of the Board of Governors shall employ a suitable person or persons from among the members of the Association to act as counsel for the Association with respect to matters of discipline and reinstatement of members, including the investigations, hearings and appeals incident thereto, and to perform such other duties as shall be required by the Executive Director or the Board. He shall not participate in post-hearing deliberations of either the hearing panel or of the Board.
(b) Discovery Prior to Formal Complaint. Where bar counsel deems it advisable to utilize discovery procedures with regard to the attorney being investigated or a witness, prior to the filing of a formal complaint, he or she may do so.
(1) Procedure. All such proceedings shall be in conformity with the Superior Court Civil Rules.
(2) Subpoenas. A member of the Board or State Bar Counsel shall have the power to issue subpoenas to compel the attendance of the attorney being investigated or of a witness, or the production of books or documents at
the taking of such depositions. Subpoenas shall be served in the same manner as in civil cases in the Superior Court.
(3) Show Cause-Restraining Proceedings. In addition to and supplemental of the existing Superior Court Civil Rules, the Board or Hearing Panel may, by and through Bar Counsel, for good cause shown and supported by affidavit, require the respondent attorney to appear, together with such records or data as the Board or Hearing Panel may require, and to show cause why said respondent attorney should not be proceeded against as provided for in Rule 9.2 herein or be restrained, pendente lite, upon such terms and conditions as the Board or Hearing Panel may determine. No bond or other security or undertaking shall be required in such proceeding. Notice shall be by personal service; however, in the event that, and upon affidavit by Bar Counsel that said attorney cannot be then found, notice by mail, postage prepaid, to the last known address of said attorney on file with the Bar Association shall be deemed sufficient. The time for said notice shall be not less than 5 days. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 2.6 Respondent Attorney.

Responsibility. It shall be the duty and the obligation of an attorney who is the subject of a disciplinary investigation to cooperate with the Local Administrative Committee, State Bar Counsel or bar staff as requested, subject only to the proper exercise of his privilege against self-incrimination where applicable, by:
(a) Furnishing any papers or documents;
(b) Furnishing in writing a full and complete explanation covering the matter contained in such complaint; and
(c) Appearing before the Committee at the time and place designated. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 2.7 Complainant.

Duties of Complainant. Upon request, the person complaining shall furnish to the Local Administrative Committee, the bar staff, or State Bar Counsel documentary and other evidence in his or her possession and the names and addresses of witnesses, and assist in securing evidence in relation to the facts charged. [Adopted January 21, 1975, effective February 3, 1975.]

## III. DISCIPLINARY PROCEEDINGS

Rule
3.1 Pleadings.
(a) Pleadings.
(b) Formal Complaint.
(c) Form of Notice to Answer.
(d) Answer.
(e) Miscellaneous.
(f) Service.
3.2 Hearings.
(a) Where Held.
(b) Date of Hearing.
(c) Postponement.
(d) Representation.
(e) Disqualification.
(f) Default.
(g) Public Excluded from Hearing.
(h) Procedure.
(i) Depositions.
(j) Discovery; Admissions; Inspectioń of Documents.
(k) Cooperation.
(l) Findings; Conclusions and Recommendations.
3.3 Stipulation.
(a) Form.
(b) Stipulation Approved.
(c) Stipulation Not Approved.

## Rule 3.1 Pleadings.

(a) Pleadings. The only pleadings permissible upon proceedings before a Panel are a formal complaint, a notice to answer, answer to complaint, and motions to make more definite and certain or in the alternative for a bill of particulars. Informality in the complaint or answer shall be disregarded.
(b) Formal Complaint. If the Board finds a hearing should be had to determine whether a violation of the rules of professional conduct has occurred, a formal complaint shall be prepared and filed in the office of the Association and proceedings shall be had thereon as hereinafter provided. The formal complaint, which need not be verified, shall set forth the particular acts or omissions of the respondent attorney in such detail as to enable him or her to know the charge against him or her and shall be signed by State Bar Counsel or the Executive Director of the Washington State Bar Association.
(1) Prior Record a Separate Count. Prior disciplinary proceedings and complaints against the respondent attorney, excluding dismissals after a hearing before a hearing panel, shall be made a separate count of the complaint if they indicate conduct demonstrating unfitness to practice law.
(2) Prior Record as Professional History. If a prior record of the respondent attorney is not made a separate count of the complaint, any prior record of censure, reprimand, suspension of further proceedings, suspension or disbarment, or any absence of such record, shall be made a part of the record prior to the recommendations of the Hearing Panel to the Board.
(3) Joinder of Charges. The Board in its discretion may consolidate for hearing two or more charges as to the same attorney, or may join the charges as to two or more attorneys in one formal complaint.
(4) Commencement of Proceedings. A disciplinary proceeding shall be deemed commenced when the formal complaint has been filed in the office of the Association as provided by these rules.
(5) Procedural Irregularity: No technical irregularity shall affect the validity of such complaint or of any proceeding pursuant thereto.
(c) Form of Notice to Answer. The notice to answer shall be substantially in the following form:

## STATE OF WASHINGTON <br> BEFORE THE DISCIPLINARY BOARD OF THE WASHINGTON STATE BAR ASSOCIATION

In re -.-....-.-., An Attorney at Law: Notice to Answer To the above named attorney at law:

You are notified that a formal complaint has been filed against you, a copy of which is hereto attached and herewith served upon you.

You are notified that you may answer said complaint by filing the original and two copies of your answer in the office of the Washington State Bar Association, at the address below stated. If the complaint was served upon you personally in the state of Washington you may have 10 days, from the date of service, exclusive of the date of service, in which to answer. If the complaint was served upon you in any other manner, or outside the state of Washington, or mailed to you, then you may have 15 days from the date of service, or the date of mailing, exclusive of the date of service or mailing of the complaint to you, in which to answer.

Upon the filing of your answer or in case of your failure to answer, further proceedings will be had in accordance with the Discipline Rules For Attorneys.

$$
\begin{aligned}
& \text { Washington State Bar Association } \\
& \text { By } \\
& \text { State Bar Counsel/ } \\
& \text { Executive Director }
\end{aligned}
$$

Address:

$$
\text { Date of Mailing: The }-- \text { day of }--- \text {, Washington }
$$

(d) Answer. The answer must contain:
(1) Denials. A general or specific denial of each material allegation of the complaint that is controverted by the respondent attorney, or a denial of knowledge or information thereof sufficient to form a belief. Any allegation, not denied will be deemed admitted.
(2) Affirmative Defenses. A statement of any matter constituting a defense or justification, in ordinary and concise language without repetition.
(3) Address. An address at which all further pleadings, notices and other documents in relation to the proceeding may be served upon the respondent attorney.
(4) Verification. A verification before some officer authorized to administer oaths.
(e) Miscellaneous.
(1) Filing of Answer. The original and two copies of the answer shall be filed in the office of the Association.
(2) Amendments. A complaint may be amended at any time to set forth additional facts, whether occurring before or after commencement of the hearing, either in amplification of the original charge or to add new charges. In case of such amendment, the respondent attorney shall be given a reasonable time, to be fixed by the chairperson of the Panel, to answer the amendment,
to procure evidence, and to defend against the charges set forth therein. The chairperson of the Panel may at any time allow or require other amendments to the complaint or to the answer.
(3) Time Within Which To Answer. If personal service is made upon the respondent attorney in the state of Washington, he or she shall be allowed 10 days from the date of service, exclusive of the date of service, in which to answer; if service is made in any other manner or place, the respondent attorney shall be allowed 15 days from the date of service, or the date of mailing, exclusive of the date of service or mailing, in which to answer.
(4) Extension of Time. For good cause shown the chairperson of the Panel may extend the time for any pleading.
(f) Service.
(1) Formal Complaint and Notice To Answer. A copy of the formal complaint with notice to answer shall be served on the respondent attorney in the following manner:
(i) Personal Service in Washington. If the respondent attorney is found in the state of Washington, by personal service upon him or her in the manner as is required for personal service of a summons in civil actions in the Superior Court.
(ii) Service If Not Found in Washington. If the respondent attorney cannot be found in the state of Washington, then by leaving a copy thereof at his or her place of usual abode in the state of Washington, with some person of suitable age and discretion then resident therein, or by mailing by registered or certified mail, postage prepaid, a copy addressed to him or her at his or her last known (a) place of abode, (b) office address maintained by him or her for the practice of law, or (c) post office address.
(iii) Service Outside Washington. If the respondent attorney is found outside of the state of Washington, then by personal service or by mail as set forth in subsection (ii) above.
(iv) Service Where Question of Mental Competence. If a guardian or guardian ad litem has been duly appointed for the respondent attorney who has been judicially declared to be of unsound mind, or incapable of conducting his own affairs, service as above shall also be had on said guardian or guardian ad litem. Where a complaint is filed under Rule 4.1(b), service as above shall also be had on the person having the care and custody of the respondent attorney, if there be such a person.
(2) Other Pleadings, Notices or Other Documents. Service upon the respondent attorney of any pleadings, notices or other documents required by these rules to be served, other than the formal complaint and notice to answer, may be made by mailing the same, postage prepaid, to or leaving the same at the address set forth in his or her answer, or in the absence of an answer, by mailing the same, postage prepaid, to or leaving the same at the address of the respondent attorney on file in the office of the Association.
(3) Service Upon the Association. Service upon the Association of any pleadings, notices, or documents shall
be made by filing the same in the office of the Association.
(4) Mailing. When such other pleadings, notices, or documents are to be served by mail they shall be sent by registered or certified mail with postage prepaid.
(5) Proof of Service. Proof of service by affidavit of service, sheriff's return of service, or a signed acknowledgment of service, shall be filed in the office of the Association. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 3.2 Hearings.

(a) Where Held. All disciplinary hearings shall be held within the state of Washington at such place as may be directed by the Board or Panel chairperson.
(b) Date of Hearing. The chairperson of the Panel shall cause notice of the time and place of the hearing to be given to respondent attorney at least 10 days prior thereto. The hearing shall occur not earlier than 30 days or later than 60 days after service of the complaint, unless delayed for good cause.
(c) Postponements. At the time and place appointed for the hearing the Panel shall proceed with the hearing, unless for good cause the Panel shall grant a postponement, but no postponement shall be longer than 30 days and the total period of time of all postponements shall not exceed 60 days unless approved by the Board. An application for postponement by the respondent attorney or by the Association shall be supported by affidavit and served and filed at least 7 days prior to the scheduled hearing, unless such time be shortened by the Panel chairperson.
(d) Representation. The Association shall be represented at hearings before the Panels by appropriately designated State Bar Counsel. The respondent attorney may be represented by counsel.
(e) Disqualification. The name and office addresses of the Panel who will conduct the hearing shall be served upon respondent attorney at the same time that the formal complaint is served or within a reasonable time thereafter. If the respondent attorney desires to challenge for cause any such member or members he shall do so in writing stating his reasons for such challenge or challenges at least 10 days prior to the hearing. The unchallenged members or member, if any, of the Panel shall rule upon the challenge or challenges. If a challenge is sustained, the chairperson of the Board shall forthwith appoint some person or persons of the stated qualifications to fill the vacancy or vacancies of the Panel. In the event challenges are directed against all the members of the Panel, the chairperson of the Board shall rule upon the challenges. The respondent attorney shall have the right to challenge any appointee to fill the vacancy on the Panel in the same manner and within such period as shall be provided in the order sustaining the prior challenge. The respondent attorney shall have no peremptory challenges.
(f) Default. In no event shall a default be entered against the respondent attorney. If he or she fails to answer the complaint within the time allowed by these rules the Panel shall proceed to a determination of the matter in the same manner as though the respondent attorney were present and had answered by a general denial. No notice of the date of hearing or the names of the Panel members or of the taking of depositions of witnesses to be used at the hearing shall be required to be given to such respondent attorney failing to answer. If the respondent attorney has answered but fails to attend the hearing at the time set, the Panel shall proceed to a determination of the matter in the same manner as though the respondent attorney were present.
(g) Public Excluded From Hearing. Unless a public hearing is requested in writing by the respondent attorney at least 10 days prior to the hearing, the hearing of a disciplinary matter before a Panel shall not be public.
(h) Procedure. Each member of the Board or chairperson of the Hearing Panel shall have the power to issue subpoenas to compel the attendance of witnesses or the production of books or documents at such hearings. The respondent attorney shall have the opportunity to make his or her defense and upon timely application may have issued such subpoenas as any member of the Board or the chairperson of the Hearing Panel deems necessary. Subpoenas shall be served in the same manner as in civil cases in Superior Court. Witnesses shall testify under oath administered by the chairperson of the Panel. Testimony shall be taken in writing and may be taken by deposition in accordance with these rules.
(i) Depositions. Depositions for use at the hearing may be taken either within or without the state, upon either written or oral interrogatories before any member of the Panel or before any other officer authorized to administer an oath by the law of the jurisdiction where the deposition is taken. The manner of taking such depositions shall conform as nearly as practicable to that prescribed for the taking of depositions in Superior Court except as otherwise provided in these rules.
(1) Authority for Taking.
(i) Within State. The chairperson of the Board or chairperson of the Panel shall have the power to order the taking of depositions and to make such further orders relative thereto, including provision for the expense thereof, as will insure a fair and impartial hearing to the respondent attorney.
(ii) Outside State. Where depositions are taken without the state a commission need not issue, but a copy of the order so made certified to be such by the chairperson of the Board or the chairperson of the Panel shall be sufficient authority to authorize the taking of such depositions.
(2) Filing. All depositions when taken shall be filed in the office of the Association.
(j) Discovery, Admissions, Inspection of Documents. After the filing of a complaint against an attorney by direction of the Board, the respondent attorney and the

Bar Association shall have the rights afforded to Superior Court litigants under Rules 33, 34 and 36 of the Superior Court Civil Rules, limited and prescribed as follows: Such rights shall be available only upon such terms, and with such limitations, as the Panel chairperson deems just. The Panel chairperson shall have discretion to decide whether to permit such limited discovery and the terms or limitations thereon. In exercising such discretion the chairperson shall consider whether undue delay or expense in bringing the matter to hearing will result, and whether the interests of justice will be promoted. Any determinations or orders required under said Rules to be made by a Superior Court judge shall be made by the chairperson.
(k) Cooperation. It shall be the duty of an attorney who has been served with a formal complaint to respond to all lawful orders made by the chairperson of the Panel as provided in the preceding paragraph. Should such attorney fail so to do, the chairperson of the Panel shall report the same to the Board, and such failure may constitute a violation of the rules of professional conduct.
(I) Findings, Conclusions and Recommendations. Within 20 days after the hearing, the chairperson of the Panel shall cause findings, conclusions and recommendations to be filed with the Board. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 3.3 Stipulation. Any disciplinary matter or proceeding may be disposed of by a stipulation for discipline entered into at any time, the stipulation to be signed by the respondent attorney and by the State Bar Counsel. Such stipulation may contain the imposition of terms and conditions of probation or deferment regarding respondent attorney's violations. No such stipulation shall be effective unless approved by the Board and no stipulation for suspension or disbarment shall be effective unless approved by the Supreme Court. The stipulation may be presented to the Board and the Supreme Court for approval without notice.
(a) Form. A stipulation for discipline shall:
(1) Set forth the material facts relating to the particular acts or omissions of the respondent attorney in such detail as to enable the Board and the Supreme Court to form an opinion as to the propriety of the discipline being agreed upon, and, if approved, to make the stipulation useful in any subsequent disciplinary proceedings against the respondent attorney;
(2) Set forth the respondent attorney's prior record of censure, reprimand, suspension or disbarment, or any absence of such record;
(3) State that the stipulation is not binding on the Association as a statement of all existing facts relating to the professional conduct of the respondent attorney, but that any additional existing facts may be proven in any subsequent disciplinary proceedings; and
(4) Fix the amount of the costs and expenses to be paid by the respondent attorney.
(b) Stipulation Approved. If the stipulation is approved by the Board and/or the Supreme Court, the disciplinary action agreed to in the stipulation shall follow. If it
is stipulated that the respondent attorney be censured or reprimanded, the stipulation shall be retained in the office of the Association, with notice thereof sent to the Supreme Court.
(c) Stipulation not Approved. If the stipulation is not approved by the Board or the Supreme Court, as the case may be, then the stipulation shall be of no force and effect and neither it nor the fact of its execution shall be admissible in evidence in the pending disciplinary proceeding, in any subsequent disciplinary proceeding, or in any civil or criminal action. [Adopted January 21, 1975, effective February 3, 1975.]

## IV. INCOMPETENCY OR INCAPACITY TO PRACTICE LAW

Rule
4.1 Transfer to Inactive Status.
(a) Automatic Transfer.
(b) Discretionary Transfer.
(c) Service of Process.
(d) Appointment of Guardian Ad Litem.
4.2 Reinstatement to Active Status.
(a) Petitioner.
(b) Investigation.
(c) Hearing Date.
(d) Reinstatement.
(e) Review by the Supreme Court.
4.3 Effect of Incompetency on Pending Disciplinary Proceedings.
(a) Proceedins Held in Abeyance.
(b) Panel Determination of Incompetency.
(c) Procedure After Determination by Panel.
(d) Action by Board.
(e) Procedure After Transfer to Inactive Status.
4.4 Appointment of Counsel to Protect Clients' Insterest.
(a) Procedure.
(b) Disclosure.

## Rule 4.1 Transfer to inactive status.

(a) Automatic Transfer. In the event that any court of competent jurisdiction, has, as to an active member of this association, either:
(1) Appointed a guardian for the person or estate of such member, or for both; or
(2) Entered a civil commitment order; or
(3) Has acquitted such attorney for a crime on the ground of insanity; or
(4) Has held that such attorney is mentally incapable of assisting in his own defense in a criminal action, such member shall automatically be transferred from active to inactive membership status upon the entry of such judgment or order, regardless of the pendency of an appeal therefrom. The respondent attorney shall be forthwith notified of such action in writing, by the Association's mailing notice to him at the last address filed by the attorney with the Association. A certified copy of such judgment or order shall be filed forthwith with the Board, which shall transmit such record to the Supreme Court together with advice that such member has been transferred to inactive status. A request by bar counsel to the clerk of a court in this state rendering such judgment or order for a certified copy thereof shall be deemed good cause shown for compliance with such request, pursuant to RCW 71.05.390(5).
(b) Discretionary Transfer. If it appears to the Board that there is reasonable cause to believe that an active member, as to whom there has been no such judicial determination as that referred to in Rule 4.1(a), is unable to conduct his or her law practice adequately because of insanity, mental illness, senility, excessive use of alcohol or drugs, or other mental incapacity, a complaint in the name of the Association shall be served upon such attorney and shall be referred to a Hearing Panel for a hearing on the issue of the capacity of the member to conduct his or her practice adequately. The Panel, at the conclusion of its hearing, shall prepare findings, conclusions, and recommendation as to whether or not the respondent attorney should be placed on the inactive roll. The record of such proceedings shall thereafter be reviewed by the Board which shall make findings and conclusions, based thereon and shall enter an appropriate order.
(1) Transfer to Inactive Status. An order of the Board transferring a member to inactive status shall become effective forthwith upon the service of a copy of such order upon the respondent member or his or her attorney of record. Within 15 days of the service of such order, the respondent attorney may appeal such order to the Supreme Court by filing a notice of appeal with the Association. Upon service of such a notice, the Association shall file the record of the proceeding with the Supreme Court and the rules of procedure applicable to disciplinary proceedings before the Supreme Court shall apply. The order of the Board shall remain in effect, regardless of the pendency of such appeal, unless and until reversed by the Supreme Court.
(2) Applicable Rules. The procedures prescribed in these Disciplinary Rules for Attorneys shall apply to a proceeding instituted pursuant to Rule 4.1(b), except as modified elsewhere in Rules 4.1-.4.
(c) Service of Process. Notice, pleadings and other documents herein otherwise required to be served upon the respondent attorney shall:
(1) If a court of competent jurisdiction in this state has appointed a guardian of the person of such attorney; or
(2) If, pursuant to these rules, a guardian ad litem has been appointed to represent such attorney,
be served upon such guardian or guardian ad litem, or upon the respondent attorney's counsel of record.
(d) Appointment of Guardian Ad Litem.
(1) By Chairperson of the Board. In the event the respondent attorney does not appear by an attorney within the time required by these rules for the filing of an answer, the chairperson of the Board shall appoint a member of the Washington State Bar Association as guardian ad litem for such respondent attorney.
(2) By Chairperson of Hearing Panel. A member of the Association may be appointed as guardian ad litem for the respondent attorney by the chairperson of the Hearing Panel pursuant to Rule 4.3(b). [Adopted January 21, 1975, effective February 3, 1975.]

Rule 4.2 Reinstatement to active status. Any member who has been placed on the inactive roll for any reason encompassed within Rule 4.1, may petition for reinstatement to active membership as hereinafter provided.
(a) Petitioner. The petition for reinstatement shall be in writing, verified by the petitioner, and shall be filed with the Board.
(b) Investigation. The Board, in its discretion, may refer the petition to the proper Local Administrative Committee, State Bar Counsel, or to such other person or persons as it may determine, for investigation and report.
(c) Hearing Date. The Board shall fix a time and place for a hearing upon the petition by the Board, and shall cause notice thereof to be served upon the petitioner and upon such other persons as it may designate at least 10 days prior thereto. Such hearing shall be held within 30 days of the date the petition is filed, unless continued for good cause.
(d) Reinstatement. The petition shall be approved by the Board upon an affirmative showing by the petitioner that he or she is again able to conduct the practice of law adequately; upon approval of the petition, the petitioner shall be reinstated to active membership upon compliance with any applicable requirement for transfer from inactive to active status.
(e) Review by the Supreme Court. If the petition is not granted, petitioner shall be entitled to request a review by the Supreme Court. Such request shall be filed with the Association within 30 days after service upon the petitioner of a copy of the order of the Board denying the petition. Upon receipt of such request, the Association shall file the record of the proceedings with the Supreme Court and the rules of procedure applicable to disciplinary proceedings before the Supreme Court shall apply. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 4.3 Effect of incompetency on pending disciplinary proceedings.
(a) Proceedings Held in Abeyance. If the respondent attorney has been or is subject to being transferred to inactive status pursuant to the provisions of Rule 4.1, all proceedings based upon a formal complaint calling for disciplinary sanctions (as distinguished from transfer to inactive status) for alleged violation of the rules of professional conduct shall be held in abeyance until such time as it shall appear that the respondent attorney is mentally capable of conducting a proper defense thereto.
(b) Panel Determination of Incompetency. If it shall appear to the chairperson of the Hearing Panel that there is reasonable cause to believe that the respondent attorney is incapable of conducting a proper defense to the formal complaint against him, the chairperson of the Panel shall fix a time and place for a hearing before the Panel on the sole issue of the respondent attorney's mental capacity to defend the formal complaint against him or her. It shall be the duty of the chairperson of the

Panel to appoint a member of the Association as guardian ad litem for the respondent attorney in the proceeding in this subsection provided, should the respondent attorney not have counsel of his or her own choosing.
(c) Procedure After Determination by Panel. If it shall be determined by the Panel that said respondent attorney is mentally capable of conducting a proper defense, the proceeding shall continue. If, however, it shall be determined by the Panel that the respondent attorney is not mentally capable of conducting a proper defense, the panel shall prepare its findings of fact to that effect, shall suspend further proceedings and transmit the entire record to the Board.
(d) Action by Board. If the decision of the Panel after the hearing provided herein, is that the respondent attorney is incapable of conducting a proper defense to the formal complaint against him or her the evidence relating thereto shall be filed with the Board. If the Board does not concur in the findings of the Panel, the Panel shall continue in accordance with the Rules. If such Board concurs in the decision of the Panel, the Board shall enter an order transferring the respondent attorney to inactive status. The effective date of such order and appellate procedures shall be as provided in Rule 4.1 (b)(1).
(e) Proceedings After Transfer to Inactive Status. When it shall appear to the Board, upon application made by or on behalf of the respondent attorney or by bar counsel, and pursuant to the procedures set out in Rule 4.2 , that such attorney is now mentally capable of conducting a proper defense to the formal complaint in question, the Board shall appoint a Hearing Panel. Thereafter a hearing on the formal complaint and proceedings thereunder shall be had as is provided by these rules in other cases. If the Board concludes the charge or charges in the formal complaint have not been sustained or, having been sustained, do not warrant suspension or disbarment, the respondent attorney shall thereupon be restored to the roll of active members of the Association. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 4.4 Appointment of counsel to protect clients' interests.
(a) Procedure. Whenever an attorney has been transferred to inactive status because of incapacity of disability, or disappears, or dies, or is suspended or disbarred and fails to carry out the obligations under Rule 6.7 within 10 days of the date of such order disbarring or suspending such attorney, and no partner, personal representative or other responsible party capable of conducting the attorney's affairs is known to exist, the Presiding Judge of the appropriate Superior Court, upon application of the Association and proper proof of the facts, shall appoint an attorney or attorneys to take possession of the files and records of such attorney, inventory them, and to take such action as seems indicated to protect the interests of the clients of said attorney or as required under Rule 6.7, including but not limited to assuming control of the trust account of such attorney.

Any bank honoring such a court order shall be exonerated from any liability resulting therefrom.
(b) Disclosure. Any attorney so appointed shall not be permitted to disclose any information contained in any files so inventoried without the consent of the client to whom such file relates except as necessary to carry out the order of the court which appointed the attorney to make such inventory. [Adopted January 21, 1975, effective February 3, 1975.]

## V. REVIEW BY THE BOARD

Rule
5.1 Notices.
5.2 Statement in Support or Opposition.
5.3 Additional Hearing.
5.4 Board Review.
5.5 Transcript of the Record.
5.6 Board Action.
(a) Decision of Board.
(b) Transcript Required for Suspsension or Disbarment.
(c) Dissent.
(d) Disposition Not Requiring Supreme Court Action.
(e) Acceptance or Refusal of Censure or Reprimand.
(f) Letter of Censure.
(g) Giving of Reprimand.
(h) Record to Supreme Court.
(i) Suspension of Proceedings.
(j) Revocation of Suspension.
(k) Chairperson Not Disqualified.
(1) Information ot Local Administrative Committee.
(m) Information to Complainant.
(n) Information to Members of Panel.

Rule 5.1 Notices. When the findings, conclusions and recommendation of a Panel are filed in the office of the Association, a copy thereof and a notice of filing, with a copy of Rules 5.1-. 6 shall be served upon the respondent attorney or his or her counsel. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 5.2 Statement in support or opposition. At any time within 10 days after the service of the above-mentioned notice the State Bar Counsel and the respondent attorney shall have the right to file with the Board a typewritten statement in support of or in opposition to the findings, conclusions and recommendation of the Panel, setting forth facts, alleged errors of law or any other matter in support of such statement. A copy of such statement, when filed, shall be served on the respondent attorney or his or her counsel, or State Bar Counsel, as the case may be. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 5.3 Additional hearing. In making the above statement in support of or in opposition to the findings, conclusions and recommendation of the Panel, State Bar Counsel or the respondent attorney may request an additional hearing before the Panel based on the ground of newly discovered evidence; provided, however, that such statement shall contain a complete outline of such newly discovered evidence and shall set forth the reasons why the same was not presented at the hearing, all supported by affidavit or affidavits. Such request may be granted or denied in the discretion of the Board. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 5.4 Board review. Each proceeding in which a hearing has occurred shall be reviewed by the Board upon the record made and filed in the office of the Association, together with the statements in support of or in opposition to such findings, conclusions and recommendation as provided by these rules. Neither State Bar Counsel nor the respondent attorney shall be entitled to be heard orally in such review, unless otherwise ordered by the Board. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 5.5 Transcript of the record. (a) The Board or the chairperson of the Panel may have all of the testimony transcribed. If a transcript of the testimony is made, a copy thereof shall be served upon the respondent attorney or his or her counsel and State Bar Counsel, each of whom shall have 10 days from the date of service of the transcript to file objections to the contents thereof with the chairperson of the Panel.
(b) The objections shall clearly state the errors alleged to exist in the transcript and shall be deemed filed at the time the same are delivered to the office of the Association or are deposited in the United States mail, properly addressed to the said chairperson, in care of the office of the Association, at its address, with postage prepaid. The Panel shall thereupon settle the transcript either upon the written objections of the respondent attorney or his or her counsel or State Bar Counsel or after argument, if argument is deemed necessary by the chairperson of the Panel. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 5.6 Board action.

(a) Decision of Board. Prompt decision of the Board upon such review shall be made. The Board shall adopt, modify or reverse the findings, conclusions and recommendation of the Panel by written order, a copy of which shall be served upon the respondent attorney or his or her counsel.
(b) Transcript Required For Suspension or Disbarment. No suspension or disbarment shall be recommended by the Board unless and until a transcript of the testimony before the Panel shall have been reduced to writing and settled as in this rule provided.
(c) Dissent. If any member or members of the Board shall dissent from the findings, conclusions and recommendation of the majority of the Board in a matter in which the majority recommends suspension or disbarment, he or she or they shall state briefly his or her or their reasons therefor, and a copy shall be served upon the respondent attorney or his or her counsel. Such dissent or dissents shall be a part of the record.
(d) Disposition Not Requiring Supreme Court Action. If the formal complaint is dismissed or if there is no recommendation of discipline by the Board or if the recommendation is that the respondent attorney be censured or reprimanded or that further proceedings be suspended, and the censure or reprimand or suspension of proceedings is accepted by the respondent attorney,
the record of the proceeding shall be retained in the office of the Association.
(e) Acceptance or Refusal of Censure or Reprimand. If the Board determines that the respondent attorney should be censured or reprimanded, a formal order signed by the chairperson of the Board shall be entered, which shall provide that if the respondent attorney or his or her counsel does not file in the office of the Association a written refusal to accept such censure or reprimand within 15 days of the date such order is served, the censure or reprimand shall be deemed accepted. Within 20 days after the respondent attorney has filed his or her written refusal to accept a censure or reprimand, he or she shall order a transcript of the testimony taken before the hearing panel and pay the cost thereof. When the proposed transcript is received by the respondent attorney, he or she shall promptly file the original with the office of the Association. Thereafter, the transcript shall be settled as provided for in Rule 5.5 herein. Should the respondent attorney prevail on appeal, the cost of the transcript shall be paid for by the Association. If a determination is made that the respondent attorney is indigent the Association shall pay for the cost of the transcript on appeal.
(f) Letter of Censure. A censure shall be administered to the respondent attorney by letter, signed by the President of the Association. Notice of the censure shall be sent to the Supreme Court where such information shall remain confidential.
(g) Giving of Reprimand. If the respondent attorney has accepted the reprimand or, on appeal, the Supreme Court has ordered the same, the respondent attorney shall appear in person before the Board of Governors at a time and place directed by the Board and receive the reprimand. The reprimand shall be given privately by the Board of Governors and no other proceedings shall be had at the administration thereof, nor shall any statements in support of or in opposition thereto or in mitigation thereof be made. A copy of the reprimand shall be sent to the Supreme Court.
(h) Record to Supreme Court. If a censure or reprimand is not accepted, or if the recommendation of the Board is that respondent attorney be suspended or disbarred, the record shall be transmitted to the Supreme Court. Provided however, if the Board suspends further proceedings in a matter pursuant to Rule 5.6(i), notice of such action shall be sent to the Supreme Court where it shall remain confidential unless such suspension is later revoked pursuant to Rule 5.6(j).
(i) Suspension of Proceedings.
(1) Where the Board has acted upon the findings, conclusions and recommendations of a hearing panel and has itself recommended the suspension of the respondent attorney from the practice of law, it may, in its discretion and for a period of not to exceed 3 years, stay or suspend all further proceedings in the matter until otherwise ordered by said board, upon such terms as the Board may determine, provided said attorney stipulates in writing to such stay and to the terms and conditions thereof within 15 days of the service upon such attorney
of said proposed order of suspension. If said attorney does not so stipulate, then the proposed stay shall be null and void and the record in the matter shall be transmitted to the Supreme Court for action by the court. As a condition to the suspension of further proceedings, said Board may order the respondent attorney to pay all costs and expenses of the proceedings pursuant to Rule 7.1 , to make restitution to any person who may have suffered loss or damage by reason of the disciplinary violations in question, to report periodically to, or to permit periodic inspections of the attorney's trust account and the like by, a probation officer designated by said Board under conditions specified by said Board, may order respondent attorney to submit to specified treatment for alcoholism, drug addiction, or emotional disturbance, and may order such other conditions as said Board deems appropriate to assist in the rehabilitation of the respondent attorney. For this purpose, any active member of the Association so designated by said Board may act as the respondent attorney's probation officer.
(2) When and if the respondent attorney has, in the opinion of the Board, satisfactorily completed his or her period of probation, the file on the disciplinary charges in question against said attorney shall be closed, subject, however, to being considered in connection with Rule 10.1, and in connection with any subsequent disciplinary offense as provided in Rule 3.1(b).
(j) Revocation of Suspension. The Board may, at any time for good cause shown, revoke its suspension of further proceedings against the respondent attorney and transmit the entire record to the Supreme Court for action by it as provided in Rule 5.6, provided that such revocation may not be ordered after expiration of the period for which further proceedings were suspended. Before ordering revocation said Board shall cause an order to show cause why its suspension of further proceedings should not be revoked, signed by the chairperson of the Board or by State Bar Counsel, to be served on the respondent attorney as provided in Rule 3.1(f) notifying him of a hearing before said Board no less than 5 days nor more than 30 days after the date of such service upon him upon the issue of the revocation of said Board's suspension of further proceedings against the respondent attorney. Following such hearing, if said Board orders revocation, it shall make written findings of fact upon the matter involved in said revocation hearing, conclusions of law and an order of revocation, which shall be signed by the chairperson of said Board and transmitted to the Supreme Court along with said entire record.
(k) Chairperson Not Disqualified. Neither the chairperson of the Board nor a member or members of the Board who also served on a Hearing Panel are, by virtue of that office or service, disqualified from participating in the discussion before the Board of that Panel's findings and recommendations or from participating in that Board's vote on the matter.
(l) Information to Local Administrative Committee. Upon referral to a Panel, a final disposition of a complaint by the Board or upon recommendation to the Supreme Court by the Board of disbarment or suspension,
or upon a suspension of proceedings pursuant to Rule $5.6(\mathrm{i})$, notice of the action taken shall be given by the Board to the chairperson of the Local Administrative Committee which investigated the complaint.
(m) Information to Complainant. The complainant in all cases shall be advised by the Board of the final disposition of the complaint.
(n) Information to Members of Panel. Notice of the action taken by the Board on matters considered by a Panel shall be given to all members of the Hearing Panel. [Adopted January 21, 1975, effective February 3, 1975.]

## VI. REVIEW BY THE SUPREME COURT

Rule
6.1 Notification of Filing.
6.2 Objections by Respondent Attorney.
(a) Form.
(b) Time for Filing.
6.3 Answer to the Bar Association.
(a) If Objections Filed.
(b) If Objections Not Filed.
6.4 Reply of Respondent Attorney.
6.5 Hearing.
(a) Setting.
(b) Argument.
6.6 Opinion.
(a) Finality.
(b) Petition for Rehearing.
6.7 Disbarred or Suspended Attorneys.

Rule 6.1 Notification of filing. Upon the filing of the record with the Supreme Court, the clerk of the court shall mail written notice of such filing to State Bar Counsel and the respondent attorney or his or her counsel. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 6.2 Objections by respondent attorney. The respondent attorney may file objections to the findings, conclusions and recommendations of the Board.
(a) Form. Objections shall be in the form of a brief containing arguments and citations of authority in support thereof.
(b) Time for Filing. The respondent attorney shall be allowed 20 days after the filing of the record in which to file with the Board three copies and to file with the Supreme Court 25 copies of his or her objections. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 6.3 Answer of the bar association.

(a) If Objections Filed. The Association shall have 10 days from the day of the service of the objections on the Association in which to serve upon the respondent attorney or his or her counsel and file with the Supreme Court a corresponding number of answering briefs.
(b) If Objections Not Filed. If the respondent attorney fails to file objections within the 20 day period above provided, the Association shall have 10 days from the expiration of such period in which to mail respondent attorney one copy and file with the Clerk of the Supreme

Court 15 copies of the Association's brief. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 6.4 Reply of respondent attorney. The respondent attorney shall have 10 days from the day of service of the Association's brief in which to file with the Board and the Supreme Court a like number of reply briefs. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 6.5 Hearing.

(a) Setting. Disciplinary proceedings shall have priority and be set upon compliance with the above rules or respondent's failure to timely file the required briefs.
(b) Argument. The Association must file a brief and present oral argument. Respondent attorney may submit the cause on the record. If a brief has not been filed, on behalf of the respondent attorney, oral argument may not be presented on his or her behalf unless so authorized by the court. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 6.6 Opinion.

(a) Finality. An opinion in a disciplinary proceeding is final when filed unless the court specifically provides otherwise.
(b) Petition for Rehearing. A petition for rehearing may be filed as provided in ROA I-50, but the petition will not stay the judgment unless a stay is entered by the court. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 6.7 Disbarred or suspended attorneys.

(a) A disbarred attorney, or one who is suspended for longer than 60 days, shall promptly notify by registered or certified mail, return receipt requested, all clients being represented in pending matters, other than litigation or administrative proceedings, of his or her disbarment or suspension and his or her consequent inability to act as an attorney after the effective date of his or her disbarment or suspension and shall advise said clients to seek legal advice elsewhere. An attorney suspended for 60 days or less shall similarly notify all such clients, except that such clients shall be advised to seek legal advice elsewhere if they feel they need such advice during the period of such suspension.
(b) A disbarred or suspended attorney shall promptly notify, or cause to be notified, by registered or certified mail, return receipt requested, each of his or her clients who is involved in pending litigation or administrative proceedings, and the attorney or attorneys for each adverse party (or directly to the adverse party, if not represented by counsel) in such matter or proceeding, or his or her disbarment or suspension and consequent inability to act as an attorney after the effective date of his or her disbarment or suspension. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in his or her place. In the event the client does not obtain substitute counsel before the effective date of the disbarment or suspension, it shall be the responsibility of the disbarred or suspended attorney
to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the disbarred or suspended attorney.
(c) The disbarred or suspended attorney, after entry of the disbarment or suspension order, shall not accept any new retainer or engage as attorney for another in any case or legal matter of any nature.
(d) Within 10 days after the effective date of the disbarment or suspension order, the disbarred or suspended attorney shall file with the Supreme Court an affidavit showing:
(1) That he or she has fully complied with the provision of the order and with these Rules;
(2) That he or she has served a copy of such affidavit upon State Bar Counsel. Such affidavit shall also set forth the residence or other address of the disbarred or suspended attorney where communications may thereafter be directed to him or her; and
(3) Attaching to such affidavit a copy of the form of letter of notification sent to such attorneys clients, together with a list of the names and addresses of all clients to whom such notice was sent.
(e) The Board shall cause a notice of the suspension or disbarment to be published in the Washington State Bar News and a newspaper of general circulation in the county in which the disciplined attorney maintained his or her practice.
(f) The Board shall promptly transmit a certified copy of the order of suspension or disbarment to the Presiding Judge of the Superior Court of the county in which the disciplined attorney maintained his or her practice. The Presiding Judge may take such further action as he or she deems necessary.
(g) A disbarred or suspended attorney shall keep and maintain written records of the various steps taken by him or her under these Rules so that, upon any subsequent proceeding instituted by or against him or her proof of compliance with these Rules and with the disbarment or suspension order will be available. Proof of compliance with these Rules shall be a condition precedent to any petition for reinstatement. [Adopted January 21, 1975, effective February 3, 1975.]

## VII. COSTS

Rule
7.1 Costs and Expenses.
(a) Costs and Expenses Defined.
(b) Statement of Costs and Expenses.
(c) Assessment by Supreme Court.
(d) Assessment Upon Suspension or Disbarment.
(e) Payment of Costs and Expenses.
(f) Assessment Upon Dismissal of Charge.
7.2 Supreme Court Expenses.
(a) Cost Bill.
(b) Exceptions.
(c) Determination of Costs.
7.3 Termination of Suspension.

Rule 7.1 Costs and expenses. In all cases resulting in the administration of censure, reprimand, suspension or disbarment, or suspension of proceedings pursuant to Rule 5.6(i), counsel for the Association shall serve upon
the respondent attorney and file in the office of the Association his or her verified statement of costs and expenses for the disciplinary proceedings to the time the Board makes its recommendation.
(a) Costs and Expenses Defined. The term "costs" is defined to be all sums so taxable in a civil proceeding. The term "expenses" is defined as all other obligations in money reasonably and necessarily incurred by the Association in the complete performance of its duties under these rules. Expenses shall include, by way of illustration and not of limitation, necessary expenses of Panel members, Bar Counsel, charges of expert witnesses, charges of court reporters, expenses incurred in carrying out the terms of an order suspending further proceedings pursuant to Rule 5.6(i), a reasonable attorney's fee, as well as all other direct provable expenses of the office of the Association. The Board shall recommend a reasonable attorney's fee, which fee shall not exceed the actual cost to the Association for its legal representation in the matter. The Board may waive payment of any or all costs and expenses if it deems such waiver to be in the interests of justice.
(b) Statement of Costs and Expenses. In all cases in which the Board determines that a censure or reprimand should be administered, the said statement of costs and expenses shall be served on the respondent attorney at the time he or she is notified of the proposed censure or reprimand, together with a statement by said Board as to the amount of said costs and expenses which it, in its discretion, deems just to assess against said respondent attorney, and if the respondent attorney accepts the censure or reprimand, the amount thereof as so determined by the Board shall be paid in accordance with Rule 7.1(e). If the respondent attorney refuses to accept the censure or reprimand, or excepts to the statement of costs and expenses, the statement of costs and expenses together with the Board's statement as to the amount thereof assessed by it against the respondent attorney, shall be made a part of the record sent to the Supreme Court, together with any exceptions thereto by the respondent attorney, which exceptions shall be filed within 10 days after the service of the statement of costs and expenses upon the respondent attorney. A verified statement of any additional costs and expenses to the Association occasioned by the proceeding in the Supreme Court shall be served upon the respondent attorney and filed with the Clerk of the Supreme Court within 10 days after the hearing in that court, and the respondent attorney shall have 10 days after such service within which to file exceptions thereto.
(c) Assessment by Supreme Court. If the Supreme Court directs such censure or reprimand, it shall, in its judgment, fix the amount of the costs and expenses to be paid by the respondent attorney as it shall deem just, together with the terms and conditions of the payment thereof.
(d) Assessment Upon Suspension or Disbarment. In all cases in which the Board recommends suspension or disbarment, the said statement of costs and expenses together with a statement by said board as to the amount
of said costs and expenses which it, in its discretion, deems just to assess against said respondent attorney shall be served on the respondent attorney at the time he is notified of the recommendation of the Board, and it shall be made a part of the record sent to the Clerk of the Supreme Court, together with any exceptions thereto by the respondent attorney, which exceptions shall be filed within 10 days after the service of the statement of costs and expenses upon the respondent attorney.
(e) Payment of Costs and Expenses. In all cases of censure or reprimand, the respondent attorney shall pay the assessed costs and expenses within 30 days or such other longer period of time as is determined by the Board under Rule 7.1(b) or Rule 7.1(c). Should the respondent attorney fail to pay the costs and expenses as herein provided, such failure shall be grounds for suspension and the Association may move the Supreme Court for an order suspending said attorney from the practice of law until said costs and expenses are paid.
(f) Assessment Upon Dismissal of Charges. In all cases in which the Board dismisses the charges against a respondent attorney following a hearing upon the charges, the Board shall fix the amount of said attorney's costs and expenses which the Board, in its discretion, deems just to assess against the Association, which sum shall be paid by the Association within 30 days of the entry of such order. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 7.2 Supreme court expenses.

## (a) Cost Bill. A verified statement:

(1) by the Association of any additional expenses to it occasioned by the proceedings in the Supreme Court, and
(2) by the respondent attorney of all costs and expenses incurred by him in the defense of such charges from their commencement through the proceedings in the Supreme Court,
shall be served upon the adverse party and filed with the Clerk of the Supreme Court within 10 days after the hearing in that court.
(b) Exceptions. The parties shall have 10 days after such service within which to file exceptions thereto.
(c) Determination of Costs. The judgment of the Supreme Court, in any such disciplinary proceedings, shall fix the amount of the costs and expenses to be paid by the parties as it shall deem just. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 7.3 Termination of suspension.

Condition Precedent. No suspended attorney shall resume practice until the amount of the costs and expenses fixed pursuant to these rules has been fully paid. [Adopted January 21, 1975, effective February 3, 1975.]

## VIII. REINSTATEMENT AFTER DISBARMENT

Rule
8.1 Restrictions Against Petitioning.
(a) Time of Petition.
(b) Costs.
8.2 Form of Petition.
8.3 Fees.
8.4 Investigation.
8.5 Hearing Before the Board of Governors.
(a) Notice.
(b) Statement of Support or Opposition.
8.6 Action by the Board of Governors.
(a) Requirements For Favorable Recommendations.
(b) Disposition of Recommendation.
8.7 Action on Supreme Court's Determination.
(a) Petition Approved.
(b) Petition Denied.

## Rule 8.1 Restrictions against petitioning.

(a) Time of Petition. No petition for reinstatement shall be filed within a period of 3 years next after disbarment or within a period of 2 years next after an adverse decision of the Supreme Court upon a former petition filed by or on behalf of the same person. If, prior to disbarment, the attorney was suspended from the practice of law, pendente lite, pursuant to the provisions of Rule 9 hereof, the period of such suspension may be credited toward the 3 years referred to above. If an attorney has been disbarred solely because of his conviction of a crime involving moral turpitude pursuant to Rule 1.1(a), and said conviction is later reversed and said charges are dismissed on their merits, the Supreme Court may in its discretion, upon application by said attorney, enter an order reinstating the attorney to active status.
(b) Costs. No disbarred attorney may file a petition for reinstatement until the amount of the costs and expenses fixed pursuant to these rules has been fully paid. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 8.2 Form of petition. A petition for reinstatement as a member of the Association after disbarment therefrom shall be in writing and verified by the petitioner and filed with the Board of Governors. The petition shall set forth the age, residence and address of the petitioner, the date of disbarment, and a concise statement of facts claimed to justify reinstatement. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 8.3 Fees. The petition shall be accompanied by the application and the total fees required of an attorney applicant under the Admission to Practice Rules. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 8.4 Investigation. In its discretion the Board of Governors may refer the petition for reinstatement for investigation and report to the proper Local Administrative Committee, Board, State Bar Counsel, or to such other person or persons as may be determined by the Board of Governors. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 8.5 Hearing before the board of governors.

(a) Notice. The Board of Governors shall fix a time and place for hearing of the petition and serve notice thereof 10 days prior to the hearing upon the petitioner and upon such persons as may be ordered by the Board of Governors. Notice of the hearing shall also be published at least once in the Washington State Bar News or such other periodical as the Board of Governors may direct. Such published notice shall contain a statement that a petition for reinstatement has been filed and the time fixed for the hearing of the petition for reinstatement.
(b) Statement in Support or Opposition. On or prior to the date of hearing, anyone wishing to do so may file with the Board of Governors written statements for or against reinstatement, such statements to set forth factual matters showing that the petitioner does or does not meet the requirements of Rule 8.6(a). Except by its leave no person other than the petitioner or petitioner's counsel shall be heard orally by the Board of Governors. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 8.6 Action by the board of governors.

(a) Requirements For Favorable Recommendations. Reinstatement may be recommended by the Board of Governors only upon affirmative showing that the petitioner possesses the qualifications and meets the requirements as set forth in the Admission to Practice Rules for attorney applicants, and that his or her reinstatement will not be detrimental to the integrity and standing of the Bar and the administration of justice, or be contrary to the public interest.
(b) Disposition of Recommendation. The recommendation of the Board of Governors shall be served upon the petitioner, and, together with the record in connection therewith, shall be transmitted to the Supreme Court for disposition. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 8.7 Action on supreme court's determination.

(a) Petition Approved. If the petition for reinstatement is granted by the Supreme Court, the action shall be subject to the petitioner's taking and passing the attorney applicant's examination as prescribed by the Admission to Practice Rules and payment of the costs incidental to the reinstatement proceedings.
(b) Petition Denied. If the petition for reinstatement is denied, the examination and admission fee shall be refunded to the petitioner. [Adopted January 21, 1975, effective February 3, 1975.]

## IX. SUSPENSION

Rule
9.1 Suspension for Conviction of a Felony.
(a) Suspension Automatic.
(b) Duration of Suspension.
(c) Petition for Reinbursement.
(d) Investigation.
(e) Notice of Hearing
(f) Requirements and Procedure.
(g) Granting of Denial of the Petition by Supreme Court.
9.2 Suspension During Pendency of Discplinary Proceedings.
(a) Court May Suspend.
(b) Petition and Notice to Answer.
(c) Service.
(d) Answer to Petition.
(e) Service of Answer.
(f) Costs.

## Rule 9.1 Suspension for conviction of a felony.

(a) Suspension Automatic. An attorney shall be automatically suspended from the practice of law upon his conviction of a felony under either state or federal law, whether such conviction be after a plea of guilty, nolo contendere, not guilty, or otherwise, and regardless of the pendency of an appeal, and upon the filing of a certified copy of such conviction with the Supreme Court. Provided, however, that the Board may recommend to the Supreme Court for final disposition the prevention or termination of the suspension if such Board affirmatively finds that moral turpitude was not in fact an element of the crime of which the attorney was convicted, or if the Board affirmatively finds that there is other good cause for preventing or terminating such suspension. Suspension in this manner shall not be a substitute or alternative for disciplinary proceedings against said attorney, but such proceedings shall be commenced by the Board upon said conviction, or prior thereto if reasonable cause therefor exists, and shall proceed without regard to said suspension.
(b) Duration of Suspension. When an attorney is suspended upon conviction of a felony as provided in this rule the duration of such suspension shall not exceed final disposition of the disciplinary proceedings commenced against said attorney. When the disciplinary proceedings are fully completed, after appeal or otherwise, the suspension occurring in this manner shall end and such disciplinary action as then occurs shall commence.
(c) Petition for Reinstatement. A petition for reinstatement after automatic suspension for conviction of a felony pending completion of disciplinary proceedings shall be in writing and verified by the petitioner and filed with the Board. The petition shall set forth the age, residence and address of the petitioner, the date of the conviction, and a concise statement of facts claimed to justify reinstatement pending completion of the disciplinary proceedings. The petition shall be accompanied by the application for admission and the total fees required of an attorney applicant under the Admission to Practice Rules.
(d) Investigation. In its discretion the Board may refer the petition for reinstatement for investigation and report to the proper Local Administrative Committee,

State Bar Counsel, or to such other person or persons as may be determined by the Board.
(e) Notice of Hearing. The Board shall fix a time and place for hearing of the petition by the Board and shall serve notice thereof 10 days prior to the hearing upon the petitioner and upon such persons as may be ordered by such Board.
(f) Requirements and Procedures. Such petition for reinstatement shall be recommended to the Supreme Court only upon affirmative showing to the satisfaction of the Board that the petitioner possesses the qualifications and meets the requirements as set forth in Rule 3B of the Admission to Practice Rules, excepting subsections $6,7,8$ and 9 thereof, and that his or her reinstatement will not be detrimental to the integrity and standing of the Bar and the administration of justice, or be contrary to the public interest.
(g) Granting or Denial of the Petition by the Supreme Court. The Board shall keep a record of the hearing upon the petition for reinstatement and shall make and file its findings, conclusions and recommendation thereon with the Supreme Court for final disposition. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 9.2 Suspension during pendency of disciplinary proceedings.
(a) Court May Suspend. At any time after institution of a disciplinary proceeding under Rule 3.1, where it appears that a continuation of the practice of law by the attorney during the pendency of the disciplinary proceedings will result in substantial risk of injury to the public, the Association, on recommendation of the Board (with no more than two members dissenting,) may petition the Supreme Court for an order suspending the respondent attorney during the pendency of the disciplinary proceedings. If the court, finds a continuation of practice by the attorney will result in substantial risk of injury to the public, it may enter an order suspending such attorney from the practice of law. Such suspension shall not continue beyond the conclusion of the disciplinary proceedings.
(b) Petition and Notice to Answer. The petition to the Supreme Court under this rule shall set forth the acts or omissions of the respondent attorney contained in the pending complaint, together with such other facts as may constitute grounds for suspension pending disciplinary proceedings. The petition may be supported by documents or affidavits. An order to show cause to be signed by the Chief Justice of the Supreme Court shall be issued thereon requiring the respondent attorney to be and appear before the Supreme Court on that court's first motion day following the expiration of 7 calendar days after the date on which such show cause order was signed, or on such other date as the Chief Justice may set, then and there to show cause why the prayer of the Petition for Suspension Pending Disciplinary Proceedings should not be granted.
(c) Service. Service of the petition and order to show cause shall be by service of a certified copy of such order
to show cause and an uncertified copy of such petition served in the manner provided in Rule 3.1(f)(1) at least 5 calendar days before the scheduled show cause hearing.
(d) Answer to Petition. The answer may contain additional facts relating only to the issue of substantial risk of injury to the public, shall be verified by respondent or respondent's counsel, and may be supported by documents or affidavits. The answer shall be filed with the Clerk of the Supreme Court at least 3 days before the scheduled show cause hearing. For good cause shown, the Chief Justice may extend the time for answer.
(e) Service of Answer. Two copies of the answer shall be served on the Washington State Bar Association within the time specified in Rule $9.2(\mathrm{~d})$ by filing in the office of the Association.
(f) Costs. No costs shall be taxed. [Adopted January 21, 1975, effective February 3, 1975.]

## X. SUSPENSION FOR CUMULATIVE DISCIPLINE

Rule
10.1 Criteria.
10.2 Procedure.

Rule 10.1 Criteria. An attorney disciplined after the effective date of this rule who has a record of:
(a) Three or more censures and/or reprimands; or
(b) Any combination of a suspension or disbarment plus one or more censures or reprimands shall be subject to suspension from the practice of law. For purposes of this Rule, a suspension of further proceedings pursuant to Rule 5.6(i) shall be deemed to be the equivalent of a reprimand. [Adopted January 21, 1975, effective February 3,1975 .]

Rule 10.2 Procedure. (a) Upon an attorney's accumulation of discipline as provided in Rule 10.1, the Board may recommend to the Supreme Court suspension of said attorney.
(b) The Association shall file with the Supreme Court the respondent attorney's prior record of discipline and its recommendation for suspension. The respondent attorney shall be served in the manner provided in Rule $3.1(f)(1)$ with a copy of the record filed with the Supreme Court.
(c) The Supreme Court shall allow the Association and the respondent attorney the opportunity to submit written briefs or oral argument under such conditions and within such time as the court directs. [Adopted January 21, 1975, effective February 3, 1975.]

## XI. GENERAL PROVISIONS

## Rule

11.1 Definition.
(a) Residence.
(b) District.
(c) Association.
(d) Board.
(e) Panel.
11.2 Papers.
11.3 Filing.
11.4 Expenses.
(a) Local Administrative Committee; Trial Committee; Board and Panels.
(b) Guardian Ad Litem and Counsel.
11.5 Representation of Respondent.
11.6 Reciprocal Discipline.
11.7 Disclosure.
(a) Disciplinary Files and Record Confidential.
(b) Disclosure.
(c) Notice of Disciplinary Action Taken.
(d) Disciplinary Record.
(e) Contempt.
11.8 Terms of office.

## Rule 11.1 Definitions.

(a) Residence. For the purpose of these rules, a member of the Association is a resident of that county, district or congressional district in which he or she maintains, or last maintained, his or her principal office for the practice of law whether that county, district or congressional district is his or her place of abode or not.
(b) District. When used alone in these rules, the term "district" shall refer to those districts only that are created under Rule 2.1.
(c) Association. The word "Association" wherever it appears in these rules refers to the Washington State Bar Association.
(d) Board. The word "Board" when used alone in these rules refers to the Disciplinary Board of the Association, unless a contrary intention is indicated.
(e) Panel. The word "Panel" when used alone in these rules refers to a Hearing Panel. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 11.2 Papers. All pleadings, briefs, documents or notices in these rules provided for must be typewritten or printed. [Adopted January 21, 1975, effective February 3,1975 .]

Rule 11.3 Filing. Whenever in these rules it is required that any document shall be filed with the Board or the Board of Governors, such documents shall be served on the Association at its office. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 11.4 Expenses.

(a) Local Administrative Committee, Trial Committee, Board and Panels. The members of the Local Administrative Committees, Local Trial Committees, Panels, and the Board shall receive no compensation for their services, but their expenses, if any, incurred in connection with their duties, subject to the limitations established by resolution of the Board of Governors and except as otherwise provided in these rules, shall be paid from the funds of the Association; provided, that the Board of Governors shall have discretionary authority to provide compensation to members of Panels in cases which become unusually time consuming or where some other especially burdensome circumstance is involved.
(b) Guardian Ad Litem and Counsel. Except as otherwise provided by these rules, the fees for services rendered and costs expended and incurred by a guardian ad
litem or counsel appointed under authority of these rules shall be paid by the Association. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 11.5 Representation of respondent. A former president of the Association, a former member of the Board of Governors or Board, shall not represent a respondent attorney in proceedings under these rules until after the lapse of 2 years following expiration of his or her term of office. [Adopted January 21, 1975, effective February 3, 1975.]

Rule 11.6 Reciprocal discipline. (a) Upon receipt of a certified copy of an order demonstrating that an attorney admitted to practice in this state has been disciplined in another jurisdiction, the Supreme Court shall forthwith direct the Association to issue a notice directed to the respondent attorney containing:
(1) A copy of said order from the other jurisdiction; and
(2) An order directing that the respondent attorney inform the court within 30 days from service of the notice, of any claim by the respondent attorney that the imposition of the identical discipline in this state would be unwarranted, and the reasons therefor.
State Bar Counsel shall cause this notice to be served upon the respondent attorney in the manner provided in Rule $3.1(\mathrm{f})(1)$.
(b) In the event the discipline imposed in the other jurisdiction has been stayed there, any reciprocal discipline imposed in this state shall be deferred until such stay expires.
(c) In all other respects, a final adjudication in another jurisdiction that an attorney has been guilty of misconduct shall establish conclusively the misconduct for purposes of a disciplinary proceeding in this state. [Adopted January 21, 1975, effective February 3, 1975.]

## Rule 11.7 Disclosure.

(a) Disciplinary Files and Records Confidential. Except as otherwise provided in these rules, the file in a disciplinary proceeding and a disciplinary record shall be open only to the Board of Governors, Disciplinary Board, State Bar Counsel and the Supreme Court if filed for review or requested by a member of the Supreme Court, provided, however:
(1) The respondent attorney or his or her counsel may have access to the file consisting of the formal complaint, and all other pleadings, documents and instruments filed in the proceeding subsequent thereto.
(2) When requested by the official disciplinary body of another state in connection with a pending disciplinary action in that state, the Clerk of the Supreme Court will certify and transmit to the official disciplinary body of that state the record of the attorney involved.
(3) The Association may forward to the National Discipline Data Bank maintained by the American Bar Association for use by the various state bar associations copies of any briefs filed by either side at any stage of a disciplinary proceeding; provided that the name of the respondent attorney shall be withheld unless some type of disciplinary action has been finally determined.
(4) The Bar Association shall provide the Chief Judge of the Ninth Circuit Court of Appeals and the Chief Judge of each of the Federal Judicial Districts in the State of Washington a copy of any disciplinary action by the Bar Association or the Supreme Court including censures, reprimands, suspensions, or disbarments.
(b) Disclosure. Notwithstanding all prior or existing rules relating to the confidentiality of these proceedings, the Board of Governors may inform the public of disciplinary investigation or proceedings against any attorney when, in the judgment of the Board, it is determined that the matters involved are of such grave importance that the integrity of the Bar and the public interest are affected thereby.
(c) Notice of Disciplinary Action Taken.
(1) If an attorney is permitted to resign during the pendency of disciplinary hearings, or upon suspension or disbarment, the fact of such resignation, suspension or disbarment with the attorney's name shall be published in the Washington State Bar News.
(2) If a censure is given and accepted by an attorney who has been previously disbarred, suspended or reprimanded, notice of such censure, including the attorney's name, shall be published in the Washington State Bar News.
(3) Notice of all reprimands administered by the Board of Governors, including the attorney's name, shall be published in the Washington State Bar News, unless the Board specifically provides otherwise.
(4) The Board of Governors may authorize publication in the Washington State Bar News of any final action taken by the Board since the last such publication, provided that the name of the respondent attorney shall be withheld as to all disciplinary matters which were dismissed, or where no disciplinary action was taken, or where a letter of admonition or censure was given (subject to Rule 11.7(c)(2)).
(d) Disciplinary Record. The disciplinary record of any attorney shall consist of a brief summary of any complaint made against him or her and the disposition or status thereof. Information with reference thereto may be released by the Association:
(1) When specifically authorized by these rules; or
(2) When requested in writing by the attorney; or
(3) When requested by the chairperson of a Local Administrative Committee who is investigating a complaint against the attorney; or
(4) When directed by the Board of Governors in the public interest; or
(5) When directed by the Supreme Court.
(e) Contempt. Disclosure, except as herein provided, of any matter made confidential by these rules by any person whomsoever, shall subject such person to a proceeding as for contempt. [Amd. Dec. 26, 1975, eff. Jan. 1, 1976; amd. Mar. 11, 1975, eff. July 1, 1975; adop. Jan. 21, 1975, eff. Feb. 3, 1975.]

Rule 11.8 Terms of office. Notwithstanding anything to the contrary in these rules provided, members of Local Administrative Committees, Trial Committees and
attorney members of the Disciplinary Board shall serve at the pleasure of the Board of Governors. [Adopted January 21, 1975, effective February 3, 1975.]

## XII. EXONERATION FROM LIABILITY

Rule
12.1 Exoneration from liability.

Rule 12.1 Exoneration from liability. No cause of action shall accrue in favor of a respondent attorney or any other person arising from an investigation or proceeding pursuant to these rules against the Association, its officers or agents, (including but not limited to its staff, members of the Board of Governors, Disciplinary Board, Hearing Panels and Local Administrative Committees, Bar Counsel, an attorney appointed pursuant to Rule 4.4, and probation officers appointed pursuant to Rule 5.6(i), provided only that such Association or individual shall have acted in good faith. The burden of proving bad faith in this context shall be upon the party asserting same. [Adopted January 21, 1975, effective February 3, 1975.]

JUDICIAL INFORMATION SYSTEM COMMITTEE RULES (JISCR)<br>Table of Rules<br>Rule<br>1 Judicial Information System.<br>2 Composition.<br>3 Staff.<br>4 Budgets.<br>5 Standard Data Elements.<br>6 Reports.<br>7 Codes and Case Numbers.<br>8 Retention.<br>9 Communications Links with Other Systems.<br>0 Attorney Identification Numbers.<br>1 Security, Privacy, and Confidentiality.<br>12 Dissemination of Court Information.<br>3 Local Court Systems.<br>14 Control of Data Processing Equipment.<br>15 Record and Dissemination Data Processing.<br>16 Effective Date.

Rule 1 Judicial information system. It is the intent of the Supreme Court that a state-wide Judicial Information System be developed. The system is to be designed and operated by the Administrator for the Courts under the direction of the Judicial Information System Committee and with the approval of the Supreme Court pursuant to RCW 2.56. The system is to serve the courts of the State of Washington. [Adop. Sept. 8. 1976, eff. May 15, 1976.]

Rule 2 Composition. a. Membership. The Judicial Information System Committee (JISC) shall be representative of the judiciary of the state of Washington and shall be appointed by the Chief Justice with the approval of the Supreme Court from a list of names submitted by representative groups and associations from within the Judicial system and shall be composed of a Supreme Court Justice (the Supreme Court), a Court of Appeals Judge (Court of Appeals), three superior court judges (Superior Court Judges' Association), three judges of
courts of limited jurisdiction (Washington Magistrates Association), the Supreme Court Clerk, two county clerks (Washington State Association of County Clerks), a prosecuting attorney (Washington State Prosecuting Attorneys' Association), a lay citizen (Chief Justice), a representative of the Washington State Bar Association, a director of juvenile court services (Juvenile Directors Association), the Executive Director of the Washington State Data Processing Authority, the Administrator for the Courts, two superior court administrators (Association of Washington Superior Court Administrators) and three clerks/administrators from courts of limited jurisdiction (Washington State Court Administrators Association).
b. Terms of Office. The term of membership for those who are appointed to represent specific organizations shall be for a term of three years with the initial term as determined by lot, staggered so as to insure that an equal number of terms expire each year. Any vacancy in the membership of the committee shall be filled in the same manner in which the original appointment was made and the term of membership shall expire on the same date as the original appointment expiration date.
c. Operation. The Supreme Court Justice shall be the chairperson. The members of the committee shall elect a vice-chairperson from among themselves. Meetings of the committee shall be called regularly and at a minimum of four times per year at the discretion of the chair. Any members with two unexcused absences from regularly scheduled JISC meetings during any calendar year shall be requested to resign and the respective association shall appoint a successor to fulfill the unexpired term. Ad hoc committees may also be established for the purpose of making special studies and recommendations to the JISC as required and as recommended by the chair and approved by the committee. The JISC shall review the work of the Administrator for the Courts with regard to the Judicial Information System and be responsible for recommendations to the Supreme Court concerning policies, procedures and rules which affect the operation of the Judicial Information System or any new or presently existing information system projects within the state judiciary. [Adop. Sept. 8, 1976, eff. July 1, 1976.]

Rule 3 Staff. Staff for the Judicial Information System Committee will be provided by and be responsible to the Administrator for the Courts who will be charged with providing operational, statistical and other information to legitimate and appropriate users of judicial information. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 4 Budgets. The Administrator for the Courts, under the direction of the Judicial Information System Committee, and with the approval of the Supreme Court, shall prepare funding requests for personnel, hardware and software as required for a phased implementation of the Judicial Information System. Any budget requests prepared by the Administrator for the Courts shall address the issues of control and dissemination of data from court files, developmental and operational priorities, a clear definition of operational
expenses and security and privacy of information and facilities within the system. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 5 Standard data elements. A standard court data element dictionary for the Judicial Information System shall be prępared and maintained by the Administrator for the Courts with the approval of the Judicial Information System Committee. Any modifications, additions or deletions from the standard court data element dictionary must be reviewed and approved by the Judicial Information System Committee. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 6 Reports. The Administrator for the Courts shall furnish to the courts and clerks of the state, standard report formats as recommended and approved by the Judicial Information System Committee. Records and reports either in computerized or manual formats, shall be in accordance with the standard court data elements established by the Judicial Information System Committee and consistent with the definitions contained therein. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 7 Codes and case numbers. The Administrator for the Courts shall establish, with the approval of the Judicial Information System Committee, a uniform set of codes and case numbering systems for criminal charges, civil actions, juvenile referrals, attorney identification and standard disposition identification codes. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 8 Retention. The Administrator for the Courts shall establish retention periods for all computerized records based upon the recommendations of the Judicial Information System Committee and consistent with state law. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 9 Communications link with other systems. The Judicial Information System will serve as the communications link for the courts with all local, regional, statewide and national noncourt systems. The Judicial Information System shall perform all functions relating to the transfer of computerized judicial data or information except as specifically approved by the Supreme Court upon the recommendations of the Judicial Information System Committee. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 10 Attorney identification numbers. The Office of the Administrator for the Courts will assign and maintain a uniform attorney identification number consistent with the number currently utilized by the Washington State Bar Association. The use of such code numbers will be subject to rules promulgated by the Su preme Court upon recommendations by the Judicial Information System Committee and the Board of Governors of the Washington State Bar Association. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 11 Security, privacy and confidentiality. All Court record systems must conform to the privacy and confidentiality rules as promulgated by the Supreme

Court upon the recommendation of the Judicial Information System Committee, which rules shall be consistent with all applicable law relating to public records. Any modifications, additions or deletions from the established rules must be reviewed by the Judicial Information System Committee and approved by the Supreme Court. Additionally:
(a) Courts obtaining information from computerized files subject to special security and privacy administrative rules or legislative direction must insure that all such rules or legislative enactments are followed in the handling of such information.
(b) In all automated systems, duplicate records must be prepared regularly and stored separately and a transaction log kept of all record changes covering the entire time period since the preparation of the last duplicate set of records.
(c) The Office of the Administrator for the Courts will maintain a library of court system documentation for the state. All automated information systems which have received approval from the Supreme Court to collect, store and/or disseminate computerized judicial information must submit to the Office of the Administrator for the Courts and maintain on file, a copy of all system documentation related to the collection, storage and dissemination of such information. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 12 Dissemination of court information. The Judicial Information System Committee will adopt rules consistent with all applicable law relating to public records, governing the release of information contained within the Judicial Information System. Such rules and any amendments thereto shall be forwarded to the Supreme Court and, unless altered by the Court or returned to the Judicial Information System Committee for its further consideration and recommendations, shall take effect forty-five (45) days after the receipt of such rules by the Supreme Court. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 13 Local court systems. Counties or cities wishing to establish automated court record systems shall provide advance notice of the proposed development to the Judicial Information System Committee and the Office of the Administrator for the Courts, ninety (90) days prior to the commencement of such projects for the purpose of review and approval. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 14 Control of data processing equipment. Data processing for courts shall be processed on computer equipment managed and controlled by the courts. In exceptional instances where extreme care has been taken to ensure the integrity of the internal function of the courts, explicit approval may be obtained from the Supreme Court upon the recommendation of the Administrator for the Courts and the Judicial Information System Committee, to utilize facilities not totally managed and controlled by the courts. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 15 Record and dissemination data processing. The Office of the Administrator for the Courts shall be responsible for the recording and dissemination of decisions concerning the policies of the Supreme Court in the area of data processing, except for such policies as relate to the preparation of Appellate Court opinions and their publication in the official law reports which are the responsibility of the Reporter of Decisions and the Commission on State Law Reports. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

Rule 16 Effective date. These rules, with the exception of Rule 2, shall take effect on May 15, 1976. Rule 2 shall take effect on July 1, 1976, and until such time, the Superior Courts Management Information System (SCOMIS) Committee formed on February 21, 1974 shall continue to function as directed by this Court. [Adop. Sept. 8, 1976, eff. May 15, 1976.]

## Part II

# RULES FOR APPELLATE COURT ADMINISTRATION 

| Table of Rules | Abbreviation |  |
| :---: | :---: | :---: |
| Formerly |  |  |
| Supreme Court Administrative |  |  |
| Rules $\ldots \ldots \ldots \ldots \ldots \ldots$. | SAR | (RPBSC) |

## SUPREME COURT ADMINISTRATIVE RULES (SAR)

Rule
1 Seal.
2 Style of Process.
3 Judgments.
4 Sessions of the Supreme Court.
5 Adjournments.
6 Two Departments-Assignment of Justices.
7 Reserved.
8 Chief Justice, Choice of -Duty.
9 Acting Chief Justice.
10 Right of Senior Justices to Act.
11 Seniority of Justices.
12 Acts in Contempt of Court.
13 Minutes-Court Business Meetings.
14 Opinions-When Filed.
(15 Hearings, Quorum, Finality of Opinion, Costs-_ RESCINDED.)
16 Clerk of the Supreme Court-_Appointment-Powers Duties.
17 Reporter-Appointment-Duties.
8 Law Librarian-Selection and Duties.
19 Bailiff-Appointment-Duties.
20 Memorial Exercises.
21 Justices Pro Tempore.
22 Reporting of Criminal Cases
Rule 1 Seal. The seal of the supreme court shall be the vignette of General George Washington, with the words, "SEAL OF the supreme court-STATE OF WASHINGTON," surrounding the vignette. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]
Seal of court: RCW 2.04.060.
Rule 2 Style of Process. Process of the supreme court shall run in the name of the "state of Washington," bear attest in the name of the chief justice, be signed by the clerk of the court, dated when issued, sealed with the seal of the court, and made returnable according to such rules or orders as are prescribed by the court. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]

Style of process: RCW 2.04.050.
Rule 3 Judgments. The judgments and decrees of the supreme court shall be final and conclusive upon all the parties properly before the court. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]
Effect of supreme court judgments: RCW 2.04.220.
Rule 4 Sessions of the supreme court. The regular sessions of the supreme court shall be held in the supreme court, the Temple of Justice, at the capital, beginning on the second Monday of January, the second Monday of May, and the second Monday of September each year. The court will not sit for the regular hearing of cases in July and August.

Sessions of the court shall commence at 9:00 a.m. or at such other time as the court may order.

Hearings en banc, rehearings, and special hearings may be set by the court in its discretion at such other times as the court may order. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951; last sentence of first paragraph added, adopted Aug. 2, 1955, effective Aug. 1, 1955.]
Sessions of court: RCW 2.04.030.
Rule 5 Adjournments. Adjournments from day to day, or from time to time, are to be construed as recesses in the sessions, and shall not prevent the court sitting at any time. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]

Adjournments, effect of: RCW 2.04.040.
Rule 6 Two departments--Assignment of justices. The court may be divided into two departments for the hearing of motions and such other matters as the chief justice may designate. The chief justice shall assign four of the associate justices to each department, and such assignment may be changed by him from time to time, provided that the associate justices shall be competent to sit in either department and may interchange with one another by agreement among themselves, or, if no such agreement is made, as ordered by the chief justice.

The chief justice shall sit in both departments and shall preside when so sitting. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]
Departments of court: State Constitution Art. 4 § 2.
Two departments, quorum: RCW 2.04.1 20.

## Rule 7 Reserved.

Rule 8 Chief justice, choice of ——Duty. The justice having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all sessions of the supreme court, and in case there shall be two justices having in like manner the same short term, the other justices of the supreme court shall determine which of them shall be chief justice.

The chief justice shall be the executive officer of the court and shall do and perform those duties required of him by the constitution and laws of the state of Washington and the rules of this court, and shall serve as coordinator between the two departments. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]
Acting chief justice: RCW 2.04.140.
Chief justice, selection: RCW 2.04.130.
Rule 9 Acting chief justice. The court shall elect from time to time an acting chief justice. The acting chief justice may be any member of the court not holding his office by appointment or election to fill a vacancy. The acting chief justice shall perform the duties, and exercise the powers of the chief justice during the absence or inability of the chief justice to act. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]
Acting chief justice: RCW 2.04.140.
Chief justice, selection, absence: RCW 2.04.130.

Rule 10 Right of senior justice to act. In the absence or inability of both the chief justice and the acting chief justice, the senior justice present at the capital shall act as chief justice. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 3, 1951.]

Rule 11 Seniority of justices. Seniority among the justices of the supreme court shall be determined by length of continuous service. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]

Rule 12 Acts in contempt of court. It shall be contempt of this court for anyone to divulge to others than the justices and employees of this court working upon an opinion, the results of any appeal prior to the time the opinion is filed by the clerk of the supreme court. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951; rule amended, adopted Mar. 6, 1962.]

Rule 13 Minutes-Court business meetings. The court will cause to be recorded in a book kept for that purpose minutes of all business meetings. The justice junior in length of service shall act as secretary. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]

Rule 14 Opinions - When filed. All opinions filed with the clerk of this court shall be signed except per curiams. All opinions in any case shall be filed at the same time, and the time of filing shall be determined by the chief justice. Original opinions shall not be taken from the clerk's office. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951; rule amended, adopted Apr. 9, 1953, effective Apr. 9, 1953.]

Rule 15 Hearings, quorum, finality of opinion, costs. [Rescinded Jan. 28, 1976, eff. July 1, 1976; adop. July 2, 1969, eff. July 18, 1969. Prior: Adop. Nov. 22, 1950, eff. Jan. 2, 1951; proviso added, adop. Dec. 14, 1953, eff. Mar. 1, 1954.]

Rule 16 Clerk of the supreme court--Appoint-ment-DPowers-—Duties. (1) The justices of the supreme court shall appoint a clerk of that court, who may be removed at their pleasure. The clerk shall receive such compensation by salary only as shall be fixed by the court.
(2) The clerk of the supreme court may have one or more deputies, to be appointed by him in writing, to serve during his pleasure. The deputies shall have the power to perform any act or duty relating to the clerk's office that their principal has, and their principal is responsible for their conduct.
(3) The clerk and his deputies are prohibited, during their continuance in office, from acting or having a partner who acts as an attorney.
(4) Before entering upon the duties of his office, the clerk and each deputy clerk shall take an oath of office, and give bond in such a sum, with surety and condition, as the court shall require, which oath and bond shall be deposited with the secretary of state.
(5) The clerk shall keep his office at the seat of government open at such hours as the court shall require, and shall keep such records and books as are prescribed by the court.
(6) The clerk of the supreme court is given the power to take and certify the proof and acknowledgment of a conveyance of real property or any other written instrument authorized or required to be proved or acknowledged, and to administer oaths in every case when authorized by law. It is the duty of the clerk
(a) To keep the seal of the court and affix it in all cases where he is required by law;
(b) To record the proceedings of the court;
(c) To keep the records, files and other books and papers appertaining to the court;
(d) To file all papers delivered to him for that purpose, in any action or proceeding in that court, except when by the rules of court he is directed to refuse to file papers under the conditions set out by the rules.
(7) The clerk of the supreme court shall keep the following books and records:
(1) Journal in which he shall record
(a) all judgments,
(b) orders of the court except those of a temporary nature which do not affect the final result of the case,
(c) original bonds,
(d) citations to supreme court of United States,
(e) mandates from the supreme court of the United States and certified copies of its orders;
(2) Appearance docket in which he shall show
(a) the substantial title of the case, the number in the superior court, the trial judge, the county whence comes the appeal, and names of attorneys;
(b) appearance fees and money paid into the clerk's trust fund;
(c) the date of filing each paper and part of the record;
(d) all minute entries directed by the court or chief justice;
(e) the date for hearing on the calendar and any continuance;
(f) the disposition of motions and petitions;
(g) the entry of judgment and where recorded;
(h) date remitted;
(i) citation of opinion in Washington Reports.
(3) General Index of Cases
(4) Motion docket, which shall show the number and title of the case, the attorneys, the nature of the motion and sufficient space for the chief justice to show the disposition;
(5) Cash Book, in which shall be shown all monies received and disbursed by the clerk;
(6) Trust Fund Journal, in which shall be shown all receipts and disbursements in clerk's trust fund;
(7) Appropriation Expenditure Ledger, showing all expenditures from appropriations for salaries and operations.
(8) Withholding Tax Ledger, showing withholdings from salaries of each employee and officer of the court for Federal income taxes and disbursement of the same.
(9) Court Room Docket, which shall show the title and number of each case argued, the department, names of the judges sitting, the attorneys arguing each side of the case, and the time used by each, together with the nature of the matter heard. The bailiff, at the direction of the clerk, will prepare and make entries.
(10) Clerk's Docket of Admission and Discipline of Attorneys, which shall show all papers covering the admission and discipline of attorneys.
(8) The clerk shall do and perform any and all other duties as may be prescribed by the supreme court.
(9) In all cases that are remanded for a new trial or for further proceedings, at the time the remittitur goes
down, the clerk, at the expense of appellant, shall return the statement of facts and the exhibits to the clerk of the superior court. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 2, 1950, effective Jan. 2, 1951; subdivision (9) added, adopted Dec. 2, 1954, effective Jan. 3, 1955.]
Supreme court clerk: Chapter 2.32 RCW; state Constitution Art. 4 § 22.

Rule 17 Reporter——Appointment——Duties. (1) The justices of the supreme court shall appoint a reporter for the decisions of the court, who shall be removable at their pleasure. He shall receive such annual salary as shall be fixed and determined by the supreme court.
(2) The reporter shall prepare the decisions of the supreme court for publication in the weekly advance sheets and in the permanent volumes of the Washington Reports. The decisions shall be published chronologically, unless otherwise directed by the court.
(3) When in any case, a petition for rehearing has been made and denied, he shall make a notation thereof at the conclusion of the decision as reported in the permanent volume.
(4) He shall prepare the decisions for publication in the weekly advance sheets by giving the title of each case, the classification of the points decided, and the names of counsel, and shall prepare a subject index to each book and prefix a table of cases reported. When the decisions published in a volume of advance sheets approximately equal those to be published in the corresponding permanent volume, the volume of advance sheets shall be closed, and the reporter shall prepare a cumulative subject index covering such volume, to be published in the last book thereof.
(5) He shall prepare the decisions for publication in the permanent volumes by giving the title of each case, a syllabus of the points decided, and the names of counsel, and shall prepare a full and comprehensive index of each volume, and prefix a table of cases reported.
(6) He shall furnish to each of the justices proof sheets of the decisions written by such justice, as the same are to appear in the bound volume, and, after examination, the justice will return them to the reporter. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951; subd. (3) amended, adopted Nov. 2, 1960, effective Jan. 2, 1961; rule form approved, adopted Dec. 6, 1960, effective Jan. 2, 1961.]
Supreme court reporter: Chapter 2.32 RCW; state Constitution Art. 4 § 18.

Rule 18 State law library. The following Rules shall govern the operation of the State Law Library:
(a) State Law Library-General. The primary function of the State Law Library shall be to maintain a legal research library at the state capitol for the use of all state officials and employees, equipped to serve them effectively with legal research materials required by them in connection with their official duties. Specifically included, but not limited to, are members, staff and employees of the:
(1) Supreme Court
(2) Office of Administrator of the Courts
(3) Attorney General Department
(4) Legislature
(5) Governor's Office
(6) Commissions, agencies, and boards of all branches of state government.
(b) Public Use. In addition to the groups provided in section (a), the Library shall be open to the public each day of the week from 8 a.m. to 5 p.m. except Saturdays, Sundays and those legal holidays provided in RCW 1.16.050.
(c) After-Hours Use. In addition to the hours for public use as provided in section (b), and when required by them in connection with their official duties, those persons provided for in section (a) may, upon application to the Law Librarian, have access to the library collection during evenings, weekends and holidays.
(d) State Law Librarian_Appointments. The Court will appoint a Law Librarian who may be removed at its pleasure.
(e) State Law Librarian-Duties. The State Law Librarian shall:
(1) Maintain as complete and up-to-date law library as possible;
(2) Administer the library in accordance with the best professional standards and protect library property from loss or damage;
(3) Do legal research for any Supreme Court Justice when he requests it;
(4) Establish, develop and maintain legal research libraries for each division of the Court of Appeals;
(5) Upon request, advise and consult with Board of Trustees, or other administrative bodies, of county law libraries in the development, improvement, arrangement and maintenance of county law library collections and services;
(6) Promote improved state-wide law library service to all citizens of the State of Washington by lending of legal materials and providing reference assistance in any manner not inconsistent with the primary responsibility of the State Law Library as set forth in section (a);
(7) Make distribution of legislative journals, session laws, Washington Reports and Washington Appellate Reports as required by statute;
(8) Perform any and all other duties as may be prescribed by the Supreme Court or by statute. [Amd. June 4, 1976, eff. July 1, 1976; adop. July 2, 1969, eff. July 18, 1969. Prior: Adop. Nov. 22, 1950, eff. Jan. 2, 1951.]
Duties of state law librarian relative to session laws, legislative journals and supreme court reports: Chapter 40.04 RCW.
State law librarian member of commission to supervise publication of decisions of supreme court: RCW 2.32.160.
State law library: Chapter 27.20 RCW.
Rule 19 Bailiff——Appointment——Duties. The court will appoint a bailiff whose duties shall be to attend the sessions of the court, circulate opinions and petitions, act as clerk to the chief justice, and do and perform such other duties as may be required by the court. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.] Supreme court bailifs, compensation: RCW 2.32.340, 2.32.350.

Rule 20 Memorial exercises. During the week before the beginning of the May term of each year, the court will conduct suitable memorial exercises for members or former members of the supreme court who have died within the preceding year. [Adopted July 2, 1969, effective July 18, 1969. Prior: Adopted Nov. 22, 1950, effective Jan. 2, 1951.]

Rule 21 Justices pro tempore. (1) Selection and Use. When a member of the court is disqualified or unable to function on a case for good cause, a majority of the regular remaining members of the court may, by written order, designate a justice pro tempore to sit with the court en banc to hear and determine the cause. The designating order shall set forth the period of service. In no event shall more than two justices pro tempore sit with the court en banc.
(2) Qualification. A justice pro tempore shall take the oath of office required by Article 4, § 28 of the state Constitution. The oath of office, together with the original order of appointment, shall be filed forthwith in the office of the secretary of state. A copy of the oath and order of appointment shall be filed in the office of the clerk of the supreme court.
(3) Duties of the Justice Pro Tempore.
(a) A justice, while serving pro tempore, shall have the same power and authority as a justice of the supreme court, and he shall perform such duties as the court may direct.
(b) A justice pro tempore will function promptly on opinions and petitions for rehearing on which he is qualified to function. When such opinions are received by him after the period of his appointment has expired, his original period of office as a justice pro tempore shall be deemed to exist in order for him to function and to accomplish the ministerial act of filing the opinion.
(4) Publication of Opinions.
(a) Dissents and Concurrences. Dissents or concurrences written by a justice pro tempore shall be published in regular form, except that a reference symbol shall be placed after his name, directing attention to a footnote which shall read:
"Justice ------------- is serving as a justice pro tempore of the supreme court pursuant to Const. Art. 4 § 2(a) (amendment 38)."
(b) Opinions signed by a justice pro tempore shall be published in the regular form, except that the name of the justice pro tempore shall follow the names of the justices of the supreme court signing such opinion, with the designation "Pro Tem." after his signature.
(c) There shall appear, in each bound volume of the Washington Reports, on the page following the page listing the justices of the supreme court, the names and terms of office of the justices pro tempore who served during the period covered by the published volume. [Adopted July 2, 1969, effective July 18, 1969; a mended, adopted Sept. 3, 1969, effective Sept. 12, 1969. Prior: Adopted March 13, 1963, effective March 13, 1963; amendment adopted April 29, 1963, effective April 29, 1963; Subsec. (2) amended, effective Mar. 19, 1964.]
Judges pro tempore of the supreme court, compensation and expenses: RCW 2.04.240, 2.04.250.

Rule 22 Reporting of criminal cases. On any criminal appeal taken to the Supreme Court from a determination made by a court of lesser jurisdiction, the court clerk shall, within five court days of the filing of a final decision on the merits in the matter, forward to the Washington State Patrol Section on Identification on a form approved by the Administrator for the Courts its disposition of the particular case. In the event that original or collateral proceedings are brought in the Supreme Court and the result of those original or collateral proceedings changes, or otherwise makes inaccurate, the information forwarded on the original disposition report, the court clerk shall prepare and forward to the Section a supplemental disposition report on a form approved by the Administrator for the Courts indicating thereon the information necessary to correct the current status of the disposition of charges against the subject maintained in the records of the Section. [Adopted Jan. 17, 1974, effective March 1, 1974.]

## COURT OF APPEALS ADMINISTRATIVE RULES (CAR)

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Rule
    Seal.
    Style of Process.
    Judgments.
    Sessions.
    Adjournments.
    Authority.
    Apportionment of Business.
    Chief Judge.
    Acting Chief Judge.
    Right of Senior Judge to Act.
    Seniority of Judges.
    Acts in Contempt of Court.
    Minutes-Court Business Meetings.
    14 Opinions_-When Filed.
(15 Finality of Decision-_RESCINDED.)
    16 Court Personnel.
    1 7 \text { Reporter.}
    18 Law Librarian.
    19 Bailiff.
    20 Memorial Exercises.
    21 Transfer of Judges and Causes.
    22 Supreme Court Clerk.
    23 Administrator for the Courts.
    (24 Procedure_-RESCINDED.)
    25 Reporting of Criminal Cases.
Court of Appeals: State Constitution Art. 4 § 30; Chapter 2.06 RCW.
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Rule 1 Seal. The seal of the Court of Appeals shall be in the vignette of George Washington, with the words "SEAL OF THE COURT OF APPEALS-STATE OF WASHINGTON" surrounding the vignette. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 2 Style of process. Processes of the Court of Appeals shall run in the name of the "State of Washington," bear attest in the name of the chief judge, be signed by the clerk of the court, dated when issued, sealed with the seal of the court, and made returnable according to such rules or orders as are prescribed by the court. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 3 Judgments. The judgments and decrees of the court of appeals shall be final and conclusive upon all parties except when the supreme court has assumed jurisdiction of the cause. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 4 Sessions. The regular sessions of the court of appeals shall be held in accordance with SAR 4, at the headquarters, and by order of the supreme court at such other locations as authorized by statute. Pursuant to Ch. 221 of the Laws of 1969, First Extraordinary Session, the first division shall have its headquarters in Seattle; the second division shall have its headquarters in Tacoma; and the third division shall have its headquarters in Spokane. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 5 Adjournments. Adjournments from day to day, or from time to time, are to be construed as recesses in the sessions, and shall not prevent the court sitting at any time. [Adopted July 2, 1969, effective July 11, 1969.

Rule 6 Authority. The presence of three judges and a concurrence of at least a majority thereof shall be required to dispose of a case, except for dismissal on stipulation of counsel of record. The chief judge may function on all procedural matters not affecting the content of the record or argument. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 7 Apportionment of business. The chief judge shall apportion cases fairly among all judges of the division. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 8 Chief judge. Initially the judges of each division will select the chief judge. After the first election, the judge of the division having the shortest term to serve not holding his office by appointment or election to fill a vacancy shall be the chief judge and in case there shall be two judges having the same short term, the other judges of the division shall determine which of them shall be chief judge. In a division having more than one panel, the chief judge shall assign the judges to panels. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 9 Acting chief judge. Each division shall elect from time to time an acting chief judge. The acting chief j'udge shall perform the duties and exercise the powers of the chief judge during the absence or inability of the chief judge to act. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 10 Right of senior judge to act. In the absence or inability of both the chief judge and the acting chief judge, the senior judge present, of the division, shall act as chief judge. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 11 Seniority of judges. Seniority among the judges of the court of appeals shall be determined by length of continuous service on the court of appeals. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 12 Acts in contempt of court. It shall be contempt of this court for anyone to divulge to others than the judges or employees of this court any information relative to a case, except that which is of public record. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 13 Minutes--Court business meetings. The court will cause to be recorded in a book kept for the purpose minutes of all business meetings. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 14 Opinions- When filed. All opinions filed with a clerk of a division shall be signed, except per curiams. All opinions in any one case shall be filed at the same time, and the time of filing shall be determined by the chief judge. Original opinions shall not be taken from the clerk's office. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 15 Finality of decision. [Rescinded Jan. 28, 1976, eff. July 1, 1976; adop. July 2, 1969, eff. July 11, 1969; amd. Sept. 3, 1969, eff. Sept. 12, 1969; amd. Nov. 29, 1971, eff. Jan. 1, 1972.]

Rule 16 Court personnel. The court of appeals shall have such personnel as are authorized by supreme court rule. The personnel will be appointed by and serve at the pleasure of the division of the court to which they report.
a. Clerk's Office. Each division shall have a clerk and such other personnel for the operation of the office as are authorized by the Supreme Court. Before undertaking his duties, the clerk shall file with the secretary of state an oath of office. For coordination control, the clerks of the court of appeals shall be under the supervision of the clerk of the supreme court.

The clerk of each division of the court of appeals shall submit to the clerk of the supreme court, on the first day of each month, a list of all cases argued and assigned for opinion, the date the assignment was made, and such other reports as may be requested by the supreme court clerk.
b. Law Clerks and Secretaries. Each judge and chief judge is entitled to one law clerk and one secretary. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 17 Reporter. The opinions of the court of appeals shall be published by the reporter of decisions of the supreme court, under the supervision of the commission on supreme court reports. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 18 Law librarian. The state law librarian shall counsel and advise in the selection of books, periodicals, and all other legal research materials for the use of the court of appeals. Acquisition of all such material shall be made through the state law library. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 19 Bailiff. The clerk of each division may serve as bailiff. The chief judge may designate a law clerk to serve as temporary bailiff. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 20 Memorial exercises. At the beginning of the May term of each year, the court will conduct suitable memorial exercises for members or former members of the court of appeals who have died during the preceding year. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 21 Transfer of judges and causes. [Effective after Feb. 28, 1977.| Judges of the respective divisions may sit in other divisions and causes may be transferred between divisions, as directed by written order of the chief justice of the supreme court. [Amd. Dec. 10, 1975, eff. Mar. 1, 1976, amd. term. Feb. 28, 1977; adop. July 2, 1969, eff. July 11, 1969.]

Rule 21 Transfer of judges and cases. [Effective until Feb. 28, 1977.] (a) Generally. A judge of one division of the Court of Appeals may sit in any other division, and a case may be transferred from one division to another, as directed by written order of the Chief Justice of the Supreme Court.
(b) For Settlement Conferences. A judge or judge pro tempore of the Court of Appeals may be assigned to expedite the use of settlement conferences provided for under CAROA 64 as follows:
(1) Judge. A judge of one division of the Court of Appeals may sit in any other division as a settlement conference judge or to replace during argument and decision a judge of another division who has acted as a settlement conference judge, as directed by written order of the Chief Justice of the Supreme Court.
(2) Judge Pro Tempore. A retired judge of a court of record may sit in any division of the Court of Appeals as a settlement conference judge or to replace during argument and decision a judge who has acted as a settlement conference judge, as appointed by the Chief Justice of the Supreme Court. [Amd. Dec. 10, 1975, eff. Mar. 1, 1976, amd. term. Feb. 28, 1977; adop. July 2, 1969, eff. July 11, 1969.]

Rule 22 Supreme court clerk. The clerk of the supreme court shall be responsible for the training and coordination control of the clerks of the court of appeals. [Adopted July 2, 1969, effective July 11, 1969.]

Rule 23 Administrator for the courts. a. Fiscal Services. The legislature having appropriated to the court administrator funds for the court of appeals, fiscal services shall be provided by the court administrator.
b. Budgetary Planning. Each division shall submit to the court administrator a proposed budget at such time and in such form as the court administrator shall request. The court administrator shall prepare a proposed budget for the court of appeals.
c. Statistics. The administrator for the courts, under the supervision of the supreme court and the chief justice, shall collect and compile statistical and other data reflecting the state of the dockets and any need for judicial assistance, and shall make reports of the business transacted by the court of appeals. The clerks of the court of appeals and all other officers and employees of that court shall comply with all requests made by the court administrator, after approval by the chief justice, for information and statistical data bearing upon the
business transacted and the judicial accomplishments of that court.
d. Bond. The administrator for the courts shall obtain public employee faithful performance bond coverage for all court employees. [Adopted July 2, 1969, effective July 11, 1969; amended, adopted Sept. 3, 1969, effective Sept. 12, 1969.]

Rule 24 Procedure. [Rescinded Jan. 28, 1976, eff. July 1, 1976; adop. July 2, 1969, eff. July 11, 1969.]

Rule 25 Reporting of criminal cases. On any criminal appeal taken to the Court of Appeals from a determination made by a court of lesser jurisdiction, the court clerk shall, within five court days of the filing of a final decision on the merits in the matter, forward to the Washington State Patrol Section on Identification on a form approved by the Administrator for the Courts its disposition of the particular case. In the event that collateral proceedings are brought in the Court of Appeals and the result of those collateral proceedings changes, or otherwise makes inaccurate, the information forwarded on the original disposition report, the court clerk shall prepare and forward to the Section a supplemental disposition report on a form approved by the Administrator for the Courts indicating thereon the information necessary to correct the current status of the disposition of charges against the subject maintained in the records of the Section. [Adopted Jan. 17, 1974, effective March 1, 1974.]

# Part III <br> RULES ON APPEAL 

Title of Rules
Rules of Appellate Proceviation
Ab $\ldots .$. . . . RAP

## RULES OF APPELLATE PROCEDURE (RAP)

TITLE 1 Scope and purpose of rules.
Rule
1.1 Scope of rules.
1.2 Interpretation and waiver of rules by court.

TITLE 2 What trial court decisions may be reviewed--Scope of review.
Rule
2.1 Methods for seeking review of trial court decisionGenerally.
2.2 Decisions of the superior court which may be appealed.
2.3 Decisions of the trial court which may be reviewed by discretionary review.
2.4 Scope of review of a trial court decision.
2.5 Circumstances which may affect scope of review.

## TITLE 3 Parties.

Rule
3.1 Who may seek review.
3.2 Substitution of parties
3.3 Consolidation of cases.
3.4 Title of case and designation of parties.

TITLE 4 Where to seek review of a trial court decision. Rule
4.1 Review of trial court decision-by the court of appeals.
4.2 Direct review of trial court decision by supreme court.
4.3 Transfer of cases by supreme court.

TITLE 5 How and when to initiate review of trial court decision. Rule
5.1 Review initiated by filing notice of appeal or notice for discretionary review.
5.2 Time allowed to file notice.
5.3 Content of notice-Filing.
5.4 Filing of notice and service by clerk.

TITLE 6 Acceptance of review.
Rule
6.1 Appeal as a matter of right.
6.2 Discretionary review.

TITLE 7 Authority of trial court and appellate court pending review. Rule
7.1 Authority of trial court before review accepted.
7.2 Authority of trial court after review accepted.
7.3 Authority of appellate court.

TITLE 8 Supersedeas, injunctions, and other orders to insure effective review- Bonds.
Rule
8.1 Supersedeas in the trial court.
8.2 Release of defendant during review of a criminal case.
8.3 Appellate court orders needed for effective review.
8.4 Bond with individual sureties-Justification-Objection.
8.5 State as obligee on bond.
8.6 Termination of supersedeas, injunctions, and other orders.

TITLE 9 Record on review.
Rule
9.1 Composition of record on review.
9.2 Verbatim report of proceedings.
9.3 Narrative report of proceedings.
9.4 Agreed report of proceedings.
9.5 Filing and service of report of proceedings- Objections.
9.6 Designation of clerk's papers and exhibits.
9.7 Preparing clerk's papers and exhibits for appellate court.
9.8 Transmitting record on review.
9.9 Correcting or supplementing report of proceedings before transmittal to appellate court.
9.10 Correcting or supplementing record after transmittal to appellate court.
9.11 Additional evidence on review.

## TITLE 10 Briefs.

Rule
10.1 Briefs which may be filed.
10.2 Time for filing briefs.
10.3 Content of brief.
10.4 Preparation and filing of brief by party.
10.5 Reproduction and service of briefs by clerk.
10.6 Amicus curiae brief.
10.7 Submission of improper brief.
10.8 Additional authorities.

## TITLE 11 Oral argument on merits.

Rule
11.1 Oral arguments to which title applies.
11.2 Who may present oral argument.
11.3 Date of argument.
11.4 Time allowed and order of argument.
11.5 Conduct of argument.
11.6 Submitting case without oral argument.

TITLE 12 Appellate court decision and procedure after decision.
Rule
12.1 Basis for decision.
12.2 Disposition on review.
12.3 Forms of decision.
12.4 Motion for reconsideration of decision terminating review.
12.5 Mandate.
12.6 Stay of mandate pending decision on application for review by Untied States supreme court.
12.7 Finality of decision.
12.8 Effect of reversal on intervening rights.
12.9 Recall of mandate.

TITLE 13 Review by the supreme court of court of appeals decision. Rule
13.1 Methods of seeking review.
13.2 Decisions reviewed as a matter of right.
13.3 Decisions reviewed as a matter of discretion.
13.4 Discretionary review of decision terminating review.
13.5 Discretionary review of interlocutory decision.
13.6 Acceptance of review.
13.7 Proceedings after acceptance of review.

## TITLE 14 Costs.

## Rule

| 14.1 | Costs generally. |
| :--- | :--- |
| 14.2 | Who is entitled to costs. |
| 14.3 | Expenses allowed as costs. |
| 14.4 | Cost bill. |
| 14.5 | Objections to cost bill. |
| 14.6 | Award of costs. |

## TITLE 15 Special provisions relating to rights of indigent party.

## Rule

15.1 Procedures to which title applies.
15.2 Determination of indigency and rights of indigent party.
15.3 Waiver of charges for reproducing briefs.
15.4 Claim for payment of expense for indigent party.
15.5 Allowance of claim for payment of expense for indigent party.
15.6 Recovery of public funds.

## TITLE 16 Special proceedings in the supreme court and court of appeals.

| Rule |  |
| :---: | :---: |
| 16.1 | Proceedings to which title applies. |
| 16.2 | Original action against state officer. |
| 16.3 | Personal restraint petition-Generally. |
| 16.4 | Personal restraint petition-Grounds for remedy. |
| 16.5 | Personal restraint petition-Where to seek relief. |
| 16.6 | Personal restraint petition-Parties. |
| 16.7 | Personal restraint petition--Form of petition. |
| 16.8 | Personal restraint petition-_Filing and service. |
| 16.9 | Personal restraint petition-_Response to petition. |
| 16.10 | Personal restraint petition-Briefs. |
| 16.11 | Personal restraint petition-Consideration of petition. |
| 16.12 | Personal restraint petition--Reference hearing. |
| 16.13 | Personal restraint petition-_Procedure after reference hearing. |
| 16.14 | Personal restraint petition-Appellate review. |
| 16.15 | Personal restraint petition-_Supplemental provisions. |
| 16.16 | Question certified by federal court. |
| 16.17 | Other rules applicable. |

## TITLE 17 Motions.

## Rule

17.1 Relief available by motion.
17.2 Who decides a motion.
17.3 Content of motion.
17.4 Filing and service of motion-Response to motion.
17.5 Oral argument of motion.
17.6 Motion decided by ruling or order.
17.7 Objection to ruling-Review of decision on motion.

## TITLE 18 Supplemental provisions.

Rule
18.1 Attorneys' fee and expenses.
18.2 Voluntary withdrawal of review.
18.3 Withdrawal by counsel in criminal case.
18.4 Disposition of exhibits.
18.5 Service and filing of papers.
18.6 Computation of time.
18.7 Signing and dating papers.
18.8 Waiver of rules and extension and reduction of time.
18.9 Violation of rules.
18.10 Forms.
18.11 Civil appeal statement and settlement conference in court of appeals.
18.12 Accelerated review.
18.13-18.20 [Reserved].
18.21 Title and citation of rules.
18.22 Statutes and rules superseded.
18.23 Mail addressed to appellate courts.
18.24 Status of comments, references and index.

Order of Supreme Court adopting Rules of Appellate Procedure (RAP) and rescinding and amending certain prior rules:

Whereas, in May, 1972, a Task Force was organized by the Washington Judicial Council after consultation with the Board of Governors of the Washington State Bar Association, to draft proposed rules of court governing practice before the Supreme Court and Court of Appeals, and

Whereas, in February, 1974, after 21 months of study, drafting and review, the Washington Proposed Rules of Appellate Procedure were
distributed to the members of the Washington Bench and Bar for comment, and
Whereas, after having received comments from the Washington Bench and Bar a revised version of the Washington Proposed Rules of Appellate Procedure were considered by the Washington Judicial Council on June 26 and 27, 1974 and again on September 26 and 27, 1974, and
Whereas, on November 10, 1974, the Washington Proposed Rules of Appellate Procedure as amended by the Judicial Council were submited to the Supreme Court for approval, and
Whereas, on November 25 and 26, 1974, the Supreme Court met with members of the Appellate Rules Task Force to consider the Proposed Rules, and

Whereas, the Supreme Court, after considering the Proposed Rules on En Banc Conferences on February 26, 1975; April 7 and 8, 1975; July 23, 1975; November 19, 1975; and December 3, 1975, and

Whereas, the Court has determined that the Proposed Rules set forth in the attachment hereto provide a uniform procedure which will afford prompt determination of appellate cases on the merits, and

Whereas, the Court has determined that publication of the comments, references and index of the Task Force to the Rules will aid the Bench and Bar, and

Whereas, the forms set forth in the Appendix to these Rules are illustrative only; Now, therefore, It is hereby

ORDERED:
a. The Washington Rules of Appellate Procedure as set forth in the attachment hereto are adopted.
b. Supreme Court Administrative Rule 15 (SAR 15); Supreme Court Rules on Appeal I-1 through I-67 (ROA I-1 through ROA I67); Supreme Court Rule on Appeal II-1 through II-4 (ROA II-1 through II-4); Court of Appeals Administrative Rules 15, 24 (CAR 15, 24); Court of Appeals Rules on Appeal 1 through 66 (CAROA 1 through 66); Superior Court Civil Rule 62 (c), (d), (e), (g) (CR 62 (c), (d), (e), (g)); Superior Court Criminal Rules 7.4(d)(2), 7.7 (CrR 7.4(d)(2), 7.7) are rescinded.
c. The General Rules are amended as set forth in the attachment hereto.
d. The Comments, References and Index to the Rules are solely those of the Advisory Task Force on Appellate Rules and are not adopted by the Court.
e. A person may use any form which substantially complies with these rules. The forms in the Appendix are only illustrative.
f. The Rules, Comments, References, Index and Appendix of Forms will be published expeditiously in the Washington Reports.
g. These Rules shall become effective on July 1, 1976; provided that the rules rescinded by this order will continue to apply to any case pending before the Supreme Court or the Court of Appeals on July 1, 1976; and provided further that Rules of Appellate Procedure 18.11 (RAP 18.11) shall be effective until February 28, 1977 or further order of the Court.
DATED at Olympia, Washington this 28th day of January, 1976.

## TITLE 1-—SCOPE AND PURPOSE OF RULES

Rule
1.1 Scope of rules
(a) Review of trial court decision
(b) Review of decision of court of appeals
(c) Special proceedings
(d) Application to both appellate courts
(e) Application to civil and criminal proceedings
(f) Action of appellate court
(g) Superseding effect of rules
(h) Effect of subsequent legislation
1.2 Interpretation and waiver of rules by court
(a) Interpretation
(b) Words of command
(c) Waiver

## Rule 1.1 Scope of rules.

(a) Review of Trial Court Decision. These rules govern proceedings in the Supreme Court and the Court of Appeals for review of a trial court decision.
(b) Review of Decision of Court of Appeals. These rules also establish the procedure for seeking review of a decision of the Court of Appeals by the Supreme Court. Review of a decision of the Court of Appeals is governed by Title 13 of these rules.
(c) Special Proceedings. These rules also establish the procedure for original actions in the Supreme Court and the Court of Appeals and the procedure for determining questions of law certified by a federal court, all called "special proceedings." Special proceedings are governed by Title 16 of these rules.
(d) Application to Both Appellate Courts. Each rule applies to proceedings both in the Supreme Court and in the Court of Appeals, unless a different application is indicated. Both the Supreme Court and the Court of Appeals are called "appellate court."
(e) Application to Civil and Criminal Proceedings. Each rule applies to both civil and criminal proceedings, unless a different application is indicated.
(f) Action of Appellate Court. The appellate court clerk and commissioner are given authority by these rules to make some decisions, called rulings. An act performed on the authority of these rules is action taken by the appellate court whether that act is performed by the clerk or a commissioner or by the judges of the Supreme Court of the Court of Appeals.
(g) Superseding Effect of Rules. These rules supersede all statutes and rules covering procedure in the Supreme Court and the Court of Appeals, unless one of these rules specifically indicates to the contrary.
(h) Effect of Subsequent Legislation. If a statute in conflict with a rule is enacted after these rules become effective and that statute does not supersede the conflicting rule by direct reference to the rule by number, the rule applies unless the rule specifically indicates that statutes control. If a statute in conflict with a rule is enacted after these rules become effective and that statute does supersede the conflicting rule by direct reference to the rule by number, the statute applies until such time as the rule may be amended or changed by the Supreme Court through exercise of its rule making power. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 18.22, Statutes and Rules Superseded.
Comment: The Rules of Appellate Procedure are a complete revision of the rules for procedure in Washington's appellate courts. Unless a specific rule indicates that a different application is intended, the rules govern all actions in both the Supreme Court and the Court of Appeals, in both civil and criminal cases.
The rules supersede the Supreme Court Rules on Appeal, the Court of Appeals Rules on Appeal, SAR 15, CAR 15 and 24, CTR 7.7, and parts of CR 62. They also supersede numerous statutes relating to appellate procedure. Particular rules, however, expressly defer to any statute on the subject. Rule 5.2, for example, requires that a notice of appeal be filed within the time established by statute in a particular kind of case.

Under the former rules it was not clear which statutes were superseded and which were not. Compare Taylor v. Greenler, 54 Wn.2d 682, 344 P.2d 515 (1959).

## Rule 1.2 Interpretation and waiver of rules by court.

(a) Interpretation. These rules will be liberally interpreted to promote justice and facilitate the decision of cases on the merits. Cases and issues will not be determined on the basis of compliance or noncompliance with these rules except in compelling circumstances where justice demands, subject to the restrictions in Rule 18.8(b).
(b) Words of Command. Unless the context of the rule indicates otherwise: "Should" is used when referring to an act a party or counsel for a party is under an obligation to perform. The court will ordinarily impose sanctions if the act is not done within the time or in the manner specified. The word "must" is used in place of "should" if extending the time within which the act must be done is subject to the severe test under Rule 18.8(b) or to emphasize failure to perform the act in a timely way may result in more severe than usual sanctions. The word "will" or "may" is used when referring to an act of the appellate court. The word "shall" is used when referring to an act that is to be done by an entity other than the appellate court, a party, or council for a party.
(c) Waiver. The appellate court may waive or alter the provisions of any of these rules in order to serve the ends of justice, subject to the restrictions in Rule 18.8(b) and (c). [Adopted January 28, 1976, effective July 1, 1976.]

References: Rule 18.8, Waiver of Rules and Extension and Reduction of Time, (b) Restriction on extension of time, (c) Restriction on changing decision.
Rule 18.9, Violation of Rules.
Comment: (a) Interpretation. Noncompliance with the rules will ordinarily not prevent a decision on the merits. Prior cases to the contrary are superseded. Compare Hill v. Tacoma, 40 Wn.2d 718, 246 P.2d 458 (1952); Glass v. Windsor Navigation Co., 81 Wn.2d 726, 504 P.2d 1135 (1973).

The rule reflects the recent cases in which the court has disregarded technical violations of the rules to reach the merits. See King County Republican Cent. Comm. v. Republican State Comm., 79 Wn.2d 202, 484 P.2d 387 (1971), and Beritich v. Starlet Corp., 69 Wn.2d 454, 418 P.2d 762 (1966), where the Supreme Court stated:

The hallmark of procedural reform is the conviction that rules of pleading, practice, and procedure are to be drafted, adopted, and interpreted to the end that the merits of a controversy are the ultimate determinates-instead of the procedural jousting which unfortunately characterized common law actions.
Federal law is generally in accord with Rule 1.2. 9 Morre, Federal Practice 534-35; Foman v. Davis, 371 U.S. 178 (1962).
(c) Waiver. Section (c) makes clear the power of the courts to expedite or delay the determination of cases by prescribing a time schedule other than that provided by the rules. The rule also establishes a court policy to waive or alter the rules where injustice would otherwise result. See O'Connor v. Matzdorff, 76 Wn.2d 589, 458 P.2d 154 (1969).

## TITLE 2--WHAT TRIAL COURT DECISIONS MAY BE REVIEWED--SCOPE OF REVIEW

## Rules

2.1 Methods for seeking review of trial court decision_—Generally
(a) Two methods for seeking review of trial court decisions
(b) Writ procedure superseded
2.2 Decisions of the superior court which may be appealed
(a) Generally
(b) Appeal by state or a local government in criminal case
(c) Multiple parties or multiple claims or counts
2.3 Decisions of the trial court which may be reviewed by discretionary review
(a) Decision of superior court
(b) Considerations governing acceptance of review
(c) Effect of denial of discretionary review
2.4 Scope of review of a trial court decision
(a) Generally
(b) Order or ruling not designated in notice
(c) Final judgment not designated in notice
(d) Order deciding alternative post-trial motions in civil case
(e) Order deciding alternative post-trial motions in criminal case
2.5 Circumstances which may affect scope of review
(a) Errors raised for first time on review
(b) Acceptance of benefits
(c) Law of the case doctrine restricted

Rule 2.1 Methods for seeking review of trial court decision--Generally.
(a) Two Methods for Seeking Review of Trial Court Decisions. The only methods for seeking review of decisions of the superior court by the Court of Appeals and by the Supreme Court are the two methods provided by these rules. The two methods are:
(1) Review as a matter of right, called "appeal"; and
(2) Review by permission of the reviewing court, called "discretionary review."
Both "appeal" and "discretionary review" are called "review." The term "decision" refers to rulings, orders, and judgments of the trial court, or the appellate court, as the context indicates.
(b) Writ Procedure Superseded. The procedure for seeking review of trial court decisions established by these rules supersedes the review procedure formerly available by extraordinary writs of review, certiorari, mandamus, prohibition, and other writs formerly considered necessary and proper to the complete exercise of appellate and revisory jurisdiction of the Supreme Court and the Court of Appeals. Original writs in the appellate court are not superseded and are governed by Title 16. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]
References: Rule 16.2, Original Action Against State Officer. Rules 16.3-16.15, Personal Restraint Petition. Const. Art. 4 § 4.

Comment: (a) Two Methods for Seeking Review of Trial Court Decisions. Section (a) establishes the forms of review and other terminology used throughout the rules.
(b) Writ Procedure Superseded. Section (b) supersedes the various extraordinary writs as procedural mechanisms. Review by way of extraordinary writ under the former rules has been the most confusing of all the appellate procedures, and precedent for almost any arguable position can be found. Feigenbaum, Interlocutory Appellate Review Via Extraordinary Writ, 36 Wash. L. Rev. 1 (1961).
Rule 2.1 simplifies and clarifies review of nonappealable orders or judgments by establishing a single method of seeking review by permission of the appellate court, called discretionary review. Once discretionary review is granted, the remaining procedure is the same as in an ordinary appeal. See Rule 6.2. Similar systems are found in Alaska and Vermont.
RCW 8.04.070, 19.10.110, 29.79.170, 29.79.210, 43.24 .120 and similar statutes restricting review as a matter of right are superseded as they relate to the procedure for review of trial court decisions. Whether review is by appeal or discretionary review is now governed by Rules 2.2 and 2.3.

Rule 2.2 Decisions of the superior court which may be appealed.
(a) Generally. Except as provided in section (b), a party may appeal from only the following superior court decisions:
(1) Final Judgment. The final judgment entered in any action or proceeding, except a final decree of adoption.
(2) Interlocutory Decree of Adoption. An interlocutory decree of adoption.
(3) Decision Determining Action. Any written decision affecting a substantial right in a civil case which in effect determines the action and prevents a final judgment or discontinues the action.
(4) Order of Public Use and Necessity. An order of public use and necessity in a condemnation case.
(5) Determination of Dependency or Delinquency. A determination of dependency or delinquency in a juvenile court proceeding.
(6) Deprivation of All Parental Rights. A decision depriving a person of all parental rights with respect to a child.
(7) Order of Incompetency. A decision declaring an adult legally incompetent, or an order establishing a conservatorship or guardianship for an adult.
(8) Order of Commitment. A decision ordering commitment, entered after a sanity hearing.
(9) Order on Motion for New Trial or Amendment of Judgment. An order granting or denying a motion for new trial or amendment of judgment.
(10) Order on Motion for Vacation of Judgment. An order granting or denying a motion to vacate a judgment.
(11) Order on Motion for Arrest of Judgment. An order arresting or denying arrest of a judgment in a criminal case.
(12) Order Denying Motion To Vacate Order of Arrest of a Person. An order denying a motion to vacate an order of arrest of a person in a civil case.
(13) Final Order After Judgment. Any final order made after judgment which affects a substantial right.
(b) Appeal by State or a Local Government in Criminal Case. The State or a local government may appeal in a criminal case only from the following superior court decisions and only if the appeal will not place the defendant in double jeopardy:
(1) Final Decision, Except Not Guilty. A decision which in effect abates, discontinues, or determines the case other than by a judgment or verdict of not guilty, including but not limited to a decision setting aside, quashing, or dismissing an indictment or information.
(2) Pretrial Order Suppressing Evidence. A pretrial order suppressing évidence, if the trial court expressly finds that the practical effect of the order is to terminate the case.
(3) Arrest or Vacation of Judgment. An order arresting or vacating a judgment.
(4) New Trial. An order granting a new trial.
(c) Multiple Parties of Multiple Claims or Counts. In any case with multiple parties or multiple claims for relief, or in a criminal case with multiple counts, an appeal may be taken from a final judgment which does not dispose of all of the claims or counts as to all of the parties, but only after an express direction by the trial court for entry of judgment and a written finding that there is no just reason for delay. The finding may be made at the
time of entry of judgment or thereafter on the court's own motion or on motion of any party. The time for filing notice of appeal begins to run from the entry of the required finding. In the absence of the required finding, a judgment that adjudicates less than all the claims or counts, or adjudicates the rights and liabilities of less than all the parties, is subject only to discretionary review until the entry of a final judgment adjudicating all the claims, counts, rights, and liabilities of all the parties. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rule sets forth the decisions which may be appealed as a matter of right. Except as discussed in this comment, Rule 2.2 conforms to established practice. See Orland, 3 Wash. Prac. (2d) p. 189 et seq.

Various statutes appear to limit review of superior court decisions to certiorari in particular kinds of cases. The court has held that this sort of statute precludes an appeal as a matter of right. Berman $v$. Urquhart, 48 Wn.2d 85, 291 P.2d 655 (1955). The statutes which limit review to review by certiorari are superseded by these rules. One statutory order, the order of public use and necessity, would be appealable under Rule 2.2 because the rule expressly so states. Others, such as those provided by RCW 19.10.110, 29.79.170, 29.79.210, and 43.24.120, are left to judicial interpretation in particular factual situations. For example, if a judgment or order entered pursuant to RCW 19.10.110 fell within the scope of Rule 2.2 , it would be appealable as a matter of right. If not, it would be subject only to discretionary review.
(a)(1) Final Judgment. A decree of adoption is interlocutory and does not become a final judgment until six months later. RCW 26.32.120, 26.32.130. In order to minimize disruption of the family, however, an appeal must be taken within thirty days after entry of the interlocutory decree. See Rule 2.2(a)(2). No appeal from the final judgment is permitted.
(a)(2) Interlocutory Decree of Adoption. An appeal is allowed from an interlocutory decree of adoption. See comment 2.2(a)(1).
(a)(3) Decision Determining Action. By statute, certain orders are "final" for the purpose of seeking review, e.g., RCW 7.20.140, 11.52.016, 11.52.020, 11.52.022, 30.30.090, 26.32.120, 26.32.130, 33.40.120. The rule supersedes these and similar statutes as they relate to the appropriate method of appellate review. Individual orders, however, would still be appealable if they fell within the scope of Rule 2.2.
(a)(4) Order of Public Use and Necessity. Most orders of public use and necessity have been subject to review only by extraordinary writ. See CAROA 57(b)(4); RCW 8.04.070; Taylor v. Greenler, 54 Wn.2d 682, 344 P.2d 515 (1959). Current practice, however, is to uniformly accept review of the order. Rule 2.2 makes the order appealable as a matter of right, eliminating the necessity of seeking permission to obtain review.
(a)(5) Determination of Dependency or Delinquency. Decisions in juvenile court have traditionally been reviewable only by extraordinary writ. See CAROA 57(b)(3); In re King, 39 Wn.2d 875, 239 P.2d 553 (1952). Current practice, however, is to uniformly accept review of most juvenile court decisions. Rule 2.2 makes orders of dependency and delinquency appealable as a matter of right, eliminating the necessity of seeking permission to obtain review. All other juvenile court decisions would be subject to appeal if the decision fits within one of the classifications in this rule; otherwise, the decision would be subject to discretionary review.
(a)(6) Deprivation of All Parental Rights. An appeal is allowed from an order depriving a person of all parental rights because of its fundamental impact upon the parties.
(a)(7) Order of Incompetency. An appeal is allowed because of the order's fundamental impact on the person affected by the decision.
(a)(8) Order of Commitment. An appeal is allowed because of the order's fundamental impact on the person affected by the decision.
(a)(9) Order on Motion for New Trial or Amendment of Judgment. The lack of an appeal from an order denying a new trial has been a pitfall for inexperienced counsel who attempt to exhaust the remedies provided by the civil or criminal rules before seeking appellate review. See In re King, 39 Wn.2d 875, 239 P.2d 553 (1952). Rule 2.2 avoids this problem by permitting an appeal from an order granting or denying a new trial. See also comment 2.4(c).
(a)(10) Order on Motion for Vacation of Judgment. Under the old rules, the appealability of orders vacating or refusing to vacate judgment has been unclear. With respect to the denial of a motion to vacate judgment, compare Smith v. Stiles, 68 Wash. 345, 123 P. 448
(1912) with Sound Inv. Co. v. Fairhaven Land Co., 45 Wash. 262, 88 P. 198 (1907). With respect to the granting of a motion to vacate judgment, compare Fairley v. Durkee's Famous Foods, Inc., 178 Wash. 141, 33 P.2d 1073 (1934) and Marie's Blue Cheese v. Andre's Better Foods, 68 Wn.2d 756, 415 P.2d 501 (1966) with Sengfleder v. PowellSanders Co., 40 Wash. 686, 82 P. 931 (1905) and Brandtjen \& Kluge, Inc. v. Nanson, 9 Wn.2d 362, 115 P.2d 731 (1941). Under these rules, both an order vacating and refusing to vacate a judgment are appealable.
(a)(11) Order on Motion for Arrest of Judgment. Traditionally, the State has been permitted to appeal from an order arresting judgment, but no comparable appeal is allowed the defendant from an order refusing to arrest judgment. See CAROA 14(8)(3). Rule 2.2 permits a comparable appeal by the defendant.
(a)(12) Order Denying Motion to Vacate Order of Arrest of a Person. The rule refers to a refusal to vacate the order of arrest for contempt of court contemplated by RCW 7.20.040.

Prior rules have permitted review as a matter of right from certain additional decisions. The Task Force, however, has determined that review of these orders should more appropriately be discretionary. Accordingly, the following orders are omitted from Rule 2.2(a):

CAROA 14(3): An order granting or denying a motion for temporary injunction, heard upon notice to the adverse party, and any order vacating or refusing to vacate a temporary injunction unless the judge of the superior court shall have found upon the hearing, that the party against whom the injunction was sought was insolvent;

CAROA 14(4): An order discharging or refusing to discharge an attachment;
CAROA 14(5): An order appointing or removing, or refusing to appoint or remove, a receiver;

CAROA 14(6): An order affecting a substantial right in a civil action or proceeding, which . . (4) sets aside or refuses to affirm an award of arbitrators, or refers the cause back to them.
(b) Appeal by State or a Local Government in Criminal Case.
(b)(1) Final Decisions Except Not Guilty. Prior law is retained. See CAROA $14(8)(1), 14(8)(5)$. The phrase "demurrer to an indictment or information" (CAROA 14(8)(2)) has been restated as "Any decision . . . quashing, or dismissing an indictment or information." The term "demurrer" is inappropriate under the Superior Court Criminal Rules. See CrR 8.3.
(b)(2) Order Suppressing Evidence. The new rules permit the State to appeal from a pretrial order suppressing evidence if the trial court finds that the practical effect of the pretrial order is to terminate the case. This policy is suggested by federal practice where an appeal is permitted with certain restrictions and is recommended by the President's Commission on Law Enforcement and Administration and the American Bar Association. See 18 U.S.C. § 3731; "The Challenge of Crime in a Free Society - A Report by the President's Commission on Law Enforcement and Administration of Justice," p. 140 (February 1967); "American Bar Association Project on Minimum Standards Relating to Criminal Appeals," § 1.4 (March 1969).
(b)(3) Arrest or Vacation of Judgment. The terms arrest of judgment and vacation of judgment are used interchangeably in the Superior Court Criminal Rules.
(b)(4) New Trial. The old rules authorized the State to appeal from the granting of a new trial only in jury cases. CAROA 14(8)(4). There is no reason to limit the rule to jury trials. Accordingly, the rule permits a state's appeal from all orders granting a new trial.

Rule 2.2(b) is intended to avoid constitutional problems of double jeopardy. See State v. Brunn, 22 Wn.2d 120, 154 P.2d 826, 157 A.L.R. 1049 (1945). A state's appeal would not be accepted if it would place the defendant in double jeopardy. State v. Ridgley, 70 Wn.2d 555, 424 P.2d 632 (1967).
(c) Multiple Parties or Multiple Claims or Counts. The rule is a companion to CR $54(\mathrm{~b})$ and clarifies the appealability of a judgment entered pursuant to that rule. The rule departs from CR 54(b) in two respects. First, it is applicable to both civil and criminal cases. Second, for purposes of an appeal, the required finding may be entered after the entry of judgment. See Schiffiman v. Hanson Excavating Co., 82 Wn.2d 681, 513 P.2d 29 (1973), which suggests that the finding may be entered after the judgment under the old rules.
To be distinguished is a partial summary judgment on the issue of liability alone pursuant to CR 56(c), from which no appeal is permitted. Gazin v. Hieber, 8 Wn. App. 104, 504 P.2d 1178 (1972).

Rule 2.3 Decisions of the trial court which may be reviewed by discretionary review.
(a) Decision of Superior Court. A party may seek discretionary review of any act of the superior court not appealable as a matter of right.
(b) Considerations Governing Acceptance of Review. Discretionary review will be accepted only:
(1) If the superior court has committed an obvious error which would render further proceedings useless, or
(2) If the superior court has committed probable error and the decision of the superior court substantially alters the status quo or substantially limits the freedom of a party to act, or
(3) If the superior court has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by an inferior court or administrative agency, as to call for review by the appellate court.
(c) Effect of Denial of Discretionary Review. The denial of discretionary review of a decision does not affect the right of a party to obtain later review of the trial court decision or the issues pertaining to that decision. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: Generally. The rule represents a new procedure for seeking review of decisions which are not appealable. The various extraordinary writs are consolidated into a single action called discretionary review. See generally comment 2.2.
(a) Decision of Superior Court. Section (a) states the general rule that discretionary review is the appropriate remedy when an appeal as a matter of right is unavailable.
(b) Considerations Governing Acceptance of Review. Section (b) sets forth criteria by which discretionary review is granted or denied. Subsection (b)(1) states the general test established by decisional law. See Oliver v. American Motors Corp., 70 Wn.2d 875, 425 P.2d 647 (1967) and State v. Harris, 2 Wn. App. 272, 469 P. 2 d 937 (1970). Subsection (b)(2) provides that when the status quo or the freedom of a party to act is substantially affected, the less restrictive probable error test applies. The subsection applies primarily to orders pertaining to injunctions, attachments, receivers, and arbitration, which have formerly been appealable as a matter of right. CAROA 14. Subsection (b)(3) governs the relatively unusual case calling for the exercise of revisory jurisdiction. See Const. Art. 4 § 4; RCW 2.04.010.
No attempt is made to list certain types of cases in which review is uniformly accepted. Compare CAROA 57(b). The prior practice of granting or denying review according to the nature of the case generated a confusing body of decisional law and has been abandoned by the courts in recent years. Compare Feigenbaum, Interlocutory Appellate Review via Extraordinary Writ, 36 Wash. L. Rev. 1 (1961), with Oliver v. American Motors Corp., 70 Wn.2d 875, 425 P. 2 d 647 (1967) and State v. Harris, 2 Wn. App. 272, 469 P. 2 d 937 (1970).

## Rule 2.4 Scope of review of a trial court decision.

(a) Generally. The appellate court will, at the instance of appellant, review the decision or parts of the decision designated in the notice of appeal or notice for discretionary review and other decisions in the case as provided in sections (b), (c), (d), and (e). The appellate court will, at the instance of the respondent, review those acts in the proceeding below which if repeated on remand would constitute error prejudicial to respondent. The appellate court will grant a respondent affirmative relief by modifying the decision which is the subject matter of the review only (1) if the respondent also seeks review of the decision by the timely filing of a notice of appeal or
a notice for discretionary review, or (2) if demanded by the necessities of the case.
(b) Order or Ruling Not Designated in Notice. The appellate court will review a trial court order or ruling not designated in the notice, including an appealable order, if (1) the order or ruling prejudicially affects the decision designated in the notice, and (2) the order is entered, or the ruling is made, before the appellate court accepts review.
(c) Final Judgment Not Designated in Notice. The appellate court will review a final judgment not designated in the notice only if the notice designates an order deciding a timely post-trial motion based on (1) CR 59 [Reconsideration, New Trial and Amendment of Judgments], (2) CrR 7.4 [Arrest of Judgment], or (3) CrR 7.6 [New Trial].
(d) Order Deciding Alternative Post-Trial Motions in Civil Case. An appeal from the judgment granted on a motion for judgment notwithstanding the verdict brings up for review the ruling of the trial court on a motion for new trial. If the appellate court reverses the judgment notwithstanding the verdict, the appellate court will review the ruling on the motion for a new trial.
(e) Order Deciding Alternative Post-Trial Motions in Criminal Case. An appeal from an order granting a motion in arrest of judgment brings up for review the ruling of the trial court on a motion for new trial. If the appellate court reverses the order granting the motion in arrest of judgment, the appellate court will review the ruling on a motion for new trial. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 5.2, Time Allowed To File Notice, (f) Subsequent notice by other parties.
Comment: (a) Generally. Section (a) states the general rule that the appellate court begins by reviewing the decisions designated in the notice of appeal or notice for discretionary review. The rule clarifies the established policy of requiring the respondent to file notice in order to seek affirmative relief in the appellate court. See Waagen v. Gerde, 36 Wn.2d 563, 219 P.2d 595 (1950); Fraser v. Monroe, 1 Wn. App. 14, 459 P.2d 64 (1969). Cf. Leland v. Frogge, 71 Wn.2d 197, 427 P.2d 724 (1967). The remaining sections set forth the extent to which decisions not designated in the notice may be reviewed.
(b) Order or Ruling Not Designated in Notice. Generally, the appellate court considers the entire proceeding below and may review any decision prejudicially affecting the decision designated in the notice. A pitfall under prior rules has been that the failure to appeal an appealable order may prevent its review upon appeal from final judgment. In re Estate of Kruse, 52 Wn.2d 342, 324 P.2d 1088 (1958). What is an appealable order is not always clear. The rule solves the problem by including prior appealable orders within the scope of review. A number of other states are in accord. 79 A.L.R.2d 1352 (1961).

Section (b) applies only to orders entered, or rulings made, prior to acceptance of review. Acceptance of review is defined in Rules 6.1 and 6.2. The procedure for seeking review of decisions entered after acceptance of review is to initiate a separate review. See Rule 5.1 (e).
(c) Final Judgment Not Designated in Notice. Under prior law an appeal from the decision on a timely filed motion for new trial, arrest of judgment, or amendment of judgment did not bring the final judgment up for review. CAROA 14(7); Nestegard v. Investment Exch., 5 Wn. App. 618, 489 P.2d 1142 (1971). Rule 2.4(c) eliminates this pitfall if the motion is timely and is brought under CR 59, or $\operatorname{CrR} 7.4$ or 7.6.
(d) Order Deciding Alternative Post-Trial Motions in Civil Case. Section (d) conforms to established practice. See ROA I-16; CAROA 16; CR 50.
(e) Order Deciding Alternative Post-Trial Motions in Criminal Case. The substance of the preceding section is made applicable to criminal cases by rewording it in language consistent with the Superior Court Criminal Rules.

Rule 2.5 Circumstances which may affect scope of review.
(a) Errors Raised for First Time on Review. The appellate court may refuse to review any claim of error which was not raised in the trial court. However, a party may raise the following claimed errors for the first time in the appellate court: (1) lack of trial court jurisdiction, (2) failure to establish facts upon which relief can be granted, and (3) manifest error affecting a constitutional right. A party or the court may raise at any time the question of appellate court jurisdiction.

## (b) Acceptance of Benefits.

(1) Decision Subject to Modification. A party may accept the benefits of a trial court decision without losing the right to obtain review of that decision only (i) if the decision is one which is subject to modification by the court making the decision or (ii) if the party gives security as provided in subsection (b)(2).
(2) Other Decisions-Security. If a party gives adequate security to make restitution if the decision is reversed or modified, a party may accept the benefits of the decision without losing the right to obtain review of that decision. The trial court making the decision shall fix the amount and type of security to be given by the party accepting the benefits.
(3) Conflict With Statutes. In the event of any conflict between this section and a statute, the statute governs.
(c) Law of the Case Doctrine Restricted. The following provisions apply if the same case is again before the appellate court following a remand:
(1) Prior Trial Court Action. If a trial court decision is otherwise properly before the appellate court, the appellate court may at the instance of a party review and determine the propriety of a decision of the trial court even though a similar decision was not disputed in an earlier review of the same case.
(2) Prior Appellate Court Decision. The appellate court may at the instance of a party review the propriety of an earlier decision of the appellate court in the same case and, where justice would best be served, decide the case on the basis of the appellate court's opinion of the law at the time of the later review. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: (a) Errors Raised for the First Time on Review. The rule states the general rule that the court reviews only issues which the record shows have been argued and decided at the trial level. State v. Davis, 41 Wn.2d 535, 250 P.2d 548 (1952). The rule then states the exceptions to the general rule. Exceptions (1), (2), and the last sentence in section (a) have previously been found in ROA I-43 and RCW 4.32.290 [4.32.190]. Exception (2) uses the phrase "failure to establish facts" rather than the traditional "failure to state a claim." The former phrase more accurately expresses the meaning of the rule in modern practice. Exception (3) is intended to encompass developing case law. Thus, certain constitutional questions can be raised for the first time on review. See, e.g., State v. Myers, 6 Wn. App. 557, 494 P.2d 1015 (1972); State v. Van Auken, 77 Wn.2d 136, 460 P.2d 277 (1969).

These rules do not supersede court rules which define the means by which an error must be preserved in the trial court, such as CR 43, 46,
and 51. RCW 4.80.050, as it relates to appellate procedure and the scope of appellate review, is superseded.
(b) Acceptance of Benefits. By decisional law, a party loses the right to review by accepting the benefits of the decision, subject to certain exceptions for cases of coercion or extreme hardship, e.g., Maxham v. Berne, 88 Wash. 158, 152 P. 673 (1915). See generally 169 A.L.R. 985 (1947). Subsections (1) and (2) modify existing decisional law, but not statutory law.
(b)(1) Decision Subject to Modification. Subsection (b)(1) abrogates the acceptance of benefits rule for decisions in cases which are continuous in nature and subject to modification. The purpose of Rule $2.5(b)(1)$ is to fully implement the various statutes recognizing the necessity of immediate relief. Examples fall primarily within the law of domestic relations. See, e.g., Bennett v. Bennett, 63 Wn.2d 404, 387 P.2d 517 (1963); RCW Ch. 26.09. Under these rules, a spouse may accept maintenance and support while seeking review of the amount awarded. Prior law to the contrary is superseded. Compare Potter v. Potter, 46, Wn.2d 526, 282 P.2d 1052 (1955).
(b)(2) Other Decisions-_Security. Subsection (b)(2) is suggested by D. Mehrens, Waiver of Right to Appeal, 39 Neb. L. Rev. 739 (1960). There appears to be no justification for applying the acceptance of benefits rule if the party seeking review gives adequate security to make restitution in case the decision is reversed or modified.
(b)(3) Conflict With Statutes. The acceptance of benefits doctrine is found in several statutes, particularly in the area of eminent domain, e.g., RCW 37.16.130, 91.04.360, and 91.08.250. The statutes prevail over inconsistent portions of Rule 2.5(b).
(c) Law of the Case Doctrine Restricted. The term "law of the case" is used in various senses. See Note, 2 Gonz L. Rev. 105 (1967).

Subsection (c)(1) restricts the doctrine as it relates to trial court decisions after the case is remanded by the appellate court. The trial court may exercise independent judgment as to decisions to which error was not assigned in the prior review, and these decisions are subject to later review by the appellate court. Prior law to the contrary is superseded. Compare Adamson v. Traylor, 66 Wn.2d 338, 402 P.2d 499 (1965).

To be distinguished is a case which is reviewed by the Court of Appeals and then, without an intervening remand, by the Supreme Court. The scope of review in this situation is governed by Rule 13.7.

## TITLE 3--PARTIES

Rule
3.1 Who may seek review
3.2 Substitution of parties
(a) Substitution generally
(b) Duty to move for substitution
(c) Where to make motion
(d) Procedure pending substitution
(e) Time limits
(f) Public officer
3.3 Consolidation of cases
(a) Cases consolidated in trial court
(b) Cases consolidated in appellate court
3.4 Title of case and designation of parties

Rule 3.1 Who may seek review. Only an aggrieved party may seek review by the appellate court. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Generally, only an aggrieved party may seek review. The doctrine applies equally to appeals as a matter of right and to discretionary review (review by extraordinary writ under previous rules). State ex. rel. Simeon v. Superior Court, 20 Wn.2d 88, 145 P.2d 1017 (1944); Temple v. Feeney, 7 Wn. App. 345, 499 P.2d 1272 (1972). A person may be an aggrieved party even though that person was not a party to the proceedings below. For example, a complainant mother may be an aggrieved party in a filiation proceeding brought in the name of the State, as in State v. Casey, 7 Wn. App. 923, 503 P.2d 1123 (1972).

## Rule 3.2 Substitution of parties.

(a) Substitution Generally. The appellate court will substitute parties to a review when it appears that a
party is deceased or legally incompetent or that the interest of a party in the subject matter of the review has been transferred.
(b) Duty To Move for Substitution. A party with knowledge of the death or declared legal disability of a party to review, or knowledge of the transfer of a party's interest in the subject matter of the review, shall promptly move for substitution of parties. The motion and all other documents must be served on all parties and on the personal representative or successor in interest of a party, within the time and in the manner provided for service on a party. If a party fails to promptly move for substitution, the personal representative of a deceased of legally disabled party, or the successor in interest of a party, should promptly move for substitution of parties.
(c) Where To Make Motion. The motion to substitute parties must be made in the appellate court if the motion is made after review is accepted. In other cases, the motion should be made in the trial court.
(d) Procedure Pending Substitution. A party, a successor in interest of a party, a personal representative of a deceased or legally disabled party, or an attorney of record for a deceased or legally disabled party who has no personal representative, may without waiting for substitution file (1) a notice of appeal, (2) a notice for discretionary review, (3) a motion for reconsideration, (4) a petition for review, and (5) a motion for discretionary review of a decision of a trial court or of the Court of Appeals.
(e) Time Limits. The time reasonably necessary to accomplish substitution of parties is excluded from computations of time made to determine whether the following have been timely filed: (1) a notice of appeal, (2) a notice for discretionary review, (3) a motion for reconsideration, (4) a petition for review, and (5) a motion for discretionary review of a decision of a trial court or the Court of Appeals.
(f) Public Officer. If a public officer is a party to a proceeding in the appellate court and during its pendency dies, resigns, or otherwise ceases to hold office, a party or the new public officer may move for substitution of the successor as provided in this rule. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: (a) Substitution Generally. Previous rules have spoken only in terms of substitution upon the death of a pasty. However, RCW 4.20.050 has been construed to permit substitution of parties on appeal for reasons other than death. Baker v. Northwest Bldg. \& Inv. Co., 33 Wash. 677, 74 P. 825 (1903) (conveyance of affected property); Wright v. Seattle Groc. Co., 101 Wash. 266, 172 P. 345 (1918) (assignment of judgment). Rule 3.2 broadens the scope of substitution accordingly.
(b) Duty To Move for Substitution. Section (b) creates a duty to move for substitution in certain enumerated circumstances. Decisional law suggests that a proper decision may depend upon the courts' knowledge of a substitution of parties. See, e.g., Malo v. Anderson, 76 Wn.2d 1, 454 P.2d 828 (1969).
( f ) Public Officer. The Task Force rejected the federal practice of automatically substituting successors in public office. See FRAP 43. In some cases, a public officer may have liability in an official and a personal capacity, and liability may not be clear in a particular case. Accordingly, section ( f requires that public officers be substituted by motion

## Rule 3.3 Consolidation of cases.

(a) Cases Consolidated in Trial Court. If two or more cases have been consolidated for trial by order of the trial court, the cases remain consolidated for the purpose of review unless the appellate court otherwise directs.
(b) Cases Consolidated in Appellate Court. The appellate court, on its own initiative or on motion of a party, may order the consolidation of cases or the separation of cases for the purpose of review. A party should move to consolidate two or more cases if consolidation would save time and expense and provide for a fair review of the cases. If two or more cases have been consolidated for review in the Court of Appeals, the cases remain consolidated for review in the Supreme Court unless the Supreme Court otherwise directs. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: (a) Cases Consolidated in Trial Court. Cases consolidated at trial remain consolidated on review unless the appellate court orders to the contrary.
(b) Cases Consolidated in Appellate Court. Section (b) gives the appellate court discretion to consolidate cases not consolidated at trial. The rule makes it the duty of a party to move for consolidation when consolidation appears to be indicated for reasons of economy and efficiency.

Rule 3.4 Title of case and designation of parties. The title of a case in the appellate court is the same as in the trial court except that the party seeking review by appeal is called an "appellant," the party seeking review by discretionary review is called a "petitioner," and an adverse party on review is called a "respondent." [Adopted January 28, 1976, effective July 1, 1976.]

Comment: This rule is limited to what a party is called in the title of a case on review. Rule 10.4(e) discourages references in briefs to a party by such designations as "appellant" or "respondent."

## TITLE 4- WHERE TO SEEK REVIEW OF A TRIAL COURT DECISION

Rule
4.1 Review of trial court decision by the court of appeals
(a) Decisions reviewed by court of appeals
(b) Division of court of appeals
4.2 Direct review of trial court decision by supreme court
(a) Types of cases reviewed directly
(b) Statement of grounds for direct review
(c) Effect of denial of direct review
4.3 Transfer of cases by supreme court

Rule 4.1 Review of trial court decision by the court of appeals.
(a) Decisions Reviewed by Court of Appeals. A party may seek review in the Court of Appeals of any trial court decision which is subject to review as provided in Title 2.
(b) Division of Court of Appeals.
(1) Division I. A party must seek review in Division I of the Court of Appeals of a decision by a trial court located in any of the following counties: Island, King, San Juan, Skagit, Snohomish, or Whatcom.
(2) Division II. A party must seek review in Division II of the Court of Appeals of a decision by a trial court located in any of the following counties: Clallam, Clark,

Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, or Wahkiakum.
(3) Division III. A party must seek review in Division III of the Court of Appeals of a decision by a trial court located in any of the following counties: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, or Yakima. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: (a) Decisions Reviewed by Court of Appeals. Current practice is retained. A party may seek Court of Appeals review of any case-even a case which is subject to direct review by the Supreme Court.
(b) Division of Court of Appeals. The statutes do not require that a case be heard in a particular court of appeals. As a matter of practice, the courts have accepted cases according to the geographical provisions of RCW 2.06.020. The rule incorporates this practice.

Rule 4.2 Direct review of trial court decision by supreme court.
(a) Types of Cases Reviewed Directly. A party may seek review in the Supreme Court of a decision of a trial court which is subject to review as provided in Title 2 only in the following types of cases:
(1) Authorized by Statute. A case in which a statute authorizes direct review in the Supreme Court.
(2) Law Unconstitutional. A case in which the trial court has held invalid a statute, ordinance, tax, impost, assessment, or toll, upon the ground that it is repugnant to the United States Constitution, the Washington State Constitution, a statute of the United States, or a treaty.
(3) Conflicting Decisions. A case involving an issue in which there is a conflict among decisions of the Court of Appeals or an inconsistency in decisions of the Supreme Court.
(4) Public Issues. A case involving a fundamental and urgent issue of broad public import which requires prompt and ultimate determination.
(5) Action Against State Officer. An action against a state officer in the nature of quo warranto, prohibition, injunction, or mandamus.
(6) Death Penalty. A case in which the death penalty has been decreed.
(b) Statement of Grounds for Direct Review. A party seeking direct review of a trial court decision in the Supreme Court must file a short written statement with the Supreme Court indicating (1) the grounds upon which the party contends direct review should be granted, and (2) whether the case is one which the Supreme Court would probably review if decided by the Court of Appeals in the first instance. In an appeal, the party must file the statement on or before the filing of the party's opening brief. In a proceeding for discretionary review, the party must file the statement with the motion.
(c) Effect of Denial of Direct Review. If the Supreme Court denies direct review of a proceeding the case will be transferred without prejudice and without costs to the Court of Appeals for determination. The Supreme Court may transfer to the Court of Appeals for determination a motion filed in the Supreme Court for discretionary
review of a trial court decision. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 4, Statement of Grounds for Direct Review.
Comment: (a) Types of Cases Reviewed Directly. Rule 4.2 sets forth the types of cases which may be reviewed by the Supreme Court without an intermediate review by the Court of Appeals. The rule conforms to established practice. ROA I-14. In civil cases, the amount in controversy must be at least two hundred dollars, subject to several qualifications and exceptions. Const. Art. 4 § 4; Orland, 3 Wash. Prac. (2d) 171-174 (1968).

RCW 43.21B. 190 expressly permits certain decisions to be appealed directly to the Supreme Court. The rules give deference to this statute and to other similar statutes providing for direct review which may be enacted in the future.
(b) Statement of Grounds for Direct Review. The written argument required by Rule 4.2 (b) is filed separately from the party's brief. Prior practice has been to include the argument within the brief. A separate document is more convenient for the court.
(c) Effect of Denial of Direct Review. Current practice is, on transfer, to set the case for oral argument at the same time it would have been set if filed originally in the Court of Appeals.

Rule 4.3 Transfer of cases by supreme court. The Supreme Court, to promote the orderly administration of justice may, on its own initiative or on motion of a party, transfer a case from the Court of Appeals to the Supreme Court or from one division to another division of the Court of Appeals. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: The rule is a change from prior practice in that the motion procedure is expressly made available to request a transfer.

RCW 2.06.030 authorizes the Court of Appeals to certify a jurisdictional determination to the Supreme Court whenever a majority of the Court of Appeals "is in doubt ${ }^{n}$ as to the proper reviewing court. This is an administrative provision, and it is not superseded by these rules.

## TITLE 5--HOW AND WHEN TO INITIATE REVIEW OF TRIAL COURT DECISION

Rule
5.1 Review initiated by filing notice of appeal or notice for discretionary review
(a) Review initiated by notice
(b) Filing fee
(c) Incorrectly designated notice
(d) Cross review
(e) Final judgment entered after notice for discretionary review has been filed
(f) Order entered after review accepted
5.2 Time allowed to file notice
(a) Notice of appeal
(b) Notice for discretionary review
(c) Date time begins to run
(d) Time requirements set by statute govern
(e) Effect of certain post-trial motions
(f) Subsequent notice by other parties
(g) Effect of premature notice
5.3 Content of notice-Filing
(a) Content of notice of appeal
(b) Content of notice for discretionary review
(c) Identification of parties, counsel, and address of defendant in criminal case
(d) Multiple parties filing notice
(e) Notices directed to more than one case
(f) Defects in form of notice
(g) Notices directed to more than one court
(h) Amendment of notice directed to portion of decision
(i) Notice by fewer than all parties on a side-_Joinder
(j) Assistance to defendant in criminal case
5.4 Filing of notice and service by clerk

Rule 5.1 Review initiated by filing notice of appeal or notice for discretionary review.
(a) Review Initiated by Notice. A party seeking review of a trial court decision reviewable as a matter of right must file a notice of appeal. A party seeking review of a trial court decision subject to discretionary review must file a notice for discretionary review. Each notice must be filed with the trial court within the time provided by Rule 5.2.
(b) Filing Fee. The first party to file a notice of appeal or a notice for discretionary review must, at the time the notice is filed, pay the statutory filing fee to the clerk of the superior court in which the notice is filed.
(c) Incorrectly Designated Notice. A notice for discretionary review of a decision which is appealable will be given the same effect as a notice of appeal. A notice of appeal of a decision which is not appealable will be given the same effect as a notice for discretionary review.
(d) Cross Review. Cross review means review initiated by a party already a respondent in an appeal or a discretionary review. A party seeking cross review must file a notice of appeal or a notice for discretionary review within the time allowed by Rule 5.2(f).
(e) Final Judgment Entered After Notice for Discretionary Review Has Been Filed. If a final judgment is entered after a notice for discretionary review is filed, a party seeking review of the final judgment must file a notice of appeal from the judgment within the time provided by Rule 5.2.
(f) Order Entered After Review Accepted. If a party wants to seek review of a trial court decision entered pursuant to Rule 7.2 after review in the same case has been accepted by the appellate court, the party must initiate a separate review of the decision by timely filing a notice of appeal or notice for discretionary review, except as provided by Rules 7.2(i), 8.1(d) and 8.2(b). [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

## References:

Rule 2.2, Decisions of the Superior Court which may be appealed; Rule 2.3. Decisions of Trial Court which may be Reviewed by Discretionary Review, Rule 7.2, Authority of Trial Court After Review Accepted.
RCW 2.32.070, Fees—Supreme Court Clerk, Clerks of Court of Appeals.
Comment: (a) Review Initiated by Notice. An appeal is initiated by filing a notice of appeal. In this respect, the rule conforms to established practice. The rule, however, adds that discretionary review is also initiated by notice. Appeals and discretionary review should be as procedurally similar as possible. See generally comments 2.1 and 6.2 .
(b) Filing Fee. See RCW 2.32.070.
(c) Incorrectly Designated Notice. The rule avoids a pitfall found in previous rules. It is frequently difficult to determine whether an order is appealable as a matter of right. Under the old rules, an attempted appeal from a nonappealable order or judgment is dismissed. Hayton v. Independent Petroleum Co., 27 Wn.2d 856, 180 P.2d 557 (1947). Conversely, certiorari has been denied solely on the grounds that the order sought to be reviewed was sufficiently final to make an appeal the appropriate remedy. In the meantime, the time to do the proper thing may have expired. State v. Superior Court, 139 Wash. 704, 247 P. 457 (1926). But compare ROA I-57(j).

A party seeking review should not be prejudiced by an inappropriate choice of procedure, particularly when an order is only arguably appealable. The rule provides that the court will treat an inappropriate
notice as if it were the correct one. Discretionary review, of course, might still be declined.
(d) Cross Review. See Rule 2.4(a), which defines the circumstances in which a notice of cross review is necessary.
(e) Final Judgment Entered After Notice for Discretionary Review Has Been Filed. A constructive notice of appeal would confuse the running of time limits and the scope of review. The rule requires a notice of appeal to secure review of the final judgment.
(f) Order Entered After Review Accepted. Rule 7.2(e) gives the trial court authority to hear post-judgment motions, even though review of the judgment has been accepted. The decision on the motion is reviewable pnly by initiating a separate review which, in the discretion of the appellate court, may be consolidated with the review of the judgment. See comment 7.2(e).

## Rule 5.2 Time allowed to file notice.

(a) Notice of Appeal. Except as provided in Rules 3.2(e), 5.2(d) and (f), and 15.2(a), a notice of appeal must be filed in the trial court within the longer of (1) 30 days after the entry of the decision of the trial court which the party filing the notice wants reviewed, or (2) the time provided in section (e).
(b) Notice for Discretionary Review. Except as provided in Rules 3.2(e), 5.2(d) and (f) and 15.2(a) a notice for discretionary review must be filed in the trial court within 30 days after the entry of the decision of the trial court which the party filing the notice wants reviewed.
(c) Date Time Begins to Run. The date of entry of a trial court decision is determined by CR 5(e) and 58.
(d) Time Requirements Set by Statute Govern. If a statute provides that a notice of appeal, a petition for extraordinary writ, or a notice for discretionary review must be filed within a time period other than 30 days after entry of the decision, the notice required by these rules must be filed within the time period established by the statute.
(e) Effect of Certain Post-Trial Motions. A notice of appeal of orders deciding certain timely post-trial motions designated in this paragraph must be filed in the trial court within (1) 30 days after the entry of the order, or (2) if a statute provides that a notice of appeal, a petition for extraordinary writ, or a notice for discretionary review must be filed within a time period other than 30 days after entry of a decision, the number of days after the entry of the order established by the statute for initiating review. The post-trial motions to which this rule applies are a Motion for Arrest of Judgment under Cr R 7.4, a Motion for New Trial under Cr R 7.6, a Motion for Reconsideration or New Trial under CR 59, and a Motion for Amendment of Judgment under CR 59.
(f) Subsequent Notice by Other Parties. If a timely notice of appeal or a timely notice for discretionary review is filed by a party, any other party who wants relief from the decision must file a notice of appeal or notice for discretionary review within the later of (1) 14 days after service by the trial court clerk of the notice filed by the other party, or (2) the time within which notice must be given as provided in sections (a), (b), (d) or (e).
(g) Effect of Premature Notice. A notice of appeal or notice for discretionary review filed after the announcement of a decision but before entry of the decision will
be treated as filed on the day following the entry of the decision. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

## References:

Rule 2.2, Decisions of the Superior Court Which May be Appealed, (c) Multiple parties or multiple claims or counts, Rule 15.2, Determination of Indigency and Rights of an Indigent Party, (a) Motion for Order of Indigency. Rule 18.8, Waiver of Rules and Extension and Reduction of Time, (b) Restrictions on Extension of Time, CR 5, Service and Filing of Pleadings and Other Papers; CR 58, Entry of Judgment.
Comment: Generally. Rule 5.2 imposes a general 30 -day time limit for seeking review. With respect to appeals, the rule conforms to current practice. With respect to discretionary review, the time limit is extended from 15 to 30 days to promote uniformity. See ROA I-57(e), CAROA 57(e). The time may be extended because of the pendency of a motion for an order of indigency under Rule 15.2(a).

The entry of a decision is defined by CR $5(\mathrm{e})$ and 58 . The effect of a notice filed before a decision is entered is determined by Rule 5.2(g). An untimely notice will be considered only in the narrow circumstances provided in Rule 18.8(b).
(d) Time Requirements Set by Statute Govern. The rule preserves statutory time limits for filing notice. The statutes generally express public policy about finality of trial court decisions. Statutory time periods govern-and they may be shorter than the time periods provided by this rule. The statutes include:

RCW 8.04.070, 8.04.098. Order of Public Use and Necessity. Five days.
RCW 8.03.040 [8.08.040]. Eminent Domain by Counties. Five days.
RCW 8.16.130. Eminent Domain by School Districts. Sixty days.
RCW 29.65.110. Election Contests (Appeal). Ten days.
RCW 29.79.170. Election Contests (Certiorari). Five days.
RCW 29.79.210. Initiative and Referendum (Certiorari). Five days.
RCW 29.82.160. Review of Superior Court Decision in Recall Election Case. Fifteen days.
RCW 35.44.260. Review of Assessments for Local Improvements. Fifteen days.
RCW 36.94.290. Review of Assessment for Local Utility Improvement. Fifteen days.
RCW 47.32.060. Review of Superior Court Decision in Favor of Highway Commission Regarding Obstruction of Right of Way. Five days.
RCW 54.16.160. Review of Assessment for Local Utility District. Fifteen days.
RCW 56.20.080. Review of Assessment for Sewer District. Fifteen days.
RCW 57.16.090. Review of Assessment for Water District. Fifteen days.
RCW 85.08.440. Review of Apportionment of Diking or Drainage Assessment. Fifteen days.
RCW 85.15.130, 85.16.190, 85.16.210, 85.18.140, 85.32.200. Review of Superior Court Decision on Objections to Certain Assessments. Fifteen days.
RCW 87.56.225. Review of Decision Regarding Dissolution of Insolvent Irrigation District. Sixty days.
RCW 90.03.200. Review of Determination of Water Rights. Sixty days.
(e) Effect of Certain Post-Trial Motions. Rule 2.4(c) allows the judgment to be reviewed upon review of certain post-trial orders. Rule 5.2(e) accommodates Rule 2.4(c) by starting the time running from the date of the entry of the decision on the designated timely-filed post-judgment motions.
(f) Subsequent Notice by Other Parties. The rule changes two prior procedures. A coparty, ROA I-33(2), and a cross-appellant, ROA I33(3), become simply "any other party," and their time for seeking review, now 20 days from the date the original notice is filed, is reduced to not less than 14 days from that date. This conforms to federal practice. The necessity of seeking cross review is governed by Rule 2.4(a). The necessity of notice by a coparty is governed by Rule 5.3(d) and (i).
(g) Effect of Premature Notice. The rule, suggested by Federal Rule of Appellate Procedure 4(b), offers a practical solution to the awkward legal problem raised by a premature notice. Prior law to the contrary is
superseded. Compare Glass v. Windsor Navigation Co., 81 Wn.2d 726, 504 P.2d 1135 (1973).

## Rule 5.3 Content of notice——Filing.

(a) Content of Notice of Appeal. A notice of appeal must (1) be titled a notice of appeal, (2) specify the party or parties seeking the review, (3) designate the decision or part of decision which the party wants reviewed, and (4) name the appellate court to which the review is taken.
(b) Content of Notice for Discretionary Review. A notice for discretionary review must comply in content and form with the requirements for a notice of appeal, except that it should be titled a notice for discretionary review.
(c) Identification of Parties, Counsel, and Address of Defendant in Criminal Case. The party seeking review should advise the trial court clerk of the name and address of the attorney for each of the parties by placing this information on the notice. In a criminal case the attorney for the defendant should also notify the appellate court clerk of the defendant's address, by placing this information on the notice. The attorney for a defendant in a criminal case must also keep the appellate court clerk advised of any changes in defendant's address during review.
(d) Multiple Parties Filing Notice. More than one party may join in filing a single notice of appeal or notice for discretionary review.
(e) Notices Directed to More than One Case. If cases have been consolidated for trial, separate notices for each case or a single notice for more than one case may be filed. A single notice for more than one decision will be given the same effect as if a separate notice had been filed for each decision. If cases have not been consolidated for trial, separate notices must be filed.
(f) Defects in Form of Notice. The appellate court will disregard defects in the form of a notice of appeal or a notice for discretionary review if the notice clearly reflects an intent by a party to seek review.
(g) Notices Directed to More than One Court. If a notice of appeal or a notice for discretionary review is filed which is directed to the Court of Appeals and a notice is filed in the same case which is directed to the Supreme Court, the case will be treated as if all notices were directed to the Supreme Court.
(h) Amendment of Notice Directed to Portion of Decision. The appellate court may, on its own initiative or on the motion of a party, permit an amendment of a notice to include additional parts of a decision in order to do justice. The appellate court may condition the amendment on appropriate terms, including payment of a compensatory award under Rule 18.9.
(i) Notice by Fewer than All Parties on a Side-Joinder. If there are multiple parties on a side of a case and fewer than all of the parties on that side of the case timely file a notice of appeal or notice for discretionary review, the appellate court will grant relief only (1) to a party who has timely filed a notice, (2) to a party who
has been joined as provided in this section or (3) to a party if demanded by the necessities of the case. The appellate court will permit the joinder on review of a party who did not give notice only if the party's rights or duties are derived through the rights or duties of a party who timely filed a notice or if the party's rights or duties are dependent upon the appellate court determination of the rights or duties of a party who timely filed a notice.
(j) Assistance to Defendant in Criminal Case. The trial court clerk shall, if requested by a defendant in a criminal case in open court or in writing, file a notice of appeal or notice for discretionary review on the defendant's behalf. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 1, Notice of Appeal;
Form 2, Notice for Discretionary Review,
Rule 3.3, Consolidation of Cases; Rule 4.2, Direct Review of Trial Court Decision by Supreme Court.
Comment: (a) Content of Notice of Appeal. Section (a) is adapted from FRAP 3(c) without material change and conforms to established Washington practice in civil cases. ROA I-33; CAROA 33. Prior rules for criminal cases have required additional statements relating to the offense, sentence, and place of confinement. ROA I-46; CAROA 46. These additional statements are not required by Rule 5.3(a). The value of having this information in the notice is outweighed by the desirability of uniform practice.
(b) Content of Notice for Discretionary Review. Discretionary review is initiated by notice similar to a notice of appeal. See comment 5.1
(d) Multiple Parties Filing Notice. The rule retains the prior practice of permitting coparties to join in a single notice. See ROA I-33; CAROA 33
(e) Notices Directed to More than One Case. Compare Oerter v. Georger, 70 Wash. 110, 126 P. 103 (1912).
(f) Defects in Form of Notice. Defects in form do not affect the validity of the notice. Prior law is in accord. See ROA I-52; State v. Mitchell, 2 Wn. App. 943, 472 P.2d 629 (1970).
(g) Notices Directed to More than One Court. The Supreme Court may exercise its authority to transfer a case pursuant to Rule 4.3.
(h) Amendment of Notice Directed to Portion of Decision. A notice may be amended to include additional parts of a decision. Terms may be imposed. This is consistent with the general policy of the rules to promote decisions on the merits. Compare ROA I-52.
(i) Notice by Fewer than All Parties on a Side_-Joinder. The phrase "necessity of the case" has become a term of art and is retained. See Mon Wai v. Parks, 46 Wn.2d 138, 278 P.2d 676 (1955). This rule also permits the joinder of a party under the specified circumstances so that relief may be granted to that party. For example, a surety should appropriately have the benefit of a decision on review in favor of the surety's principal.

Rule 5.4 Filing of notice and service by clerk. The clerk of the trial court shall immediately upon filing of a notice of appeal or notice for discretionary review (1) file a copy of the notice with the appellate court designated in the notice, and transmit the filing fee to that court, and (2) serve by mail a copy of the notice on each party of record. The clerk shall indicate on the notice in the clerk's file, or on a separate paper, the date the notice was mailed to each party. Failure by the clerk to file the notice with the appellate court has no effect on the rights of any party to review. Failure by the clerk to serve a party with notice does not prejudice the rights of the party seeking review. The clerk or a party may correct the oversight by serving the notice at any time. A party prejudiced by the clerk's failure to serve the notice may move in the appellate court for appropriate relief. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rule returns to a former practice of service by the trial court clerk in both civil and criminal cases. Previous rules requiring a party to properly serve the notice have led to problems of invalidity for violations of the rules. Braman v. Kuper, 51 Wn.2d 676, 321 P. 2 d 275 (1958). Rule 5.4 directs the clerk to serve notice. To assure consistency with Rule 1.2(a), improper service does not prejudice the rights of a party. The task force recognizes that a full and fair hearing may be impossible if a party below has not been served. See Davey $v$. Brownson, 3 Wn. App. 820, 478 P.2d 258 (1970). The rule, therefore, provides a convenient procedure for later service and gives the appellate court authority to fashion remedies to provide a fair hearing.

## TITLE 6-—ACCEPTANCE OF REVIEW

Rule
6.1 Appeal as a matter of right
6.2 Discretionary review
(a) Generally
(b) Time to make motion
(c) Regular motion procedure governs
(d) Notice of decision on motion

Rule 6.1 Appeal as a matter of right. The appellate court "accepts review" of a trial court decision upon the timely filing in the trial court of a notice of appeal from a decision which is reviewable as a matter of right. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 2.2, Decisions of the Superior Court which may be Appealed.
Comment: Title 6 establishes an important concept called acceptance of review. The acceptance of a case for review causes the general authority over the case to shift to the appellate court (Title 7) and serves as the point from which subsequent events are timed. See e.g., Rules 3.2(c), 7.2(a).

Under Rule 6.1, review of a decision appealable as a matter of right is accepted automatically upon the timely filing of a notice of appeal. This is consistent with current practice. Cf. ROA I-32.

## Rule 6.2 Discretionary review.

(a) Generally. The appellate court accepts discretionary review of a trial court decision by granting a motion for discretionary review.
(b) Time To Make Motion. The party seeking discretionary review must file in the appellate court a motion for discretionary review within 15 days after filing the notice for discretionary review. If a party files a notice of appeal from a decision which may not be subject to review as a matter of right, the clerk or a party may note for hearing the question whether the decision is reviewable as a matter of right and, if the decision is reviewable by discretion, the question whether review should be accepted.
(c) Regular Motion Procedure Governs. A motion for discretionary review is governed by the motion procedure established by Title 17.
(d) Notice of Decision on Motion. The clerk of the appellate court will promptly give written notice to the parties and the trial court of the appellate court's decision on the motion for discretionary review. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 3, Motion for Discretionary Review,
Rule 2.3, Decisions of the Trial Court which may be Reviewed by
Discretionary Review; Rule 17.3, Content of Motion, (b) Motion for Discretionary Review, Rule 17.6, Decision on Motion.
Comment: The motion procedure is used to determine whether review is accepted. The motion must be filed within 15 days after the
notice for discretionary review is filed. The clerk notes for hearing the question of the granting of discretionary review if a party files a notice of appeal from a nonappealable decision. See Rule 5.1(b).
A case subject to discretionary review is accepted by granting a mo: $:$ on for discretionary review. Once review is accepted, the remaining steps are the same whether the case is an appeal or a discretionary review. See also comment 2.1.

## TITLE 7——AUTHORITY OF TRIAL COURT AND APPELLATE COURT PENDING REVIEW

Rule
7.1 Authority of trial court before review accepted
7.2 Authority of trial court after review accepted
(a) Generally
(b) Settlement of record
(c) EnforcemEnt of trial court decision
(d) Attorney fees and costs
(e) Post-judgment motions and actions to modify decision
(f) Release of defendant in criminal case
(g) Questions relating to indigency
(h) Supersedeas, stay, and bond
7.3 Authority of appellate court

Rule 7.1 Authority of trial court before review accepted. The trial court retains full authority to act in a case before review is accepted by the appellate court, unless the appellate court directs otherwise as provided in Rule 8.3. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The case proceeds normally in the trial court until review is accepted, unless the appellate court directs otherwise pursuant to Rule 8.3. Acceptance of review shifts the general authority over the case to the appellate court, and the trial court may act only as provided in Rule 7.2. Ambiguous concepts of "jurisdiction" are abandoned in favor of defining "authority to act."

Rule 7.2 Authority of trial court after review accepted.
(a) Generally. After review is accepted by the appellate court, the trial court has authority to act in a case only to the extent provided in this rule, unless the appellate court limits or expands that authority as provided in Rule 8.3.
(b) Settlement of Record. The trial court has authority to settle the record as provided in Title 9 of these rules.
(c) Enforcement of Trial Court Decision. Except to the extent a decision has been superseded as provided in Rule 8.1, the trial court has authority to enforce any decision of the trial court and a party may execute on any judgment of the trial court. Any person may take action premised on the validity of a trial court decision until enforcement of the decision is superseded as provided in Rule 8.1.
(d) Attorney Fees and Costs. The trial court has authority to award attorney fees and costs for an appeal in a marriage dissolution, a legal separation, a declaration of invalidity proceeding, and in an action to modify a decree in any of these proceedings.
(e) Post-Judgment Motions and Actions To Modify Decision. The trial court has authority to hear and determine (1) post-judgment motions authorized by the civil rules, the criminal rules, or statutes, and (2) actions to change or modify a decision that is subject to modification by the court that initially made the decision. If
the trial court determination will change a decision then being reviewed by the appellate court, the permission of the appellate court must be obtained prior to the entry of the trial court decision. A party should seek the required permission by motion. The decision granting or denying a post-judgment motion may be subject to review. A party may only obtain review of the decision on the post-judgment motion by initiating a separate review in the manner and within the time provided by these rules. If review of a post-judgment motion is accepted while the appellate court is reviewing another decision in the same case, the appellate court may on its own initiative or on motion of a party consolidate the separate reviews as provided in Rule 3.3(b).
(f) Release of Defendant in Criminal Case. In a criminal case, the trial court has authority to fix conditions of release of a defendant and to revoke a suspended or deferred sentence.
(g) Questions Relating to Indigency. The trial court has authority to decide questions relating to indigency as provided in Title 15 of these rules.
(b) Supersedeas, Stay, and Bond. The trial court has authority to act on matter of supersedeas, stays, and bonds as provided in Rules 8.1 and 8.4 , CR 62(a), (b), and (h), and chapter 6.08 RCW .
(i) Costs. The trial court has authority to act on claims for costs and objections to costs. A party may obtain review of a trial court decision on costs in the same review proceeding as that challenging the judgment without filing a separate notice of appeal or notice for discretionary review. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## References:

Rule 5.1, Review Initiated by Filing Notice of Appeal or Notice for Discretionary Review, (e) Order entered after review accepted; Rule 8.1, Supersedeas in the Trial Court; Rule 8.3, Appellate Court Orders Needed for Effective Review, Rule 8.4, Bond with Individual Sureties-_Justification-Objection; CR 62, Stay of Proceedings to Enforce a Judgment, (a) Automatic stays, (b) Stay on motion for new trial or for judgment, (h) Multiple claims or multiple parties; chapter 6.08 RCW, Stay of Execution.
Comment: (a) Generally. Rule 7.2 and the rules which follow define the respective powers of the trial and appellate courts in terms of "authority to act. ${ }^{\text {n }}$ Rule 7.1 defined the trial court's authority to act before acceptance of review. Rule 7.2 defines the trial court's authority to act after acceptance of review.
(c) Enforcement of Trial Court Decision. Section (c) conforms to established practice and clarifies what has been frequently misunderstood under prior rules. If the party seeking review does not supersede enforcement pursuant to Rules 8.1 or 8.2 , the acceptance of appellate review does not diminish the prevailing party's right to enforce the decision below. See Baisch v. Gibson, 138 Wash. 127, 244 P. 259 (1926); Malo v. Anderson, 76 Wn.2d 1, 454 P.2d 828 (1969). The decision may be enforced in the trial court as if no review had been sought. If an unsuperseded judgment is enforced and later reversed or modified by the appellate court, the rights of persons affected may be adjusted as provided in Rule 12.8.
(d) Attorney Fees and Costs. Section (d) is suggested by Bennett v. Bennett, 63 Wn.2d 404, 387 P.2d 517 (1963).
(e) Post-Judgment Motions and Actions To Modify Decision. The rule changes present Washington practice and conforms to practice generally followed in federal court. See 9 J. Moore, Federal Practice pp. 734-740 (1973); Weiss v. Hunna, 312 F.2d 711 (2d Cir. 1963).

Previous Washington practice required a party to file a motion in the appellate court requesting leave to file the post-judgment motion in the superior court. Doss v. Schuller, 47 Wn.2d 520, 288 P.2d 475 (1955). The petitioner had to make a showing on the merits of his motion
twice: first in the appellate court, and later in the trial court. Nevertheless, the decision of the appellate court on the motion only authorized the petitioner to proceed below. The trial court was free to deny the motion. Palmer v. Cozza, 2 Wn. App. 900, 901, 471 P.2d 102, 103 (1970).

Rule 7.2 reverses the procedure. The motion will be made in the trial court in the first instance, and the motion will be presented to the appellate court only if the trial court is inclined to grant the motion. Under these rules, the motion is heard first in the court best equipped to evaluate the grounds for a post-trial motion. Unnecessary work for the appellate court is eliminated. The trial court decision on the motion may be reviewed as any other trial court decision. See also comment $5.1(\mathrm{e})$.
(f) Release of Defendant in Criminal Case. A defendant in a criminal case may be released pending review as provided by the Superior Court Criminal Rules or by statutes. See, e.g., CrR 3.2(h). The A.B.A. gives criteria for release pending review and recommends a procedure for appellate review of bail decisions, but such criteria and procedure are not included in these rules. See American Bar Association, Standards Relating to Criminal Appeals, \& 2.5 (1970). Standards for release on bail are more appropriately governed by criminal rules and statutes.

Rule 7.3 Authority of appellate court. The appellate court has the authority to determine whether a matter is properly before it, and to perform all acts necessary or appropriate to secure the fair and orderly review of a case. The Court of Appeals retains authority to act in a case pending before it until review is accepted by the Supreme Court, unless the Supreme Court directs otherwise. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rule states the broad authority of the appellate court to act. It clarifies the effect of Supreme Court review of a decision of the Court of Appeals on the authority of the Court of Appeals to act.

## TITLE 8--SUPERSEDEAS, INJUNCTIONS, AND OTHER ORDERS TO INSURE EFFECTIVE REVIEW--BONDS

Rule
8.1 Supersedeas in the trial court
(a) Application of civil sules
(b) Supersedeas by bond or other security
(c) Supersedeas by party not required to post bond
(d) Objection to supersedeas decision
8.2 Release of defendant during review of a criminal case
(a) Release not governed by these rules
(b) Objection to decision
8.3 Appellate court orders needed for effective review
8.4 Bond with individual sureties Justification-Objection
(a) Scope of rule
(b) Justification
(c) Objection
8.5 State as obligee on bond
8.6 Termination of supersedeas, injunctions, and other orders

## Rule 8.1 Supersedeas in the trial court.

(a) Application of Civil Rules. This rule provides a means of delaying the enforcement of a trial court decision in a civil case in addition to the means provided in CR 62(a), (b), and (h).
(b) Supersedeas by Bond or Other Security. Except when prohibited by statute, a party may supersede the enforcement of a money judgment or decision affecting property by filing a supersedeas bond executed by one or more sureties approved by the trial court. The bond must be conditioned for the satisfaction of the judgment in full together with interest and costs, and the satisfaction in full of any probable modification of the judgment
by the appellate court. If a party seeks to supersede only part of a decision, the bond amount shall be adjusted to accomplish the purpose desired. The trial court may authorize a party to post security other than a bond.
(1) Money Judgment. If the judgment is for the recovery of money not wholly secured, the amount of the bond shall be fixed at such sum as will cover the whole amount of the judgment remaining unsatisfied and unsecured, together with interest thereon, unless the court, after notice and hearing and for good cause shown, fixes a different amount.
(2) Decision Affecting Property. If the decision determines the disposition of property in controversy, or if the property is in the custody of the sheriff, or if the proceeds of the property or a bond for its value are in the custody or control of the court, the amount of the supersedeas bond shall be fixed at such sum only as will secure any money judgment plus the amount of loss which a party may be entitled to recover as a result of the inability of the party to enforce the judgment during review.
(c) Supersedeas by Party Not Required to Post Bond. If a party is not required to post a bond, that party shall file a notice that the decision is superseded without bond and, after filing the notice, the party shall be in the same position as if the party had posted a bond pursuant to the provisions of this rule.
(d) Objection to Supersedeas Decision. A party may object to a supersedeas decision of the trial court by motion in the appellate court. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

CR 62, Stay of Proceedings to Enforce a Judgment.
RCW 48.28.010, Requirements Deemed Met by Surety Insurer.
Comment: (a) Application of Civil Rules. Rule 8.1 supplements CR 62(a), (b) and (h) and supersedes CR 62(c), (d), (e), (f) and (g). The authority to suspend, modify, restore, or grant an injunction after acceptance of review should rest solely with the appellate court.

Chapter 6.08 RCW, which provides for a temporary stay of execution upon the filing of a bond, is not designed to accomplish supersedeas on review and is not superseded by Rule 8.1.
(b) Supersedeas by Bond or Other Security. The rule is derived substantially from present ROA I-23, except for the deletion of ROA I23(2), Effect of Supersedeas, which appears redundant. The language is altered to eliminate the term stay in favor of more descriptive terminology.

The relief afforded by Rule 8.1 is available as a matter of right. However, the rule applies only to money judgments and decisions affecting property. A party may seek to delay the enforcement of other decisions under Rule 8.3 by a motion to the appellate court. The descriptive terminology established by Rules 8.1 and 8.3 simplifies the task of determining whether supersedeas is available. One need not research the question whether a particular decision is self-executing. Compare State ex rel. Austin v. Superior Court, 6 Wn.2d 61, 106 P.2d 1077 (1941). Nor is it necessary to research the question whether an injunction is mandatory or prohibitory. Compare State ex rel. Langlie v. Wright, 35 Wn.2d 703, 215 P.2d 407 (1958). If the decision falls within Rule 8.1, supersedeas is available as a matter of right. If the decision is not among those listed in Rule 8.1, supersedeas is available only in the discretion of the appellate court. See also comment 8.3.

These rules do not purport to treat the effect of supersedeas on the running of statutory time limitations for redemption, execution of judgment, or the commencement of a new action. See generally Baisch v. Gibson, 138 Wash. 127, 244 P. 259 (1926); Kuper v. Stojack, 57 Wn.2d 482, 358 P.2d 132 (1960); RCW 4.16.240. See also comment 7.2(c).
(c) Supersedeas by Party Not Required To Post Bond. Statutory law excuses particular parties from posting a supersedeas bond. See, e.g.,

RCW 2.10.210, 4.92.030, 8.04.150, 8.08.080, 8.20.120, 41.26.230, 41.40.440, 43.21B.190, 43.21B.200, 50.32.130, 51.52.110, 74.08.080, $85-$ $.05 .130,85.06 .130$, and 91.04 .325 . The rule requires these parties to give a notice to insure that other parties are aware of the intent to supersede.
(d) Objection to Supersedeas Decision. Fast action may be necessary. Thus, the quicker motion procedure is available to review trial court supersedeas decisions, as well as the usual slower review procedure.

Rule 8.2 Release of defendant during review of a criminal case.
(a) Release Not Governed by These Rules. The conditions under which a defendant in a criminal case may be released pending review are set forth in the criminal rules and in statutes.
(b) Objection to Decision. A party may object to a trial court decision relating to release of a defendant during a review of a criminal case by motion in the appellate court. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

RCW 9.95.062, Appeal stays execution_credit for time in jail pending appeal;
RCW 10.73.040, Bail pending appeal;
CrR 3.2, Pretrial Release, (h) Release after Verdict.
Rule 8.3 Appellate court orders needed for effective review. Except when prohibited by statute, the appellate court has authority to issue orders, before or after acceptance of review, to insure effective and equitable review, including authority to grant injunctive or other relief to a party. The appellate court will ordinarily condition the order on furnishing a bond or other security. A party seeking the relief provided by this rule should use the motion procedure provided in Title 17. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rule gives the appellate court broad discretionary authority to issue orders to insure effective and equitable review. The rule may be used to seek to delay the enforcement of judgments not subject to supersedeas as a matter of right. See generally comment 8.1. The rule may also be used to seek a stay of trial court proceedings pending acceptance of review. Without limiting relief formerly available, the rule avoids the ambiguous distinctions between injunctions, writs, stays, and supersedeas by using the single term order. However, statutes restricting delays in enforcement or stays of proceedings on review take precedence over these rules. See e.g. RCW 48.31.190(6).
The motion procedure provided by Title 17 is used to obtain the order. The motion may be filed before or after acceptance of review and, in an emergency, may be filed in the manner provided by Rule 17.4(b). An order issued pursuant to Rule 8.3 will ordinarily be conditioned on the furnishing of a bond or other adequate security.

Rule 8.4 Bond with individual sureties-—Justifica-tion-—Objection.
(a) Scope of Rule. An individual who is a resident of this state may be a surety on a bond, except that a party may not act as a surety. This rule applies to justification of and objection to a surety on a bond given pursuant to Rule 8.1 or 8.3 , but only if the surety is a person other than a surety company authorized to transact surety business in this state.
(b) Justification. The bond must be accompanied by an affidavit signed by each surety affirming that (1) the surety is a resident of this state, and (2) the surety alone or the sureties together have a net worth, excluding
property exempt from execution, at least equal to twice the penalty in the bond.
(c) Objection. A party may object to the sufficiency of the surety on the bond or the form of the bond by a motion in the trial court made within 7 days after the party making the motion is served with the bond and the supporting affidavit or affidavits. If the trial court determines that the bond is improper as to form or that the net worth of the surety is inadequate, the supersedeas or other order conditioned upon the posting of the bond may be preserved only by furnishing a proper new bond within 7 days of the entry of the order declaring the first bond deficient. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

RCW 19.72.020, Individual sureties_Eligibility.
Comment: The Rule is similar to ROA I-26 and I-27. Section (a) prohibits a party from acting as a surety.

Rule 8.5 State as obligee on bond. The obligee in a bond given pursuant to Rule 8.1 or 8.3 may be named as the State of Washington for the benefit of whom it may concern. If the State is named as the obligee, anyone has the same right upon or concerning the bond as if named as an obligee in the bond. The State of Washington shall not, solely because the State is named as an obligee, be sued or named as a party in any suit on the bond. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: Rule 8.5 is similar to ROA I-25.
Rule 8.6 Termination of supersedeas, injunctions, and other orders. The issuance of the mandate as provided in Rule 12.5 terminates any delay of enforcement of a trial court decision obtained pursuant to Rule 8.1 and terminates orders entered pursuant to Rule 8.3. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 12.2, Disposition on Review.
Comment: Rule 8.6 clarifies established law. The mandate issued pursuant to Rule 12.5 terminates delays in enforcement of decisions obtained pursuant to Rule 8.1 and orders obtained pursuant to Rule 8.3 .

## TITLE 9——RECORD ON REVIEW

## Rule

9.1 Composition of record on review
(a) Generally
(b) Report of proceedings
(c) Clerk's papers
(d) Avoid duplication
9.2 Verbatim report of proceedings
(a) Transcription and statement of arrangements
(b) Content
(c) Notice of partial report of proceedings and issues
(d) Payment of expenses
(e) Index
(f) Form generally
(g) Form when at public expense
9.3 Narrative report of proceedings
9.4 Agreed report of proceedings
9.5 Filing and service of report of proceedings_Objections
(a) Generally
(b) Submission of report of proceedings to trial judge
(c) Substitute judge may settle report of proceedings
(d) Use of copy of report of proceedings
9.6 Designation of clerk's papers and exhibits
9.7 Preparing clerk's papers and exhibits for appellate court
(a) Clerk's papers
(b) Exhibits
9.8 Transmitting record on review
(a) Duty of trail court clerk
(b) Cumbersome exhibits
(c) Temporary transmittal to another court
9.9 Correcting or supplementing report of proceedings before transmittal to appellate court
9.10 Correcting or supplementing record after transmittal to appellate court
9.11 Additional evidence on review
(a) Remedy limited
(b) Where taken

## Rule 9.1 Composition of record on review.

(a) Generally. The "record on review" may consist of (1) a "report of proceedings", (2) "clerk's papers", and (3) exhibits.
(b) Report of Proceedings. The report of proceedings may take the form of a "verbatim report of proceedings" as provided in Rule 9.2, a "narrative report of proceedings" as provided in Rule 9.3 , or an "agreed report of proceedings" as provided in Rule 9.4.
(c) Clerk's Papers. The clerk's papers include the pleadings, orders, and other papers filed with the clerk of the trial court.
(d) Avoid Duplication. Material appearing in one part of the record on review should not be duplicated in another part of the record on review. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 13.7, Proceedings (in Supreme Court) After Acceptance of Review (of Court of Appeals decision), (a) Procedure.
Comment: The old rules governing the record on review have unfortunately operated in some cases to prevent a decision on the merits. The rules in Title 9, based on the Federal Rules of Appellate Procedure, simplify preparation of the record on review and give the court a better opportunity to consider the case on its merits.

Rule 9.1 requires one record, not two. Under the old rules, the record has been sent to the appellate court in two packages, one called the "statement of facts," certified by the trial judge, and one called the "transcript," certified by the superior court clerk. ROA I-37, I-44.

If counsel erred by putting in the transcript that which should have been in the statement of facts, the material was stricken from the record, and assignments of error based on the stricken material would not be considered by the court, e.g., Clark v. Fowler, 58 Wn.2d 435, 363 P.2d 812 (1961); Popovich v. Department of Labor \& Indus. 66 Wn.2d 908, 406 P.2d 593 (1965). Rule 9.1 establishes a single, unified record, ending the need to research and decide at one's peril which is the appropriate package in which to place a document.

The next step taken by Rule 9.1 is to adopt descriptive terminology. The record of the proceedings in trial is no longer the "statement of facts," but the "report of proceedings." If the report of proceedings is a word for word record of the trial, it is called a verbatim report of proceedings, if it is in narrative form, a narrative report of proceedings, and if it is agreed, an agreed report of proceedings. The papers filed with the trial court are no longer the "transcript," but the "clerk's papers," and the exhibits.
The ambiguity of previous terminology has unfortunately raised problems of interpretation which tend to penalize parties for attorney error. See, e.g., Warner v. Hearst Publications, 20 Wn.2d 552, 148 P.2d 315 (1944); Porter v. Chicago, M., St. P. \& Pac. R.R., 41 Wn.2d 836, 252 P.2d 306 (1953); Clark v. Fowler, 58 Wn.2d 435, 363 P.2d 812 (1961). The unified record and descriptive terminology of Rule 9.1 provide a simplified procedure designed to minimize the chances of a defective or incomplete record.

## Rule 9.2 Verbatim report of proceedings.

(a) Transcription and Statement of Arrangements. If the party seeking review intends to provide a verbatim report of proceedings, the party should arrange for transcription of and payment for an original and one copy of the verbatim report of proceedings within 45 days after acceptance of review. The party seeking review must file with the appellate court a statement that arrangements have been made for the transcription of the report. The statement must be filed within 45 days after acceptance of review. The party must indicate the date that the statement was ordered and the financial arrangements which have been made for payment of transcription costs.
(b) Content. A party should arrange for the transcription of only those portions of the verbatim report of proceedings necessary to present the issues raised on review. If the party seeking review intends to urge that a verdict or finding of fact is not supported by the evidence, the party should include in the record all evidence relevant to the disputed verdict or finding. If the party seeking review intends to urge that the court erred in giving or failing to give an instruction, the party should include in the record all of the instructions given, the relevant instructions proposed, the party's objections to the instructions given, and the court's ruling on the objections.
(c) Notice of Partial Report of Proceedings and Issues. If a party seeking review arranges for less than all of the verbatim report of proceedings, the party should file and serve on all other parties within 45 days after review is accepted a description of the parts of the verbatim report of proceedings which the party intends to include in the record and a statement of the issues the party intends to present on review. Any other party who wishes to add to the verbatim report of proceedings should within 10 days after service of the description and notice file and serve on all other parties a designation of additional parts of the verbatim report of proceedings. If the party seeking review refuses to provide the additional parts of the verbatim report of proceedings, the party seeking the additional parts may provide them at the party's own expense or apply to the trial court for an order requiring the party seeking review to pay for the additional parts of the verbatim report of proceedings.
(d) Payment of Expenses. If a party fails to make arrangements for payment of the costs of the verbatim report of proceedings at the time the verbatim report of proceedings is ordered, the party may be subject to sanctions as provided in Rule 18.9.
(e) Index. The verbatim report of proceedings should include an index indicating, under the headings listed below, the pages where the following appear:
(1) Proceedings. The beginning of each proceeding and the nature of that proceeding;
(2) Witnesses. The testimony of each witness and the type of examination;
(3) Exhibits. The marking and admission into evidence of exhibits and depositions;
(4) Motions. All motions and decisions of motions;
(5) Argument. Opening and closing arguments;
(6) Instructions. All instructions proposed and given. Any other events should be listed under a suitable heading which would help the reviewing court locate separate parts of the verbatim report of proceedings.
(f) Form Generally. The verbatim report of proceedings must be on $81 / 2$ inch by 11 inch paper. Margins should be lined $13 / 8$ inches from the left and $5 / 8$ inches from the right side of each page. The type should fill the space between the lines. Indentations from the left lined margin should be: 1 space for "Q" and "A"; 3 spaces for the body of the testimony; 8 spaces for commencement of a paragraph; and 10 spaces for quoted authority. Typing should be double spaced or $11 / 2$ spaced except that comments by the reporter should be single spaced. If double spaced, the page should have 25 lines of type. If $11 / 2$ spaced, the page should have 33 lines of type. Type must be pica type or its equivalent with no more than 10 characters an inch.
(g) Form When at Public Expense. A verbatim report of proceedings provided at public expense must be in the form provided by section (f), except the report must be on $8 \mathrm{l} / 2$ inch by 13 inch paper and typing must be double spaced 30 lines of type to the page. Comments by the reporter must be single spaced. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

## References:

Form 15, Statement of Arrangements, Title 6, Acceptance of Review.
Comment: Generally. Under the new rules a report of proceedings may be in one of three forms: a verbatim report of proceedings, a narrative report of proceedings, or an agreed report of proceedings. It is the first of these three forms with which Rule 9.2 is concerned.
(a) Transcription and Statement of Arrangements. Section (a) retains the time limits for arranging for a typewritten verbatim report of the proceeding and for filing a statement that this has been done. ROA I-34; CAROA 34. The report may be prepared by a court reporter or any other person.
(b) Content. The use of an abbreviated report of proceedings is encouraged if a report of the entire trial is unnecessary. This lessens the cost of the record for the litigants and relieves the court of the burden of reading unnecessarily lengthy records. See Lofgren v. Western Wash. Corp., 65 Wn.2d 144, 396 P.2d 139 (1964). The report may be supplemented under Rule 9.10 if the appellate court determines additional parts of the record are necessary.
Section (b) details the content of a report of proceedings in two troublesome situations. The two situations outlined are sufficiently important to warrant special mention. With respect to review of a verdict or finding of fact, see Whitney v. McKay, 54 Wn.2d 672, 344 P.2d 497 (1959). With respect to review of a jury instruction, see ROA I-34(9), CR 51 (f), and Stuart v. Consolidated Foods Corp., 6 Wn. App. 841 , 496 P.2d 527 (1972). If a party seeking review intends to urge that the court erred in determining the sufficiency of evidence in an administrative hearing, the party should include the entire record of the administrative proceeding. Tunget v. Employment Security Dep't, 78 Wn.2d 954, 481 P.2d 436 (1971).
(c) Notice of Partial Report of Proceedings and Issues. Section (c) requires notice to be given when the appellant or petitioner intends to include a report of less than all of the proceedings. The trial court may direct the preparation of additional parts of the record and may require the party seeking review to pay the cost.
(e) Index. The rule is derived from current practice in King County and ROA I-34(6). A properly prepared index is an important aid to the appellate court.
(f) Form. Letter-sized paper is required. This conforms to federal practice and the trend towards letter-sized paper for all legal documents. The rule allows, but does not require, lines to be $11 / 2$-spaced. A letter-sized page $11 / 2$-spaced contains as much written material as a double spaced legal-sized page with no sacrifice in readability.
Contrary to prior practice, the verbatim report of proceedings need not be certified by the trial judge. It is simply submitted to the trial
judge for his review. Compare ROA I-36, I-37, I-38, I-39. This change accomplishes two things: it eliminates one appearance in court in most cases, and reduces the cost of an appeal accordingly; and, it frees trial judges from the ministerial task of signing a certificate when there is no dispute between the parties on the content of the record. The adversary system helps insure an accurate report. See comment 9.5. Of course, if the parties or the trial judge does not agree to the report, the trial judge must have a hearing and settle the disputed portions of the record. The procedure for additions or correction is provided by Rules 9.5 and 9.9. See FRAP 10(e).

Rule 9.3 Narrative report of proceedings. The party seeking review may prepare a narrative report of proceedings. A party preparing a narrative report must exercise the party's best efforts to include a fair and accurate statement of the occurrences in an evidence introduced in the trial court material to the issues on review. A narrative report should be in the same form as a verbatim report, as provided in Rule 9.2(e) and (f). If any party prepares a verbatim report of proceedings, that report will be used as the report of proceedings for the review. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Rule 9.3 governs the second form of report of proceedings permitted by Rule 9.1. The old rules do not expressly authorize a narrative report of proceedings, but decisional law indicates that the Supreme Court has no objection to this practice. Glaser v. Holdorf, 53 Wn.2d 92, 330 P.2d 1066 (1958).

A narrative report must be prepared in good faith and must fairly and accurately portray the proceedings below. The narrative report may not be used as a vehicle for seeking an advisory opinion, even if the parties stipulate to its contents. Intentional disregard of this rule would violate DR 7-104 of the Code of Professional Responsibility.

The narrative report must be submitted to the trial judge in accordance with Rule $9.5(\mathrm{~b})$. Any party may object to the narrative report under Rule 9.5(a).

If one party prepares a verbatim report of proceedings (Rule 9.2), it is unfair to permit a review of the case solely on the basis of a narrative report. Consequently, the rule provides that a verbatim report, if prepared, will be used as the report of proceedings for review. The reasonable costs of preparing the verbatim report may be recovered if the party preparing the verbatim report prevails on review. See Rules 14.2 and 14.3 .

Rule 9.4 Agreed report of proceedings. The parties may prepare and sign an agreed report of proceedings setting forth only so many of the facts averred and proved or sought to be proved as are essential to the decision of the issues presented for review. The agreed report of proceedings must include only matters which were actually before the trial court. An agreed report of proceedings should be in the same form as a verbatim report, as provided in Rule 9.2(e) and (f). [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Rule 9.4 authorizes a stipulated statement of the case, called an agreed report of proceedings. The agreed report may consist of excerpted portions of a verbatim report of proceedings arranged in a meaningful form, a narrative statement, or some of both.

An agreed report must be prepared in good faith and must accurately portray the proceedings below. The agreed report may not be used as a vehicle for seeking an advisory opinion, even if the parties stipulate to its contents. Intentional disregard of this rule would violate DR 7-104 of the Code of Professional Responsibility.

The agreed report must be submitted to the trial judge in accordance with Rule 9.5(b).

Rule 9.5 Filing and service of report of proceedings——Objections.
(a) Generally. The party seeking review must file the report of proceedings with the clerk of the trial court,
and then submit it to the judge as provided in section (b), within 90 days after review is accepted by the appellate court. The party must at the time of filing the report of proceedings serve one copy on an adverse party and serve and file notice of the filing on all other parties. A party may serve and file objections to, and propose amendments to, a narrative report of proceedings or a verbatim report of proceedings within 10 days after receipt of the report of proceedings or receipt of the notice of filing of the report of proceedings. If objections or amendments to the report of proceedings are served and filed, the report of proceedings and any objections or proposed amendments must be submitted to the trial court judge before whom the proceedings were held for settlement and approval. The trial court may direct the party seeking review to pay for the expense of any modifications of the proposed report of proceedings.
(b) Submission of Report of Proceedings to Trial Judge. A report of proceedings must be submitted to the trial court judge before whom the proceedings were held for approval. The judge may call the parties to appear before the court for the purpose of adding to or correcting the report of proceedings. The report of proceedings is deemed approved if the trial court judge does not otherwise notify the parties within 10 days after submission of the report to the judge and if a party has not objected to the report as provided in section (a).
(c) Substitute Judge May Settle Report of Proceedings. If the judge before whom the proceedings were held is for any reason unable to promptly settle questions as provided in section (a), or unable to promptly accept and review the report as provided in section (b), another judge may act in the place of the judge before whom the proceedings were held.
(d) Use of Copy of Report of Proceedings. The party who has the right to file the next brief must be given the use of the copy of the report of proceedings. If more than one party has the right to file the next brief, the parties must cooperate in the use of the report of proceedings. When all brief are filed, the copy of the report of proceedings should be returned to the party who paid for it. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Title 6, Acceptance of Review.
Comment: (a) Generally. Rule 9.5 retains the $90-$ day time limit for filing and serving the report of proceedings. The time limit begins to run from the filing of a notice of appeal or the acceptance of discretionary review. ROA I-34(2) and CAROA 34(2) are in accord. In the interest of uniformity, the rule applies to both civil and criminal cases. Compare ROA I-46(e)(2)(i) and (ii). The objection procedure is similar to the old rules. Certification is not required.
(b) Submission of Report of Proceedings to Trial Judge. A report of proceedings must be submitted to the trial judge. This is to insure its accuracy and prevent parties from seeking an appellate court advisory opinion.

Rule 9.6 Designation of clerk's papers and exhibits. The party seeking review should, within 30 days after review is accepted, serve on all other parties and file a designation of those clerk's papers and exhibits the party wants the trial court clerk to transmit to the appellate
court. Any other party may in the same manner designate additional clerk's papers or exhibits for transmittal to the appellate court. Each party is encouraged to designate only clerk's papers and exhibits needed to review the issues presented to the appellate court. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Title 6, Acceptance of Review.
Comment: Rule 9.6 describes the procedure for designating the clerk's papers and exhibits to be included in the record. The parties should designate only those papers and exhibits necessary for review. See comment 9.2(b).

Rule 9.7 Preparing clerk's papers and exhibits for appellate court.
(a) Clerk's Papers. The clerk of the trial court shall make copies at cost, not to exceed 20 cents a page, of those portions of the clerk's papers designated by the parties and prepare them for transmission to the appellate court. The clerk shall assemble the copies and number each page of the clerk's papers in chronological order of filing. The clerk shall prepare a cover sheet for the papers with the title "Clerk's Papers" and prepare an alphabetical index to the papers. The clerk shall promptly send a copy of the index to each party.
(b) Exhibits. The clerk of the trial court shall assemble those exhibits designated by the parties and prepare them for transmission to the appellate court. Exhibits which are papers should be assembled in the order the exhibits are numbered with a cover sheet which lists the exhibits and is titled "Exhibits." [Adopted January 28, 1976, effective July 1, 1976.]

Comment: It is the responsibility of the superior court clerk to prepare the clerk's papers and exhibits designated by the parties for transmission to the appellate court. Rule 9.7 states how this should be done. All counsel will receive a copy of the index to the clerk's papers; page references in briefs can then correspond to the pages in the clerk's papers sent to the appellate court.

## Rule 9.8 Transmitting record on review.

(a) Duty of Trial Court Clerk. Except as provided in section (b), the clerk of the trial court shall transmit the record on review to the appellate court when requested by the clerk of the appellate court. The clerk shall endorse on the face of the record the date upon which the record on review is transmitted to the appellate court.
(b) Cumbersome Exhibits. The clerk of the trial court shall transmit to the appellate court exhibits which are difficult or unusually expensive to transmit only if the appellate court directs or if a party makes arrangements with the clerk to transmit the exhibits at the expense of the party requesting the transfer of the exhibits.
(c) Temporary Transmittal to Another Court. If the record or any part of it is needed in another court while a review is pending, the clerk of the appellate court will, on the order or ruling of the appellate court, transmit the record or part of it to the clerk of that court, to remain there until the purpose for which it is transmitted has been satisfied or until the clerk of the appellate court requests its return. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

Comment: It is the responsibility of the superior court to transmit the record on review to the appellate court when requested. Exhibits which are difficult or expensive to mail will be transmitted only if the appellate court so directs or if a party arranges with the clerk for their transmission. A party should also arrange with the appellate court clerk for the receipt of the exhibits.

Statutes prescribing inconsistent time limits for transmission of the record are superseded. See Rule 18.12.

Rule 9.9 Correcting or supplementing report of proceedings before transmittal to appellate court. The report of proceedings may be corrected or supplemented by the trial court on motion of a party, or on stipulation of the parties, at any time prior to the transmission of the report to the appellate court. The trial court may impose the same kinds of sanctions provided in Rule 18.9(a) as a condition to correcting or supplementing the report of proceedings after the time provided in Rule 9.5. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Rule 9.9, adapted from FRAP 10(e), supplements the procedure in Rule 9.5 for amending or correcting the report of proceedings before it is sent to the appellate court. Monetary sanctions may be imposed under Rule 18.9 against a party who did not make a good faith effort to correct or amend the report at the time established in Rule 9.5.

Rule 9.10 Correcting or supplementing record after transmittal to appellate court. If a party has made a good faith effort to provide those portions of the record required by Rule $9.2(b)$, the appellate court will not ordinarily dismiss a review proceeding or affirm, reverse, or modify a trial court decision because of the failure of the party to provide the appellate court with a complete record of the proceedings below. If the record is not sufficiently complete to permit a decision on the merits of the issues presented for review, the appellate court may, on its own initiative or on the motion of a party (1) direct the transmittal of additional clerk's papers and exhibits, or (2) correct, or direct the supplementation or correction of, the report of proceedings. The appellate court may impose sanctions as provided in Rule 18.9(a) as a condition to correcting or supplementing the record on review. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Rule 9.10, derived from FRAP 10(e), establishes liberal provisions for correcting or adding to the record after it has been sent to the appellate court. The rule relates only to additions or corrections to the record of earlier proceedings in the trial court. To be distinguished is the procedure for introducing new evidence on review under Rule 9.11.
The rule alleviates the risk in providing an abbreviated record. A party need only assemble a record which appears to be adequate for purposes of review. Issues presented for review will not be decided on the basis that the record is incomplete, except in the unusual case where a party fails to make a good faith effort to provide the relevant portions of the record. Errors in judgment will not be penalized by dismissal of the case. If a decision on the merits requires study of additional parts of the record, the court will request the additional materials. Prior law to the contrary is superseded. Compare Harris v. Kuhn, 80 Wn.2d 630, 497 P.2d 164 (1972); Tunget v. Employment Security Dep't, 78 Wn.2d 954, 481 P.2d 436 (1971); Barnes v. Central Wash. Deaconess Hosp., 5 Wn. App. 13, 485 P.2d 85 (1971). Monetary sanctions may be imposed under Rule 18.9(a) against a party who did not make a good faith effort to correct or supplement the record before transmittal to the appellate court.

## Rule 9.11 Additional evidence on review.

(a) Remedy Limited. The appellate court may only on its own initiative direct that additional evidence be taken before the decision of a case on review if: (1) additional proof of facts is needed to fairly resolve the issues on review, (2) the additional evidence would probably change the decision being reviewed, (3) it is equitable to excuse a party's failure to present the evidence to the trial court, (4) the remedy available to a party through postjudgment motions in the trial court is inadequate or unnecessarily expensive, (5) the appellate court remedy of granting a new trial is inadequate or unnecessarily expensive, and (6) it would be inequitable to decide the case solely on the evidence already taken in the trial court.
(b) Where Taken. The appellate court will ordinarily direct the trial court to take additional evidence and find the facts based on that evidence. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: The proper disposition of a case may, in very exceptional circumstances, be dependent upon the consideration of new evidence by the appellate court. For example, the parties to a contract dispute may have inadvertently failed to offer the contract in evidence after it was marked as an exhibit. This rule permits the introduction of new evidence at the appellate level_but only on the initiative of the court and only if all six listed conditions are met. The rule corresponds to California and Michigan practice, except that this rule is stricter. Compare California Appellate Rule 23 and Michigan Court Rule 810.

## TITLE 10——BRIEFS

Rule
10.1 Briefs which may be filed
(a) Scope of title
(b) Briefs which may be filed in any review
(c) Reply brief of respondent
(d) Pro se supplemental brief in criminal case
(e) Amicus curiae brief
(f) Briefs in cases involving cross review
(g) Briefs in consolidated cases and in cases involving multiple parties
(h) Other briefs
10.2 Time for filing briefs
(a) Brief of appellant or petitioner
(b) Brief of respondent in civil case
(c) Brief of respondent in criminal case
(d) Reply brief
(e) Pro se supplemental brief in criminal case
(f) Brief of amicus curiae
(g) Answer to brief of amicus curiae
(h) Sanctions for late filing
10.3 Content of brief
(a) Brief of appellant of petitioner
(b) Brief of respondent
(c) Reply brief
(d) Pro se supplemental brief in criminal case
(e) Amicus curiae brief
(f) Answer to brief of amicus curiae
(g) Special provision for assignments of error
10.4 Preparation and filing of brief by party
(a) Typing and filing brief
(b) Length of brief
(c) Text of statute, rule, jury instruction, or the like
(d) Motion in brief
(e) Reference to party
(f) Reference to record
(g) Citations
10.5 Reproduction and service of briefs by clerk
(a) Reproduction of brief
(b) Service of brief
(c) Notice to defendant in criminal case
10.6 Amicus curiae brief
(a) When allowed by motion
(b) Motion
(c) On request of the appellate court
10.7 Submission of improper brief
10.8 Additional authorities

## Rule 10.1 Briefs which may be filed.

(a) Scope of Title. The rules in this title apply only to the briefs referred to in this rule, unless a particular rule indicates a different application is intended.
(b) Briefs Which May Be Filed in Any Review. The following briefs may be filed in any review: (1) a brief of appellant or petitioner, (2) a brief of respondent, and (3) a reply brief of appellant or petitioner.
(c) Reply Brief of Respondent. If the respondent is also seeking review, the respondent may file a brief in reply to the response the appellant or petitioner has made to the issues presented by respondent's review.
(d) Pro Se Supplemental Brief in Criminal Case. A defendant in a review of a criminal case may file a brief supplementing the brief filed by the defendant's counsel, but only if the defendant files a notice of intention to file a pro se supplemental brief. The notice of intent should be filed within 30 days after the defendant has received the brief prepared by defendant's counsel, a notice from the clerk of the appellate court advising the defendant of the substance of this section, Rule 10.2(e), and 10.3(d), and a form of notice of intention to file a pro se supplemental brief. The clerk will advise all parties if the defendant files the notice of intention.
(e) Amicus Curiae Brief. An amicus curiae brief may be filed only if permission is obtained as provided in Rule 10.6. If an amicus curiae brief is filed, a brief in answer to the brief of amicus curiae may be filed by a party.
(f) Briefs in Cases Involving Cross Review. If a cross review is filed, the party first filing a notice of appeal or notice for discretionary review is deemed the appellant or petitioner for the purpose of this title, unless the parties otherwise agree or the appellate court otherwise orders.
(g) Briefs in Consolidated Cases and in Cases Involving Multiple Parties. In cases consolidated for the purpose of review and in a case with more than one party to a side, a party may (1) join with one or more other parties in a single brief, or (2) file a separate brief and adopt by reference any part of the brief of another.
(h) Other Briefs. The appellate court may in a particular case authorize or direct the filing of briefs on the merits other than those listed in this rule. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 7, Notice of Intent to File Pro Se Supplemental Brief,
Rule 13.7, Procoedings (in Supreme Court) After Acceptance of Review (of Court of Appeals decision), (a) Procedure,
Rule 16.10, Personal Restraint Petition-Briefs.
Comment: Rule 10.1 conforms to current practice, except section (d). When the clerk sends a criminal defendant the brief prepared by defendant's counsel, the clerk will also send defendant a notice. The notice will inform the defendant of defendant's right to file a pro se
supplemental brief and the procedure to be employed if the brief is filed. If the defendant wants to file a brief, a notice of intent to do so must be filed within 30 days of receipt of the brief filed by defendant's counsel. The form is provided by the clerk. The defendant need not obtain permission to file the brief as in ROA I-46. Motions under the old rule were uniformly granted.

Sections (f), (g), and (h) clarify practices which were ambiguous in the old rules, or not expressly covered.

## Rule 10.2 Time for filing briefs.

(a) Brief of Appellant or Petitioner. The brief of an appellant or petitioner should be filed with the appellate court within 45 days after the report of proceedings is filed in the trial court; or, if the record on review does not include a report of proceedings, within 45 days after the party seeking review has filed the designation of clerk's papers and exhibits.
(b) Brief of Respondent in Civil Case. The brief of a respondent in a civil case should be filed with the appellate court within 30 days after service of the brief of appellant or petitioner.
(c) Brief of Respondent in Criminal Case. The brief of a respondent in a criminal case should be filed with the appellate court within 60 days after service of the brief of appellant or petitioner or, if a defendant files a pro se supplemental brief, within 30 days after service of the pro se supplemental brief.
(d) Reply Brief. A reply brief of an appellant or petitioner should be filed with the appellate court within the sooner of 30 days after service of the brief of respondent or 14 days before oral argument.
(e) Pro Se Supplemental Brief in Criminal Case. A pro se supplemental brief in a criminal case should be filed with the appellate court within 60 days after the defendant has received the brief prepared by counsel and has had an opportunity to view the report of proceedings.
(f) Brief of Amicus Curiae. A brief of amicus curiae must be filed with the appellate court not later than the date fixed by the appellate court.
(g) Answer to Brief of Amicus Curiae. A brief in answer to the brief of amicus curiae may be filed with the appellate court not later than the date fixed by the appellate court.
(h) Sanctions for Late Filing. The appellate court will ordinarily impose sanctions under Rule 18.9 for failure to timely file a brief. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 18.6, Computation of Time, (c) Filing by Mail
Rule 17.8, Accelerated Disposition of Review by Motion
Comment: (a) Brief of Appellant or Petitioner. The rule retains the time limit under ROA I-41. In the interest of uniformity, Rule 10.2(a) applies to both civil and criminal cases. It should be noted, however, that the time limits may be shortened or extended pursuant to Rule
18.8.
(b) Brief of Respondent in Civil Case. The rule retains the time limit under ROA I-41.
(c) Brief of Respondent in Criminal Case. The old rule is expanded from 30 days (ROA I-46) to 60 days. A notice of intent to file a pro se supplemental brief may be given as late as 30 days after the criminal defendant has received the brief prepared by defendant's counsel. The respondent's brief should answer the pro se brief, if filed; and respondent's counsel will not know if one is to be filed until the first 30 days
has expired. See comments 10.1 and 10.2(e). Prior practice is retained with respect to the 30-day time limit after the respondent has been served with a pro se supplemental brief. See ROA I-46.
(d) Reply Brief. The old rules provided a time limit in civil cases of not less than 12 days prior to oral argument. ROA I-41.
(e) Pro Se Supplemental Brief in Criminal Case. The previous 60day time limit is retained. See ROA I-46. The rule complies with State v. Theobald, 78 Wn.2d 184, 470 P.2d 188 (1970) and Anders v. California, 386 U.S. 738 (1967), which require that the defendant in a criminal case be given time to study counsel's brief and to raise any points the defendant chooses.
(g) Answer to Brief of Amicus Curiae. No comparable provision is found in the old rules.

## Rule 10.3 Content of Brief.

(a) Brief of Appellant or Petitioner. The brief of the appellant or petitioner should contain under appropriate headings and in the order here indicated:
(1) Title Page. A title page, which is the cover.
(2) Tables. A table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where cited.
(3) Assignments of Error. A separate concise statement of each error a party contends was made by the trial court, together with the issues pertaining to the assignments of error.
(4) Statement of the Case. A fair statement of the facts and procedure relevant to the issues presented for review, without argument. Reference to the record must be included for each factual statement.
(5) Argument. The argument in support of the issues presented for review, together with citations to legal authority and references to relevant parts of the record. The argument may be preceded by a summary.
(6) Conclusion. A short conclusion stating the precise relief sought.
(7) Appendix. An appendix to the brief if deemed appropriate by the party submitting the brief.
(b) Brief of Respondent. The brief of respondent should conform to section (a) and answer the brief of appellant or petitioner. A statement of the issues and a statement of the case need not be made if respondent is satisfied with the statement in the brief of appellant or petitioner. If a respondent is also seeking review, the brief of respondent must state the assignments of error and the issues pertaining to those assignments of error presented for review by respondent and include argument of those issues.
(c) Reply Brief. A brief should be limited to a response to the issues in the brief to which the reply brief is directed.
(d) Pro Se Supplemental Brief in Criminal Case. The pro se supplemental brief in a criminal case should be limited to those matters which defendant believes have not been adequately covered by the brief filed by the defendant's counsel.
(e) Amicus Curiae Brief. The brief of amicus curiae should conform to section (a) but should in all respects
be limited to the issues of concern to amicus. Amicus must review all briefs on file and avoid repetition of matters in other briefs.
(f) Answer to Brief of Amicus Curiae. The brief in answer to a brief of amicus curiae should be limited solely to the new matters raised in the brief of amicus curiae.
(g) Special Provision for Assignments of Error. A separate assignment of error for each instruction which a party contends was improperly given or refused must be included with reference to each instruction or proposed instruction by number. A separate assignment of error for each finding of fact a party contends was improperly made or refused must be included with reference to the finding or proposed finding by number. The appellate court will only review a claimed error which is included in an assignment of error or clearly disclosed in the associated issue pertaining thereto. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 5, Titte Page for All Briefs and Petition for Review,
Form 6, Brief of Appellant;
Rule 3.4, Title of Case and Designation of Parties;
Rule 18.1, Attorney's Fees and Expenses, (b) Argument in brief.
Comment: (a) Brief of Appellant or Petitioner. Rule 10.3 departs somewhat from prior practice. Assignments of error are required but a brief now must also include a concise statement of the issues presented for review. The appellate court may impose sanctions under Rule 18.9 for failure to assign error even if disclosed in an issue presented for review. And see Rule 10.4(c) for including in the brief verbatim findings, instructions, etc.
The issues presented for review part of Rule 10.3(a) is patterned after the Federal Rules of Appellate procedure. The rule makes relevant to the Washington practitioner the many excellent treatises on drafting briefs for federal courts. The task force particularly recommends Wiener, F., Briefing and Arguing Federal Appeals (1967), and Stern \& Gressman, Supreme Court Practice (1969).

## Rule 10.4 Preparation and filing of brief by party.

(a) Typing and Filing Brief. One legible, clean, and reproducible copy of the brief must be filed with the appellate court. The brief should be typed with black ribbon on 20 lb . substance $81 / 2^{\prime \prime} \times 11^{\prime \prime}$ white paper. The type should not be smaller than pica equivalent to 10 point type. Lines should not generally exceed 5 inches in length. Margins 2 inches on the left side and $11 / 2$ inches on the right side and on the top and bottom of each page are preferred. Lines should be double or one and one-half spaced. Quotations may be single spaced and footnotes should be single spaced.
(b) Length of Brief. A brief of appellant, petitioner, or respondent, and a pro se brief in a criminal case should not exceed 70 pages if double spaced, or 54 pages if 1 $1 / 2$ spaced. A reply brief should not exceed 35 pages if double spaced, or 27 pages if $11 / 2$ spaced. An amicus curiae brief should not exceed 30 pages if double spaced, or 23 pages if $11 / 2$ spaced. The title sheet, table of contents, table of authorities, and appendix are not included for the purpose of determining compliance with this rule.
(c) Text of Statute, Rule, Jury Instruction, or the Like. If a party presents an issue which requires study of a statute, rule, regulation, jury instruction, finding of fact, exhibit, or the like, the party should type the material
portions of the text out verbatim or include them by facsimile copy in the text or in an appendix to the brief.
(d) Motion in Brief. A party may include in a brief only a motion which, if granted, would preclude hearing the case on the merits.
(e) Reference to Party. References to parties by such designations as "appellant" and "respondent" should be kept to a minimum. It promotes clarity to use the designations used in the lower court, the actual names of the parties, or descriptive terms such as "the employee," "the injured person," and "the taxpayer."
(f) Reference to Record. A reference to the record should designate the page and part of the record. Exhibits should be referred to by number. The clerk's papers should be abbreviated as "CP"; exhibits should be abbreviated as "Ex"; and the report of proceedings should be abbreviated as "RP." Suitable abbreviations for other recurrent references may be used.
(g) Citations. Citations must be in conformity with the form used in current volumes of the Washington Reports. Decisions of the Supreme Court and of the Court of Appeals must be cited to the official report thereof and should include the national reporter citation and the year of the decision. The citation of other state court decisions should include both the state and national reporter citations. The citation of a United States Supreme Court decision should include the United States Reports, the United States Supreme Court Reports Lawyers' Edition, and the Supreme Court Reporter. The citation of a decision of any other federal court should include the federal reporter citation and the district of the district court or circuit of the court of appeals deciding the case. Any citation should include the year decided and a reference to and citation of any subsequent decision of the same case. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1,1976.]

Comment: (b) Length of Brief. The maximum lengths prescribed by ROA I-42 are enlarged to conform to federal practice. See FRAP 28(g). Longer briefs may be filed with permission obtained under Rule 18.8. The rule permits optional $11 / 2$ spacing between typewritten lines, with a commensurate reduction in the number of pages permitted. One and one-half spacing reduces the physical bulk of a brief without sacrificing readability.
(c) Text of Statute, Rule, Jury Instruction, or the Like. A party may use a copy from the official source of a statute, regulation, or the like.
(e) Reference to Party. For reference to a party in the title of a case, see Rule 3.4.
(f) References to Record. The abbreviations prescribed by ROA I42 have been revised to conform to the terminology adopted by Title 9 of these rules.

Rule 10.5 Reproduction and service of briefs by clerk.
(a) Reproduction of Brief. The appellate court commissioner or clerk will arrange for the economical reproduction of each brief and bill the party or amicus filing the brief for the cost of reproduction. Each brief will be reproduced in the number of copies deemed necessary by the commissioner or clerk. The party or amicus must pay the cost of reproduction of the brief within 10 days after receiving the bill from the clerk. The appellate
court commissioner or clerk may permit, under appropriate standards, a governmental party to reproduce and directly supply to the commissioner or clerk the number of copies required by the court in lieu of reproduction of the briefs being made by the court.
(b) Service of Brief. The clerk will serve two copies of each brief on each party and one each on the defendant in a criminal case and on any amicus curiae. The clerk will also send five copies of each brief to the Washington State Law Library.
(c) Notice to Defendant in Criminal Case. In a criminal case, the clerk will, at the time of service of the brief, serve the defendant with a notice and form as provided in Rule 10.1(d). [Amend. May 3, 1976, eff. July 1, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

Comment: Rule 10.5 relieves the parties of the responsibility for reproducing and serving briefs. The rule is similar to the practice in Alaska. The party files one legible typewritten brief with the appellate court. The clerk reproduces and brief, makes only as many copies as are needed, and mails a copy to each party and amicus. The parties are billed for the actual costs incurred by the clerk. This procedure is used for all documents filed in the appellate court where multiple copies are needed. Rule 10.5 will substantially reduce costs to litigants and assure briefs of a uniform quality acceptable to the court.

## Rule 10.6 Amicus curiae brief.

(a) When Allowed by Motion. The appellate court may prior to oral argument, on motion, grant permission to file an amicus curiae brief only if all parties consent, or if the filing of the brief would assist the appellate court. An amicus curiae brief may be filed only by an attorney authorized to practice law in this state, or by a member in good standing of the bar of another state in association with an attorney authorized to practice law in this state.
(b) Motion. A motion to file an amicus curiae brief must include a statement of (1) applicant's interest and the person or group applicant represents, (2) applicant's familiarity with the issues involved in the review and with the scope of the argument presented or to be presented by the parties, (3) specific issues to which the amicus curiae brief will be directed, and (4) applicant's reason for believing that additional argument is necessary on these specific issues. The brief of amicus curiae may be filed with the motion.
(c) On Request of the Appellate Court. The appellate court may ask for an amicus brief at any stage of review. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Generally. Amicus curiae procedures should serve the traditional purpose of rendering friend of the court opinions and advice to the appellate court. Providing access to the appellate court by those persons or groups who will be significantly affected by the outcome of the issues on review can materially assist the court in the decisionmaking process. Social order and confidence in the judicial system are promoted when interested persons have the opportunity to receive a fair hearing.
(a) When Allowed by Motion. The consent of all parties is sufficient to permit amicus participation. The last sentence limits those persons who might file amicus curiae briefs to attorneys authorized to practice law in this state, or members of a Bar of another state in association with an active member of the Bar of this state. The social interest to be served by permitting nonlawyers to file amicus briefs is outweighed by
the inconvenience caused to the administration of justice in appellate courts.

Rule 10.7 Submission of improper briefs. If a party submits a brief which fails to comply with the requirements for content, style, legibility, and length provided by Rules 10.3 and 10.4 , the appellate court, on its own initiative or on the motion of a party, may (1) order the brief returned for correction or replacement within a specified time, (2) order the brief stricken from the files with leave to file a new brief within a specified time, or (3) accept the brief. The appellate court will ordinarily impose sanctions on a party or counsel for a party who files a brief which fails to comply with these rules. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]
Comment: The rule gives the court discretion in handling briefs which fail to conform to the requirements of Rules 10.3 and 10.4. The case will not be dismissed, but the offending party may be subject to sanctions under Rule 18.9(a).

Rule 10.8 Additional authorities. A party may file a statement of additional authorities, without argument. The statement must be served and filed prior to the filing of the decision on the merits or, if there is a motion for reconsideration, prior to the filing of the decision on the motion. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: A statement of additional authorities may be filed within the time specified in the rule. The statement should not contain additional argument, but may include a short comment indicating the portion of the brief or argument of a party to which the authorities pertain.

## TITLE 11-—ORAL ARGUMENT ON MERITS

Rule
11.1 Oral arguments to which title applies
11.2 Who may present oral argument
(a) Party
(b) Amicus curiae
11.3 Date of argument
(a) Notice
(b) Postponement
11.4 Time allowed and order of argument
(a) Time allowed to a party
(b) Time allowed to amicus curiae
(c) Order of argument
(d) Cross review
(e) Failure to appear
11.5 Conduct of argument
(a) Scope of argument
(b) Reading at length
(c) Duplication of argument
(d) Use of exhibits
11.6 Submitting case without oral argument

Rule 11.1 Oral arguments to which title applies. The rules in this title apply to all oral argument in the appellate court except an argument on a motion. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 17.5, Oral Argument of Motions.

## Rule 11.2 Who may present oral argument.

(a) Party. A party of record may present oral argument only if the party has filed a brief.
(b) Amicus Curiae. Amicus curiae may present oral argument only if time is made available for the argument by a party, or if the appellate court grants additional time for argument by amicus curiae. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: (b) Amicus curiae. Amicus curiae may present oral argument if time is made available by a party out of the party's allocated time. An amicus may be given an opportunity to argue, on court order, even if none of the parties is willing to grant amicus a portion of the party's argument time.

## Rule 11.3 Date of argument.

(a) Notice. The clerk will advise all parties and others who have filed briefs of the time and place of oral argument.
(b) Postponement. A request to postpone oral argument must be made by motion filed reasonably in advance of the date fixed for oral argument. [Adopted January 28, 1976, effective July 1, 1976.]

## Rule 11.4 Time allowed and order of argument.

(a) Time allowed to a Party. Each side is allowed 30 minutes for oral argument. If there is more than one party to a side in a single review or in a consolidated review, the parties on that side will share the 30 minutes equally, unless the parties on that side agree to some other allocation.
(b) Time Allowed to Amicus Curiae. Amicus curiae may present oral argument with the consent of a party and within a portion of the time for oral argument allocated to that party, or within the time allowed by the court.
(c) Order of Argument. The appellant or petitioner is entitled to open and conclude oral argument. The party first filing a notice of appeal or a notice for discretionary review is deemed the appellant or petitioner for the purpose of this rule.
(d) Cross Review. The argument on any cross review must be made at the same time as the argument on the initial review.
(e) Failure to Appear. The appellate court will hear argument on behalf of a party who has filed a brief who appears at the time of oral argument. If none of the parties to the review appears for oral argument, the court may order oral argument at a later time or may decide the case on the briefs. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 18.8, Waiver of Rules and Extension and Reduction.
Comment: Rule 11.4 is derived from prior rules without material change. Additional time may be requested in advance pursuant to Rule 18.8. The court may require oral argument even if the parties wish to submit the case on the briefs. See also comments 11.5 and 11.6.

## Rule 11.5 Conduct of argument.

(a) Scope of Argument. The court ordinarily encourages oral argument. The opening argument should include a fair and concise statement of the facts of the case. Counsel need not argue all issues raised and argued in the briefs.
(b) Reading at Length. Counsel should avoid reading at length from briefs. records, or authorities.
(c) Duplication of Argument. Counsel should avoid duplication of argument, particularly if there are multiple parties arguing in support of the same issue.
(d) Use of Exhibits. Counsel may, to promote clarity of argument, use exhibits brought up as a part of the record and demonstrative or illustrative exhibits not a part of the record. Counsel should arrange, before court convenes, for the placement in the courtroom of exhibits and equipment to be used in oral argument. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 18.1, Attorney's Fees and Expenses, (d) Oral Argument.
Comment: (a) Scope of Argument. Rule 11.5(a) is included as a guide to counsel. The task force particularly recommends the following authorities with respect to the effective use of oral argument: Stern \& Gressman, Supreme Court Practice (4th ed. 1969); Wiener, Briefing and Arguing Federal Appeals (1961); Davis, The Argument of an Appeal (ALI, 1957).
(d) Use of Exhibits. The rule expressly permits the use of exhibits in the record, and demonstrative or illustrative exhibits not a part of the record. Picture projection equipment may also be used.

Rule 11.6 Submitting case without oral argument. The appellate court may, on its own initiative or on motion of all parties, decide a case without oral argument. [Adopted January 28, 1976, effective July 1, 1976.]

## TITLE 12--APPELLATE COURT DECISION AND PROCEDURE AFTER DECISION

Rule
12.1 Basis for decision
(a) Generally
(b) Issues raised by the court
12.2 Disposition on review
12.3 Forms of decision
(a) Decision terminating review
(b) Interlocutory decision
(c) Ruling
12.4 Motion for reconsideration of decision terminating review
(a) Generally
(b) Time
(c) Content
(d) Answer and reply
(e) Length - One copy
(f) No oral argument
(g) Grant of motion
(h) Only one motion permitted
12.5 Mandate
(a) Mandate defined
(b) When mandate issued by court of appeals
(c) When mandate issued by supreme court
12.6 Stay of mandate pending decision on application for review by United States supreme court
12.7 Finality of decision
(a) Court of appeals
(b) Supreme court
(c) Special rule for costs
(d) Special rule for law of the case
12.8 Effect of reversal on intervening rights
12.9 Recall of mandate
(a) To require compliance with decision
(b) To correct error
(c) Time for motion

## Rule 12.1 Basis for decision.

(a) Generally. Except as provided in section (b), the appellate court will decide a case only on the basis of issues set forth by the parties in their briefs.
(b) Issues Raised by the Court. If the appellate court concludes that an issue which is not set forth in the briefs should be considered to properly decide a case, the court may notify the parties and give them an opportunity to present written argument on the issue raised by the court. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: (a) Generally. The rule emphasizes the importance of the briefs and advises counsel that the court will ordinarily not consider issues raised for the first time at oral argument. Francioli v. Brue, 4 Wash. 124, 29 P. 928 (1892).
(b) Issues Raised by the Court. Section (b) is suggested by Siegler v. Kuhlman, 81 Wn.2d 448, 502 P.2d 1181 (1972). To reach a proper decision the court may be required to consider issues or theories not raised by the parties.

Rule 12.2 Disposition on review. The appellate court may reverse, affirm, or modify the decision being reviewed and take any other action as the merits of the case and the interest of justice may require. Upon issuance of the mandate of the appellate court as provided in Rule 12.5 , the action taken and decision made by the appellate court is effective and binding on the parties to the review and governs all subsequent proceedings in the action in any court, unless otherwise directed upon recall of the mandate as provided in Rule 12.9, and except as provided in Rule 2.5(c)(2). [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 2.5, Circumstances which may Affect Scope of Review, (c) Law of The Case doctrine restricted.
Rule 8.6, Termination of Supersedeas, Injunctions, and Other Orders, Rule 18.1, Attorney's Fees and Expenses, (e) Fees and expenses determined after remand.
Comment: This rule broadly states the power of the appellate court. The time for initiating a new trial after a reversal by an appellate court is governed by RCW 4.16.240.

## Rule 12.3 Forms of decision.

(a) Decision Terminating Review. A "decision terminating review" is an opinion, order, or judgment of the appellate court or a ruling of a commissioner or clerk of an appellate court if it:
(1) is filed after review is accepted by the appellate court filing the decision, and
(2) terminates review unconditionally, and
(3) is (i) a decision on the merits, or (ii) a decision by the judges dismissing review, or (iii) a ruling by a commissioner or clerk dismissing review, or (iv) an order refusing to modify a ruling by the commissioner or clerk dismissing review.
(b) Interlocutory Decision. An "interlocutory decision" is any opinion, order, or judgment of the appellate court or ruling of a commissioner or clerk which is not a decision terminating review.
(c) Ruling. A "ruling" is any determination of a commissioner or clerk of an appellate court. The ruling may
be a decision terminating review or an interlocutory decision. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 17.6, Motion Decided by Ruling or Order
Comment: An understanding of the various forms of decision is essential to an understanding of what follows in Title 12.
The term decision is used in the broadest sense to mean all determinations or directions, whether they are in the form of an opinion, order, or ruling. This definition of decision conforms to current practice in the Court of Appeals. See CAR 15 as construed in Reeploeg v. Jensen, 81 Wn.2d 541, 503 P.2d 99 (1972). In the Supreme Court, decision has traditionally meant an opinion. See SAR 15, RCW 2.04.160, RCW 2.04.170, and Const. Art. 4 § 2. Rule 12.3 adopts the Court of Appeals terminology.
Under the old rules, the proper form of post-decision remedy depended upon whether an opinion was written. See ROA I-50 and SAR 15. There is no necessary correlation between the form of a decision and the appropriate method of reviewing that decision. These rules make distinctions based upon the effect of the decision. Decision terminating review is defined in section (a) and an interlocutory decision is defined in section (b). At least five members of the Supreme Court consider all applications for discretionary review if the decision of the Court of Appeals terminates review. See comment 13.5. A motion for discretionary review of an interlocutory decision does not receive this same consideration.
Publication of decisions is governed by RCW 2.06.040. The task force was divided on the question whether all decisions of the Court of Appeals should be published. These rules do not supersede RCW 2.06.040. The rule does not affect the current policy that unpublished opinions lack precedential value. State v. Fitzpatrick, 5 Wn. App. 661, 491 P.2d 262 (1971).

Rule 12.4 Motion for reconsideration of decision terminating review.
(a) Generally. A party may file a motion for reconsideration only of a decision terminating review which is not a ruling of the appellate court commissioner or clerk. The motion should be in the form and be served and filed as provided in Rules 17.3(a), 17.4(a) and (g), and 18.5, except as otherwise provided in this rule. A party must file a motion for reconsideration of a Court of Appeals decision terminating review as a condition of seeking review by the Supreme Court.
(b) Time. The party must file the motion for reconsideration within 20 days after the decision the party wants reconsidered is filed in the appellate court.
(c) Content. The motion should state with particularity the points of law or fact which the moving party contends the court has overlooked or misapprehended, together with a brief argument on the points raised.
(d) Answer and Reply. A party should not file an answer to a motion for reconsideration or a reply to an answer unless requested by the appellate court.
(e) Length-—One Copy. The motion, answer, or reply should not exceed 25 pages in length if double spaced or 20 pages if one and one-half spaced unless additional length is authorized under Rule 18.8. Only one legible copy should be filed.
(f) No Oral Argument. A motion for reconsideration will be decided without oral argument.
(g) Grant of Motion. If a motion for reconsideration is granted, the appellate court may (1) modify the decision
without new argument, (2) call for new argument, or (3) takes such other action as may be appropriate.
(h) Only One Motion Permitted. Only one motion for reconsideration may be filed, even if the appellate court modifies its decision or changes the language in the opinion rendered by the court. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

## References:

Rule 17.3, Content of Motion, (a) Generally, Rule 17.4, Filing and Service of Motion-Response to Motion, (a) Filing and service generally, (g) Form of papers and number of copies,
Rule 18.5, Service and Filing of Papers. Rule 18.8, Waiver of Rules and Extension and Reduction of Time.
Comment: The rule eliminates the distinctions between petitions for rehearing, petitions for modification, and motions for reconsideration of orders. A motion is sufficient to argue that the court should reconsider any decision. Rule 12.4 applies only to reconsideration of a decision made by the judges and only to a decision terminating review. Modifications of rulings of the clerk or commissioner are sought by a motion to modify the ruling under Rule 17.7.
The rule represents a change in law governing reconsideration of decisions at the Court of Appeals level. Under the former rules, orders of the Court of Appeals do not become final for 30 days. A motion for reconsideration could be filed during the $30-$ day period. CAR 15 ; Reeploeg v. Jensen, 81 Wn.2d 541, 503 P.2d 99 (1972). Under the old rules, at the Supreme Court level, orders are final when entered and will not be reconsidered. SAR 15. New Rule 12.4 provides only for reconsideration of decisions terminating review, and applies to both the Supreme Court and the Court of Appeals. The time within which the motion must be filed is reduced from 30 to 20 days.

A motion for reconsideration may be filed in the Court of Appeals. A party must do so in order to seek review by the Supreme Court. See Rules 13.2(a) and 13.3(b). Compare CAROA 50(b).

Statutes relating to petitions for rehearing are superseded. See Rules $1.1(\mathrm{~g})$ and 18.12 .
The appellate court may give permission to file a motion in excess of the length provided in (e). See Rules 1.2(c) and 18.8(a).

## Rule 12.5 Mandate.

(a) Mandate Defined. A "mandate" is the written notification by the clerk to the trial court and to the parties of an appellate court decision terminating review. No mandate issues for an interlocutory decision.
(b) When Mandate Issued by Court of Appeals. The clerk of the Court of Appeals issues the mandate for a Court of Appeals decision terminating review upon stipulation of the parties that no motion for reconsideration, petition for review, or notice of appeal will be filed. In the absence of that stipulation, and except to the extent the mandate is stayed as provided in Rule 12.6, the clerk issues the mandate:
(1) 20 days after the decision is filed, unless (i) a motion for reconsideration of the decision has been earlier filed, (ii) a notice of appeal to the Supreme Court has been earlier filed, (iii) a petition for review to the Supreme Court has been earlier filed, or (iv) the decision is a ruling of the commissioner or clerk and a motion to modify the ruling has been earlier filed.
(2) If a motion for reconsideration is timely filed and denied, 30 days after filing the order denying the motion for reconsideration, unless a petition for review to the Supreme Court or a notice of appeal to the Supreme Court has been earlier filed.
(3) If a petition for review has been timely filed and denied by the Supreme Court, upon denial of the petition for review.
(c) When Mandate Issued by Supreme Court. The Clerk of the Supreme Court issues the mandate for a Supreme Court decision terminating review upon stipulation of the parties that no motion for reconsideration will be filed. In the absence of that stipulation, and except to the extent the mandate is stayed as provided in Rule 12.6 , the clerk issues the mandate:
(1) 20 days after the decision is filed, unless (i) a motion for reconsideration has been earlier filed, or (ii) the decision is a ruling of the commissioner or clerk and a motion to modify the ruling has been earlier filed.
(2) If a motion for reconsideration is timely filed and denied, upon filing the order denying the motion for reconsideration. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: The appellate court's directions to the lower court are known by various names. The statutes use the word judgment. RCW 2.04.160, 2.04.170. Some Rules on Appeal say mandate (ROA I-59), but others say remittitur (ROA I-2(g)). Rule 12.5 settles on the word mandate to conform to federal practice.
Rule 12.5 does not change existing practice, except that the rule anticipates that a motion may be filed for reconsideration of a Supreme Court order terminating review and the mandate issues in 20 days if a motion for reconsideration is not filed. See comment 12.4 .

Rule 12.6 Stay of mandate pending decision on application for review by United States Supreme Court. The appellate court will not stay issuance of the mandate for the length of time necessary to secure a decision by the United States Supreme Court on an application for review, except in a case in which the penalty of death has been imposed. [Adopted January 28, 1976, effective July 1, 1976.]

## Rule 12.7 Finality of decision.

(a) Court of Appeals. The Court of Appeals loses the power to change or modify its decision (1) upon issuance of its mandate in accordance with Rule 12.5, except when the mandate is recalled as provided in Rule 12.9, or (2) upon acceptance by the Supreme Court of review of the decision of the Court of Appeals.
(b) Supreme Court. The Supreme Court loses the power to change or modify a decision of the Court of Appeals upon issuance of the mandate of the Court of Appeals in accordance with Rule 12.5. The Supreme Court loses the power to change or modify a Supreme Court decision upon issuance of the mandate of the Supreme Court in accordance with Rule 12.5, except when the mandate is recalled as provided in Rule 12.9.
(c) Special Rule for Costs. The appellate court retains the power to act on questions of costs as provided in Title 14 after the issuance of the mandate.
(d) Special Rule for Law of the Case. The appellate court retains the power to change a decision as provided in Rule 2.5(c)(2). [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 2.5, Circumstances which may aff ect Scope of Review,
(c) Law of the Case doctrine restricted,
(2) Prior appellate court decision.

Comment. As demonstrated by Reeploeg v. Jensen, 81 Wn .2d 541, 503 P.2d 99 (1972), there has been considerable confusion over the use
of the word final. Rule 12.7 and the other rules in Title 12 consider finality in terms of finality for specific purposes.

Rule 12.7 addresses finality in the sense that, at some point, the appellate court loses the power to change or modify its decision. The rule restates the traditional doctrine that the court loses the power to change or modify its decision upon issuance of the mandate, or upon acceptance of review by a higher court. The one exception to this rule is a recall of the mandate under Rule 12.9.

Rule 12.8 Effect of reversal on intervening rights. If a party has voluntarily or involuntarily partially or wholly satisfied a trial court decision which is modified by the appellate court, the trial court shall enter orders and authorize the issuance of process appropriate to restore to the party any property taken from that party, or the value of the property. An interest in property acquired by a purchaser in good faith, under a decision subsequently reversed or modified, shall not be affected by the reversal or modification of that decision. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: Rule 7.2(c) provides that any person may take action, including execution, which assumes the validity of the trial court decision which is not superseded. Rule 12.8 defines what happens in certain circumstances if a person has acted or relied on an earlier trial court decision which is modified or reversed. The rule relates to the rights of all parties, not just the appellant as under ROA I-61 and CAROA 61. Fact situations are possible in which it would be necessary to protect the rights of the respondent as well as the appellant. See Malo v. Anderson, 76 Wn.2d 1, 454 P.2d 828 (1969).

## Rule 12.9 Recall of mandate.

(a) To Require Compliance With Decision. The appellate court may recall a mandate issued by it to determine if the trial court has complied with an earlier decision of the appellate court given in the same case. The question of compliance by the trial court may be raised by motion to recall the mandate, or by initiating a separate review of the lower court decision entered after issuance of the mandate.
(b) To Correct Error. The appellate court may recall a mandate issued by it to correct an inadvertent mistake, to modify a decision obtained by fraud of a party or counsel in the appellate court, or to modify a decision of the appellate court which was beyond the jurisdiction of the court.
(c) Time for Motion. The motion to recall the mandate must be made within a reasonable time. [Adopted January 28,1976 , effective July 1, 1976.]

Comment: Rule 12.9 represents a common-law exception to the usual principles of finality expressed in Rule 12.7. See 84 A.L.R. 579 (1933). Several Washington cases discuss the doctrine. The most recent and most comprehensive is Reeploeg $v$. Jensen, 81 W n.2d 541, 503 P.2d 99 (1972). The rule simplifies prior practice. The simple motion procedure is used to request a recall of the mandate. Decisional law has not fixed a rigid time limit in which to make the motion. A rigid time limit would not be appropriate. See Kosten v. Fleming, 17 Wn.2d 500, 136 P.2d 449 (1943), and cases cited therein. The motion must be made within a reasonable time.

## TITLE 13--REVIEW BY THE SUPREME COURT OF COURT OF APPEALS DECISION

Rule
13.1 Methods of seeking review
(a) Two methods of seeking review
(b) Writ procedure superseded
13.2 Decisions reviewed as a matter of right
(a) What may be appealed
(b) Procedure to initiate appeal
(c) Incorrect designation
13.3 Decisions reviewed as a matter of discretion
(a) What may be reviewed
(b) Decision terminating review
(c) Interlocutory decision
(d) Incorrect designation of motion or petition
(e) Ruling by commissioner or clerk
13.4 Discretionary review of decision terminating review
(a) How to seek review
(b) Considerations governing acceptance of review
(c) Content and style of petition
(d) Answer and reply
(e) Form of petition, answer, and reply
(f) Length
(g) Service and reproduction of petition, answer, and reply
(h) No oral argument
13.5 Discretionary review of interlocutory decision
(a) How to seek review
(b) Considerations governing acceptance of review
(c) Motion procedure
(d) Effect of denial
13.6 Acceptance of review
(a) Appeal
(b) Discretionary review
13.7 Proceedings after acceptance of review
(a) Procedure
(b) Scope of review of decision subject to appeal
(c) Scope of review of decision subject to discretionary review
(d) Other limitations on scope of review

## Rule 13.1 Methods of seeking review.

(a) Two Methods of Seeking Review. There are only two methods of seeking review by the Supreme Court of decisions of the Court of Appeals. The two methods are review as a matter of right, called "appeal," and review by permission of the Supreme Court, called "discretionary review." Both appeal and discretionary review are called "review."
(b) Writ Procedure Superseded. The procedure for seeking review of decisions of the Court of Appeals established by these rules supersedes the review procedure formerly available by extraordinary writs of review, certiorari, mandamus, prohibition, and other writs formerly considered necessary and proper to the complete exercise of appellate and revisory jurisdiction of the Supreme Court. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The terminology and principles established by Rule 2.1 are made applicable to review of decisions of the Court of Appeals by the Supreme Court. See generally comment 2.1.

## Rule 13.2 Decisions reviewed as a matter of right.

(a) What May Be Appealed. A party may appeal from a Court of Appeals decision terminating review only if the trial court decision has been reversed and the Court of Appeals decision is not unanimous and only if the party has filed a timely motion for reconsideration under Rule 12.4.
(b) Procedure To Initiate Appeal. A party seeking an appeal must file a notice of appeal in the Court of Appeals within 30 days after an order is filed denying a timely motion for reconsideration of that decision. The notice must be in the form provided by Rule 5.3(a).
(c) Incorrect Designation. A motion for discretionary review or a petition for review of a decision appealable as a matter of right will be given the same effect as a notice of appeal. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 8, Notice of Appeal (Court of Appeals Decision).
Comment: (a) What may be Appealed. Current law is unchanged. See ROA II-2(a).
(b) Procedure to Initiate Appeal. The notice of appeal is filed in the Court of Appeals. The Court of Appeals must have the notice to prevent issuance of the mandate under Rule 12.5(b). The notice is forwarded to the Supreme Court along with all other Court of Appeals records in the case.

Rule 13.3 Decisions reviewed as a matter of discretion.
(a) What May Be Reviewed. A party may seek discretionary review by the Supreme Court of any decision of the Court of Appeals which is not a ruling and is not appealable as a matter or right, including:
(1) Decision Terminating Review. Any decision terminating review.
(2) Interlocutory Decision. Subject to the restrictions imposed by Rule 13.5 (b), any interlocutory decision, including but not limited to (i) a decision denying a motion to modify a ruling of the commissioner or clerk which denies a motion for discretionary review, and (ii) if the clerk refers a motion for discretionary review to the court, a decision by the court which denies a motion for discretionary review.
(b) Decision Terminating Review. A party seeking review of a Court of Appeals decision terminating review which is not appealable must first file a motion for reconsideration under Rule 12.4 and must file a "petition for review" as provided in Rule 13.4.
(c) Interlocutory Decision. A party seeking review of an interlocutory decision of the Court of Appeals must file a "motion for discretionary review" as provided in Rule 13.5.
(d) Incorrect Designation of Motion or Petition. A motion for discretionary review of a decision terminating review will be given the same effect as a petition for review. A petition for review of an interlocutory decision will be given the same effect as a motion for discretionary review.
(e) Ruling by Commissioner or Clerk. A ruling by a commissioner or clerk of the Court of Appeals is not subject to review by the Supreme Court. The decision of the Court of Appeals on a motion to modify a ruling by the commissioner or clerk may be subject to review as provided in this title. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 12.3, Forms of Decision;
Rule 17.3, Content of Motion, (b) Motion for discretionary review.
Comment: Generally. Rule 13.3 closely parallels Rule 2.3, governing discretionary review of a trial court decision. However, Title 13 provides two methods of seeking discretionary review of the Court of Appeals. The appropriate method is determined by the nature of the decision sought to be reviewed.
(a) What may be Reviewed. The rule states the general rule that decisions not appealable are subject to discretionary review. The two
classes of decisions subject to discretionary review are set forth. The rule does not apply to review of rulings of a commissioner or clerk. Review of a ruling is obtained under Rule 17.7.
(b) Decision Terminating Review. Rule 13.3(b) retains the petition for review as the method of seeking discretionary review of a decision terminating review. The conditions governing acceptance of review of a decision terminating review differ from those governing acceptance of review of an interlocutory decision. These differences lend themselves to separate procedural treatment. See Rules 13.4 and 13.5 .
(c) Interlocutory Decision. Interlocutory decisions were reviewable by extraordinary writ under the old rules. ROA II-4. Under these rules, review of an interlocutory decision is sought by a motion for discretionary review under Rule 13.5 .
(d) Incorrect Designation of Motion or Petition. It may be difficult in some cases to determine whether a decision is a decision terminating review subject to review by petition for review, or an interlocutory decision subject to review by a motion for discretionary review. Review will not be denied solely because a party chose the wrong method for seeking discretionary review.

Rule 13.4 Discretionary review of decision terminating review.
(a) How To Seek Review. A party seeking discretionary review by the Supreme Court of a Court of Appeals decision terminating review must file a petition for review in the Court of Appeals within 30 days after an order is filed denying a timely motion for reconsideration of that decision.
(b) Considerations Governing Acceptance of Review. A petition for review will be accepted by the Supreme Court only:
(1) if the decision of the Court of Appeals is in conflict with decision of the Supreme Court, or
(2) if the decision of the Court of Appeals is in conflict with a decision of another division of the Court of Appeals, or
(3) if a significant question of law under the Constitution of the State of Washington or of the United States is involved, or
(4) if the petition involves an issue of substantial public interest that should be determined by the Supreme Court.
(c) Content and Style of Petition. The petition for review should contain under appropriate headings and in the order here indicated:
(1) Cover. A title page, which is the cover.
(2) Tables. A table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with reference to the pages of the brief where cited.
(3) Identity of Petitioner. A statement of the name and designation of the person filing the petition.
(4) Citation to Court of Appeals Decision. A reference to the Court of Appeals decision which petitioner wants reviewed, the date of filing the decision, and the date of any order granting or denying a motion for reconsideration.
(5) Issues Presented for Review. A concise statement of the issues presented for review.
(6) Statement of the Case. A statement of the facts and procedure in the trial court and in the Court of Appeals relevant to the issues presented for review, with appropriate references to the record.
(7) Argument. A direct and concise statement of the reason why review should be accepted under one or more of the tests established in section (b), with argument.
(8) Conclusion. A short conclusion stating the precise relief sought.
(9) Appendix. An appendix containing a copy of the Court of Appeals decision, any order granting or denying a motion for reconsideration of the decision, and copies of statutes and constitutional provisions relevant to the issues presented for review.
(d) Answer and Reply. A party may file an answer to a petition for review, or a reply to an answer. If a party wants to raise an issue which is not raised in the petition for review, that party must raise that new issue in an answer filed within 15 days of the service on the party of the petition. The Supreme Court may call for an answer or a reply to an answer.
(e) Form of Petition, Answer, and Reply. The petition, answer, and reply should comply with the requirements as to form for a brief as provided in Rules 10.3 and 10.4, except as otherwise provided in this rule.
(f) Length. The petition for review, answer, or reply should not exceed 20 pages if double-spaced or 15 pages if one and one-half spaced.
(g) Service and Reproduction of Petition, Answer, and Reply. The clerk will arrange for the reproduction of copies of a petition for review, an answer, or a reply, and bill the appropriate party for the copies as provided in Rule 10.5. The clerk will serve the petition, answer, or reply as provided in Rule 10.5(b).
(h) No Oral Argument. The Supreme Court will decide the petition without oral argument. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

## Form 9, Petition for Review.

Comment: The procedural requirements of Rule 13.4 are substantially the same as under the old rules, except the petition under the new rules will be filed only in the Court of Appeals and the answer to the petition takes on added importance. Under the old rules, only issues raised in a petition would be considered-the new rules permit a party to raise an issue in an answer to a petition. A party does not have to answer a petition unless that party wants to raise an issue not presented in the petition.
Section ( $f$ ) limits the length of a petition, answer, or reply. The considerations governing acceptance of review remain unchanged. The time for filing is the same as the time for filing a motion for discretionary review. The petition is reproduced by the clerk in the manner provided in Rule 10.5.
Under current practice, a petition for review is determined by at least 5 judges. The record and briefs filed in the Court of Appeals are reviewed by the Supreme Court when considering the petition for review. A decision terminating review is a final decision and deserves judicial consideration.

Rule 13.5 Discretionary review of interlocutory decision.
(a) How to Seek Review. A party seeking review by the Supreme Court of an interlocutory decision of the Court of Appeals must file a motion for discretionary review in the Supreme Court and a copy in the Court of Appeals within 30 days after the decision is filed.
(b) Considerations Governing Acceptance of Review. Discretionary review of an interlocutory decision of the

Court of Appeals will be accepted by the Supreme Court only:
(1) if the Court of Appeals has committed an obvious error which would render further proceedings useless, or
(2) if the Court of Appeals has committed probable error and the decision of the Court of Appeals substantially alters the status quo or substantially limits the freedom of a party to act, or
(3) if the Court of Appeals has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a trial court or administrative agency, as to call for the exercise of revisory jurisdiction by the Supreme Court.
(c) Motion Procedure. The procedure for and the form of the motion for discretionary review is as provided in Title 17.
(d) Effect of Denial. Denial of discretionary review of a decision does not affect the right of a party to obtain later review of the Court of Appeals decision or the issues pertaining to that decision. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

## Form 3, Motion for Discretionary Review.

Comment: Rule 13.5 corresponds to Rules 2.3 and 6.2 governing discretionary review of trial court decisions. The principles and terminology established are discussed in comments 2.3 and 6.2. The time within which to seek review is the same as that in which a notice of appeal must be filed.

## Rule 13.6 Acceptance of review.

(a) Appeal. The Supreme Court accepts review of a Court of Appeals decision upon the timely filing in the Court of Appeals of a notice of appeal from a decision which is reviewable as a matter of right.
(b) Discretionary Review. The Supreme Court accepts discretionary review of a decision of the Court of Appeals by granting a motion for discretionary review or by granting a petition for review. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rule makes the terminology established by Rule 6.2 applicable to review of decisions of the Court of Appeals by the Supreme Court. See comment 6.2.

## Rule 13.7 Proceedings after acceptance of review.

(a) Procedure. The procedure in the Supreme Court, after acceptance of review of a decision of the Court of Appeals, is the same as the procedure in the Supreme Court after acceptance of review of a trial court decision, except that (1) the record in the Court of Appeals is the record on review in the Supreme Court, and (2) only the briefs filed in the Court of Appeals and the documents submitted in connection with the motion for discretionary review or petition for review will be considered by the Supreme Court, unless additional briefs are requested by the Supreme Court.
(b) Scope of Review of Decision Subject to Appeal. On an appeal to the Supreme Court from a decision of the Court of Appeals, the scope of review in the Supreme Court is the same as if the Supreme Court had initially accepted direct review of the trial court decision.
(c) Scope of Review of Decision Subject to Discretionary Review. If the Supreme Court accepts review of a Court of Appeals decision which is subject to discretionary review, the Supreme Court will review only the questions raised in the motion for discretionary review or the petition for review and the answer. The Supreme Court may limit the issues to one or more of those raised by the parties.
(d) Other Limitations on Scope of Review. The scope of review may be further affected by the circumstances set forth in Rule 2.5. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 2.5, Circumstances Which May Affect Scope of Review.
Comment: (a) Procedure. The record and briefs from the Court of Appeals are transferred to the Supreme Court. No additional briefs are permitted unless the Supreme Court orders otherwise. The old rules are substantially the same.
(b) Scope of Review of Decisions Subject to Appeal. If any party has an appeal to the Supreme Court, all issues originally before the Court of Appeals are considered by the Supreme Court-even decisions on issues which are not subject to appeal.
(c) Scope of Review of Decision Subject to Discretionary Review. The Supreme Court will review only the questions raised in the motion for discretionary review or petition for review and answer. See Wood v. Postelthwaite, 82 Wn.2d 387, 510 P.2d 1109 (1973). Similarly, a party who fails to join in the motion or petition will normally not derive any benefit from Supreme Court review.

## TITLE 14--COSTS

Rule
14.1 Costs generally
(a) When allowed
(b) Which court determines and awards costs
(c) Who determines and awards costs
(d) Who is entitled to costs
(e) What expenses are allowed as costs
(f) How costs are claimed-Objections
14.2 Who is entitled to costs
14.3 Expenses allowed as costs
(a) Generally
(b) Special rule for cost of preparing original document
(c) Special rule for indigent review
14.4 Cost bill
(a) Generally
(b) When costs abide final result and there is no second review
(c) When costs abide final result and there is a second review
14.5 Objections to cost bill
14.6 Award of costs
(a) Commissioner or clerk awards costs
(b) Objection to ruling
(c) Transmitting judgment for costs

## Rule 14.1 Costs generally.

(a) When Allowed. The appellate court determines costs in all cases after the filing of a decision terminating review, except as provided in Rule 18.2 relating to voluntary withdrawal of review.
(b) Which Court Determines and Awards Costs. Costs on review are determined and awarded by the appellate court which accepts review and makes the final determination of the case.
(c) Who Determines and Awards Costs. If the court determines costs in its opinion or order, a commissioner or clerk will award costs in accordance with that determination. In all other circumstances, a commissioner or clerk determines and awards costs by ruling as provided
in Rule 14.6(a). A party may object to the ruling of a commissioner or clerk as provided in Rule 14.6(b).
(d) Who is Entitled to Costs. Rule 14.2 defines who is entitled to costs.
(e) What Expenses are Allowed as Costs. Rule 14.3 defines the expenses which may be allowed as costs.
(f) How Costs are Claimed-OOjections. A party claims costs by filing a cost bill in the manner provided in Rule 14.4. A party objects to claimed costs in the manner provided in Rule 14.5. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 18.1, Attorney's Fees and Expenses.
Comment: Costs are only awarded in a case after a decision terminating review has been filed.
The remainder of this rule is an introduction to the rules which follow.

Rule 14.2 Who is entitled to costs. A commissioner or clerk of the appellate court will award costs to the party that substantially prevails on review, unless the appellate court directs otherwise in its decision terminating review. If there is no substantially prevailing party on review, the commissioner or clerk will not award costs to any party. An award of costs will specify the party who must pay the award. A party who is a nominal party only will not be awarded costs and will not be required to pay costs. A "nominal party" is one who is named but has no real interest in the controversy. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: If the court determines costs in its decision terminating review, costs will be awarded in accordance with that determination. In all other circumstances, costs are awarded by a commissioner or clerk to the party who substantially prevails on review. If there is no substantially prevailing party on review, costs will not be awarded. In other words, the award of costs is based on who wins the review proceeding-not on who ultimately prevails on the merits. Costs will not abide the outcome of a new trial unless the court expressly so directs in its decision. This represents a departure from current practice.

## Rule 14.3 Expenses allowed as costs.

(a) Generally. Only statutory attorney fees and the reasonable expenses actually incurred by a party for the following items which were reasonably necessary for review may be awarded to a party as costs: (1) preparation of the original and one copy of the report of proceedings, (2) copies of the clerk's papers, (3) preparation of an original document to be reproduced by the clerk, as provided in Rule 14.3(b), (4) transmittal of the record on review, (5) bonds given in connection with the review, and (6) the lesser of the charges of the clerk for reproduction of briefs, petitions, and motions, or the costs incurred by the party reproducing briefs as authorized under Rule $10.5(\mathrm{a})$. If a party has incurred an expense for one of the designated items, the item is presumed to have been reasonably necessary for review, which presumption is rebuttable. The amount paid by a party for the designated item is presumed reasonable, which presumption is rebuttable.
(b) Special Rule for Cost of Preparing Original Document. The costs awarded for preparing an original document is an amount per page fixed from time to time by
the Supreme Court. The cost for preparing an original document will only be awarded for a document which substantially complies with these rules and only for the actual number of pages of the document including the front cover and appendix. If a document is unreasonably long, costs will be awarded only for a reasonable number of pages.
(c) Special Rule for Indigent Review. An indigent may not recover costs from the State for expenses paid with public funds as provided in Title 15 . The clerk or commissioner will claim costs due from other parties which reimburse the State for expenses paid with public funds as provided in Title 15. [Amd. June 21, 1976, eff. July 2, 1976; amd. May 3, 1976, eff. July 1, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## References:

Rule 18.1, Attorney's Fees and Expenses; RCW 4.84, Costs.
Comment: (a) Generally. Section (a) defines the expenses which may be awarded as costs. The specified expense must be reasonably necessary for review. For example, if the case is dismissed for failure to timely file a notice of appeal, the prevailing party would probably not be awarded costs for the expense of reproducing briefs on the merits. The charge for the specified item must also be reasonable. Thus, a party would not be awarded costs for a court reporter's overtime work occasioned by the party's delay in ordering the verbatim report of proceedings. An item of expense is presumed to be reasonably necessary for review and the amount is presumed reasonable. The presumptions are rebuttable.
(c) Special Rule for Indigent Review. This provision is new.

## Rule 14.4 Cost Bill.

(a) Generally. Except as provided in sections (b) and (c), a party seeking costs on review must file a cost bill with the appellate court and serve a copy of the cost bill on all parties within 30 days after issuance of the mandate.
(b) When Costs Abide Final Result And There is No Second Review. If the costs on review are to abide the final determination in the trial court and that final determination is not reviewed by the appellate court, a party seeking costs must, within 30 days after the time to seek review of the trial court decision has expired, file with the appellate court and serve on each party: (1) a cost bill for costs on review, or if a cost bill was filed for the earlier review, a copy of the cost bill previously filed in the appellate court, (2) a copy of the final determination of the trial court, and (3) an affidavit stating that a notice of appeal or notice for discretionary review of the decision finally determining the case has not been filed.
(c) When Costs Abide Final Result and There is a Second Review. If the costs on review are to abide the final determination of the case by the trial court and that final determination is reviewed by the appellate court, the costs of the earlier review will be taxed at the same time the costs of the later review are taxed. A party seeking costs of the earlier review must file (1) a cost bill for costs on the earlier review or, if a cost bill was filed for the earlier review, a copy of the cost bill for the earlier review, and (2) a cost bill for the later review. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 10, Cost Bill.
Rule 12.5, Mandate.

Comment: The rule changes current practice. See ROA I-55(c). Time limits have been extended from 10 to 30 days and the time begins to run on issuance of the mandate.

Rule 14.5 Objections to cost bill. A party may object to items in the cost bill of another party by serving on all parties and filing with the appellate court objections to the cost bill within 10 days after service of the cost bill upon the party. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 11, Objections to Cost Bill.
Comment: The rule conforms to current practice except that affidavits in support of objections are not required. Compare ROA I$55(\mathrm{c})(\mathrm{l})$. The use of affidavits is optional.

## Rule 14.6 Award of costs.

(a) Commissioner or Clerk Awards Costs. A commissioner or the clerk will determine costs within 10 days after the time has expired for filing objections to the cost bill. The commissioner or clerk will notify the parties of the ruling on costs.
(b) Objection to Ruling. A party may only object to the ruling on costs by motion to the appellate court in the same manner and within the same time as provided for objections to any other rulings of a commissioner or clerk as provided in Rule 17.7.
(c) Transmitting Judgment for Costs. The commissioner or clerk will award costs in the mandate or in a supplemental judgment. An award of costs may be enforced as part of the judgment in the trial court. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 12.7, Finality of Decision, (c) Special rule for costs.
Comment: The rule conforms substantially to current practice. See ROA I-55(c) and (d). A party who wants review of the ruling on costs of a commissioner or clerk must file a motion to modify the ruling under Rule 17.7(a).

## TITLE 15——SPECIAL PROVISIONS RELATING TO RIGHTS OF INDIGENT PARTY

## Rule

15.1 Procedures to which title applies
15.2 Determination of indigency and rights of an indigent party
(a) Motion for order of indigency
(b) Action by superior court
(c) Action by supreme court
(d) Order of indigency
(e) Continued indigency presumed
(f) Appointment and withdrawal of counsel in trial court
(g) Review of order of indigency
(h) Withdrawal of counsel in appellate court
15.3 Waiver of charges for reproducing briefs
15.4 Claim for payment of expense for indigent party
(a) Conditions for payment
(b) Invoice generally
(c) Invoice of counsel
(d) Invoice of court reporter
(e) Invoice of superior court clerk
15.5 Allowance of claim for payment of expense for indigent party
(a) Allowance generally
(b) Disallowance of claim
15.6 Recovery of public funds

Rule 15.1 Procedures to which title applies. The rules in this title define the procedure to be used (1) to determine indigency and to determine the expenses of an
indigent party to review which will be paid from public funds as provided in Rule 15.2, (2) to obtain a waiver of charges imposed by the court as provided in Rule 15.3, (3) to claim payment from public funds for services rendered to an indigent party to review as provided in Rule 15.4 , (4) to allow claims for expense as provided in Rule 15.5, and (5) to recover public funds expended on behalf of an indigent as provided in Rule 15.6. The rules in this title apply to all proceedings in the appellate court, except the rules apply to personal restraint petitions only to the extent defined in Rule $16.15(\mathrm{f})$ and (g). [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rules in this title establish a procedure comparable to that under ROA I-46 and I-47, and CAROA 46 and 47. The provisions for payment of review expense with public funds for certain civil cases correspond to ROA I-47 and CAROA 47, as amended by the Supreme Court on November 20, 1975.

Rule 15.2 Determination of indigency and rights of indigent party.
(a) Motion for Order of Indigency. A party seeking review partially or wholly at public expense must move in the trial court for an order of indigency. The motion must be served and filed within the time allowed for filing a notice of appeal or a notice for discretionary review. The time between the service and filing of the motion for an order of indigency and the determination of that motion is excluded from the time allowed for filing a notice of appeal or notice for discretionary review. The motion must be supported by an affidavit setting forth the moving party's total assets; the expenses and liabilities of the party; a statement of the amount, if any, the party can contribute towards the expense of review; a statement of the expenses the party wants waived or provided at public expense; a brief statement of the nature of the case and the issues sought to be reviewed; a designation of those parts of the record the party thinks are necessary for review; and a statement that review is sought in good faith. If the case is a civil case which does not involve permanent deprivation of parental rights or a determination whether a juvenile is delinquent, the party must also demonstrate in the motion or the supporting affidavit that the issues the party wants reviewed have probable merit and that the party has a constitutional right to review partially or wholly at public expense.
(b) Action by Superior Court. The superior court shall decide the motion for an order of indigency, after a hearing if the circumstances warrant, as follows:
(1) Denial Generally. The superior court shall deny the motion if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of review.
(2) Cases Involving Crimes, Parental Rights, Delinquency. In a criminal case, a case involving permanent deprivation of parental rights, or a case determining whether a juvenile is delinquent, the superior court shall grant the motion and enter an order of indigency if the party seeking public funds is unable by reason of poverty
to pay for all or some of the expenses of appellate review.
(3) Other Civil Cases. If the case is a civil case which does not involve permanent deprivation of parental rights or a determination of whether a juvenile is delinquent and if the party is unable by reason of poverty to pay for all of the expenses of review, the superior court shall enter findings of indigency. The superior court shall determine in those findings the portion of the record necessary for review and the amount, if any, the party is able to contribute towards the expense of review. The findings shall conclude with an order to the clerk of the superior court to promptly transmit to the Supreme Court, without charge to the moving party, the findings of indigency, the motion for an order of indigency, the affidavit in support of the motion, and all other papers submitted in support of or in opposition to the motion. The superior court clerk shall promptly transmit to the Supreme Court the papers designated in the findings of indigency.
(c) Action by Supreme Court. If findings of indigency and other papers relating to the motion for an order of indigency are transmitted to the Supreme Court, the Supreme Court will determine whether an order of indigency in that case should be entered by the superior court. The determination will be made by a department of the Supreme Court on a regular motion day without oral argument and based only on the papers transmitted to the Supreme Court by the superior court clerk, unless the Supreme Court directs otherwise. If the Supreme Court determines that the party is seeking review in good faith, that an issue of probable merit is presented, and that the party is entitled under the state or federal constitution to review partially or wholly at public expense, the Supreme Court will enter an order directing the trial court to enter an order of indigency. In all other cases, the Supreme Court will enter an order denying the party's motion for an order of indigency. The clerk of the appellate court will transmit a copy of the order to the clerk of the superior court and notify all parties of the decision of the Supreme Court.
(d) Order of Indigency. An order of indigency shall designate the items of expense which are to be paid with public funds and, where appropriate, the items of expense to be paid by a party or the amount which the party must contribute towards the expense of review. The order shall designate the extent to which public funds are to be used for payment of the expense of the record on review, limited to those parts of the record reasonably necessary to review issues argued in good faith. The order of indigency shall appoint counsel if the party is entitled to counsel on review at public expense. The order of indigency must be transmitted to the appellate court as a part of the record on review.
(e) Continued Indigency Presumed. A party and counsel for the party who has been granted an order of indigency must bring to the attention of the trial court any significant improvement during review in the financial condition of the party. The appellate court will give a party the benefits of an order of indigency throughout
the review unless the trial court finds the party's financial condition has improved to the extent that the party is no longer indigent.
(f) Appointment and Withdrawal of Counsel in Trial Court. The trial court shall determine questions relating to the appointment and withdrawal of counsel for an indigent party on review, except withdrawal as provided in section (h). If trial counsel is not appointed, trial counsel must assist counsel appointed for review in preparing the record.
(g) Review of Order of Indigency. Only a party in a criminal case, in a case involving permanent deprivation of parental rights, or in a case determining whether a juvenile is a delinquent may seek review of an order of indigency or an order denying an order of indigency. Review must be sought by a motion for discretionary review.
(h) Withdrawal of Counsel in Appellate Court. If counsel can find no basis for a good faith argument on review, counsel should file a motion in the appellate court to withdraw as counsel for the indigent. The motion should be supported by a brief. The motion and brief will be reproduced by the clerk and served on the opposing party and the person represented by counsel seeking to withdraw. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

## References:

Form 12, Order of Indigency,
Rule 2.3, Decisions of the Trial Court which may be Reviewed by Discretionary Review.

Rule 15.3 Waiver of charges for reproducing briefs. The appellate court will waive the charges of the appellate court for reproducing briefs and other papers only to the extent authorized by the order of indigency. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: The rule refers to the charges under Rule 10.5. Waiver of these charges must be specifically authorized by the order of indigency. See also Rule 15.2(b).

Rule 15.4 Claim for payment of expense for indigent party.
(a) Conditions for Payment. The expenses for an indigent party which are necessarily incident to review by an appellate court will be paid from public funds only if:
(1) an order of indigency is included in the record on review; and
(2) an order properly authorizes the expense claimed; and
(3) the claim is made by filing four copies of an invoice in the form and manner and within the time provided by this rule.
(b) Invoice Generally. Each invoice must include the appellate court caption and docket number and the name of the claimant. The claimant's social security number or the I.R.S. employer identification number of the claimant's firm must be included on each invoice, except one submitted by the superior court clerk. The invoice of a court reporter or a superior court clerk may be submitted as soon as the services have been performed or the expense incurred, but the invoice must be
filed within 10 days after issuance of the mandate. The invoice must be filed in the appellate court to which the notice of appeal or notice for discretionary review was directed. Invoices filed in the Court of Appeals will be forwarded to the Supreme Court together with a statement indicating whether the requirements of this rule are satisfied.
(c) Invoice of Counsel. An invoice submitted by counsel representing an indigent party should be titled "Invoice of Counsel for Indigent Party." An invoice may be submitted only after oral argument, and not later than 10 days after issuance of the mandate. Counsel may submit only one invoice in the same review proceeding. The invoice must include a statement of the number of hours spent by counsel preparing the review, the amount of compensation claimed, and the reasonable expenses excluding normal overhead incurred by counsel for the review including travel expenses of counsel incurred for argument in the appellate court. Travel expenses may not exceed the amount allowable to state employees for travel by private vehicle. The invoice must include an affidavit of counsel stating that the items listed are correct charges for necessary services rendered and expenses incurred for proper consideration of the review and that counsel has not received and has not been promised compensation for the review from the indigent party or from any other source except as may have been approved by the court.
(d) Invoice of Court Reporter. An invoice submitted by the court reporter should be titled "Invoice of Court Re-porter-Indigent Case." The invoice must state the number of pages transcribed and the billing rate per page. The billing rate must be at the rate per page or line page equivalent set by the Supreme Court for the original and one copy of that portion of the report of proceedings ordered by the superior court. Additional copies which have been authorized and ordered from the reporter must be charged for as though reproduced by the most economical method available to the reporter. The superior court clerk shall certify the reporter's invoice as follows:

> I hereby certify that the amount claimed in this invoice is for that portion of the verbatim report of proceedings ordered by the trial court; that the typing of the report is in accordance with appellate rule $9.2(e)$ and $(\mathrm{g})$; and that the bill is computed at the current rate per page set by the Supreme Court for the original and one copy, namely $\$$ _per page.
(e) Invoice of Superior Court Clerk. An invoice submitted by the superior court clerk should be titled "Invoice of Superior Court Clerk__Indigent Case." The invoice must itemize the clerk's charges for the preparation of the record ordered by counsel for the indigent or the trial court and list the actual expenses of the clerk for transmittal of those portions of the record. The superior court clerk shall certify the clerk's invoice as follows:

> I hereby certify that the items listed in this invoice are correct charges for the preparation of those portions of the record ordered by counsel or the trial court and for the actual expense of transmittal of those portions of the record.
[Adopted January 28, 1976, effective July 1, 1976.]

Rule 15.5 Allowance of claim for payment of expense for indigent party.
(a) Allowance Generally. A commissioner or the Clerk of the Supreme Court determines all claims for expense by ruling. The commissioner or clerk will allow or disallow all or part of the claimed expense by ruling within 10 days after the invoice has been filed in the Supreme Court. The commissioner or clerk will notify the claimant of the ruling. A claimant may object to the ruling of the commissioner or clerk by motion to the Supreme Court, in the same manner and within the same time as an objection to any other ruling as provided in Rule 17.7.
(b) Disallowance of Claim. If a brief is unnecessarily long, improper in substance, or not in compliance with these rules, all or a portion of counsel's claim may be disallowed. If the court reporter or counsel has been dilatory, all or a portion of the claim of the court reporter or the claim of counsel may be disallowed. [Adopted January 28, 1976, effective July 1, 1976.]

Rule 15.6 Recovery of public funds. If a case on review is returned to the trial court for further proceedings and the case involves a claim for a money judgment for the party on whose behalf public funds have been expended, the Clerk of the Supreme Court will indicate the amount of public funds expended on behalf of the party in the mandate or in a supplemental judgment. The amount indicated in the mandate and supplemental judgment is a lien on any settlement or judgment obtained by the party on whose behalf public funds have been expended. This lien must be satisfied prior to the payment of any other amounts to the party. If a judgment is entered, the judgment should reflect the lien imposed by this rule. The amount of the lien must be paid to the clerk of the superior court. The clerk of the superior court shall forward all funds recovered to the Clerk of the Supreme Court, who will credit these funds to the Indigent Appeal Allotment. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## References:

Rule 14.3, Expenses Allowed as Costs, (c) Special Rule for Indigent Review.

## TITLE 16--SPECIAL PROCEEDINGS IN THE SUPREME COURT AND COURT OF APPEALS

## Rule

16.1 Proceedings to which title applies
(a) Generally
(b) Original actions in the supreme court against state officers
(c) Original actions in the appellate court-Personal restraint petition
(d) Questions certified by federal court
(e) Review of decision of the court of appeals
(f) Removal of public officer
16.2 Original action against state officer
(a) Generally
(b) Initiating proceeding
(c) Motion procedure governs
(d) Decisions made by commissioner or clerk
(e) Procedure if petition is not transferred
(f) Statutory time limits govern
(g) Costs
16.3 Personal restraint petition-Generally
(a) Habeas corpus and post-conviction relief
(b) Former procedure superseded
(c) Original appellate court jurisdiction
16.4 Personal restraint petition-Grounds for remedy
(a) Generally
(b) Restraint
(c) Unlawful nature of restraint
(d) Restrictions
16.5 Personal restraint petition-Where to seek relief
(a) Court of appeals
(b) Supreme court
16.6 Personal restraint petition-Parties
(a) Parties
(b) Respondent——Restraint by government
(c) Change of respondent
16.7 Personal restraint petition-_Form of petition
(a) Generally
(b) Standard form
16.8 Personal restraint petition-Filing and service
(a) Filing fee
(b) Filing in court of appeals
(c) Service of petition
16.9 Personal restraint petition-Response to petition
16.10 Personal restraint petition-Briefs
(a) Briefs allowed
(b) Brief required
(c) Briefs at request of appellate court
(d) Content and style of briefs
(e) Reproduction and service of briefs
16.11 Personal restraint petition-Consideration of petition
(a) Generally
(b) Determination by appellate court
(c) Oral argument
16.12 Personal restraint petition-Reference hearing
16.13 Personal restraint petition-Procedure after reference hearing
16.14 Personal restraint petition-Appellate review
(a) Decision whether to transfer
(b) Other decisions
16.15 Personal restraint petition-—Supplemental provisions
(a) Motion
(b) Release by appellate court of person in custody
(c) Oral argument
(d) Disposition of petition
(e) Costs
(f) Indigency——Superior court determination
(g) Indigency-Appellate court proceeding
16.16 Questions certified by federal court
(a) Generally
(b) Caption of pleadings and briefs filed in supreme court
(c) Filing
d) Record
(e) Briefs
(f) Costs
(g) Finality of opinion
16.17 Other rules applicable

## Rule 16.1 Proceedings to which title applies.

(a) Generally. The rules in this title establish the procedure for original actions in the Supreme Court and in the Court of Appeals, and the procedure for determining questions of law certified by a federal court.
(b) Original Actions in Supreme Court Against State Officers. Rule 16.2 defines the procedure for petitions against state officers for writs of mandamus, prohibition, quo warranto, and similar writs, but only when the proceeding is started for the first time in the Supreme Court.
(c) Original Actions in the Appellate Court-—Personal Restraint Petition. Rules 16.3 through 16.15 define the procedure for a personal restraint petition, but only when the proceeding is started for the first time in the appellate court.
(d) Questions Certified by Federal Court. Rule 16.16 defines the procedure for determining questions of law certified by a federal court.
(e) Review of Decision of the Court of Appeals. Except as provided in Rule 16.14, a Court of Appeals decision in a special proceeding is subject to review by the Supreme Court only by discretionary review as provided in Title 13.
(f) Removal of Public Officer. Proceedings to remove a public officer are governed by statute and not these rules. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: There are certain proceedings in the Supreme Court and the Court of Appeals which cannot be handled under usual appellate rules. This title establishes a special set of rules for these special proceedings. The special proceedings include all original actions in the Supreme Court and in the Court of Appeals and determinations of questions of law certified to the Supreme Court by a federal court. The rules in the other titles do not apply to a special proceeding unless the special proceeding rule incorporates the rule in the other title.
Statutory proceedings to remove a public officer, heard by a special panel of superior court judges convened by the Chief Justice of the Supreme Court, are governed by statute and not these rules. See, e.g., RCW 28B.10.500, 43.21B.040, 51.52.040, 80.01.010, and 82.03.040.

## Rule 16.2 Original action against state officer.

(a) Generally. The Supreme Court and the superior court have concurrent original jurisdiction of a petition against a state officer in the nature of quo warranto, prohibition, or mandamus. This rule applies only to an action originating in the Supreme Court.
(b) Initiating Proceeding. The proceeding is initiated by filing the petition in the Supreme Court and serving the petition on the proper parties. The petition must be noted for hearing before the commissioner or clerk as provided in Rule 17.4 for motions. The notice of hearing should be served with the petition. Service of the petition and notice must be made as provided in the Superior Court Civil Rules and statutes for service of a summons in a superior court action.
(c) Motion Procedure Governs. The petition is treated by the Supreme Court as a motion to a commissioner or clerk. Title 17 relating to motions governs the response to the petition, oral argument, decisions by ruling, and the means of objecting to the ruling of the commissioner or clerk.
(d) Decisions Made by Commissioner or Clerk. A commissioner or clerk will, at the hearing, determine if the petition should be decided by the Supreme Court. If the commissioner or clerk decides that the petition should be transferred, the petition will be transferred to a superior court for determination on the merits. If the petition is not transferred, the commissioner or clerk will refer questions of fact to a master or to the superior court unless an agreed and adequate written statement of facts is approved by the parties prior to or at the hearing. The commissioner or clerk will also determine the timing of all remaining steps in the proceeding, including time for filing briefs on the merits.
(e) Procedure if Petition is Not Transferred. The procedure if the petition is not transferred is the same as
the procedure in the Supreme Court after acceptance of review of a trial court decision, except as otherwise directed by a ruling of the commissioner or clerk as provided in section (d).
(f) Statutory Time Limits Govern. If a statute provides a time within which a petition against a state officer in the nature of quo warranto, prohibition, or mandamus must be filed, the petition must be filed in the Supreme Court within the time period established by the statute.
(g) Costs. Costs are determined and awarded as provided in Title 14. The appellate court will award costs by supplemental judgment and will, on motion, transmit the judgment to the clerk of the superior court in the county selected by the party who is awarded costs. The supplemental judgment to the superior court shall be filed as a judgment in that court without payment of a filing fee. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 16, Petition Against State Officer,
Const. Art. 4 § 4; CR 4, Process, (d) Service, chapter 4.28 RCW, Commencement of Actions, chapter 7.16 RCW, Certiorari, Mandamus and Prohibition; chapter 7.56 RCW, Quo Warranto.
Comment: (a) Generally. Section (a) restates the constitutional scope of concurrent original Supreme Court jurisdiction for writs directed to state officers. To be distinguished is the scope of appellate jurisdiction over similar cases initiated in superior court. See Rule 4.2. This rule applies only to cases started in the Supreme Court.

Prior law defining "state officer" is applicable. Generally, the procedures set forth in Rule 16.2 (currently ROA I-58) may not be used to initiate review of a trial court decision. Lowry, Supreme Court Practice, Washington State Bar News, February 1971, p. 25. Although a trial court judge is technically a state officer, the judge is not a real party in interest with respect to an interlocutory order. State ex rel. Edelstein v. Foley, 6 Wn.2d 444, 107 P.2d 901 (1940); Davis v. Gibbs, 39 Wn.2d 180, 234 P.2d 1071 (1951). Review of a nonappealable trial court order should be sought under Rule 2.3
(b) Initiating Proceeding. ROA I-58 provides that the action is initiated "in the same manner as for the commencement of an ordinary civil action." Civil actions may be commenced in a variety of ways. The ambiguity in the old rule is avoided by the more precise language of Rule 16.2(b).
(c) Motion Procedure Governs. The complicated procedure under the old rules is abandoned in favor of the simpler motion procedure.
(d) Decisions Made by Commissioner or Clerk. Section (d) relieves the Chief Justice of the administrative details of referring the case to superior court for factual determinations and of determining the timing of remaining procedural steps in the Supreme Court. Delegation of these administrative decisions to the commissioner or clerk conserves valuable judicial time. See A. Tate, Containing the Law Explosion, 56 Judicature 228 (Jan. 1973). Adequate means for seeking review of a ruling by the clerk or commissioner are provided.

The Supreme Court may decline to exercise its original jurisdiction over a case which the court determines can more appropriately be adjudicated by a superior court. See State ex rel. O'Connell v. Meyers, 51 Wn.2d 454, 319 P.2d 828 (1957). The rule does not require that a case be transferred to the superior court of Thurston County. A different county may be more convenient.
(e) Procedure if Petition is Not Transferred. If the case is not transferred to a different court, the remaining procedural steps are the same as on an appeal, except as modified pursuant to Rule 16.2(d).

The deposit required by ROA I-58(c) is eliminated. Under the old rules the deposit is passed from one party to another. The deposit served no purpose sufficiently useful to justify the administrative burden on the court.

## Rule 16.3 Personal restraint petition-—Generally.

(a) Habeas Corpus and Post-Conviction Relief. Rules 16.3 through 16.15 establish a single procedure for original proceedings in the appellate court to obtain relief
formerly available by a petition for writ of habeas corpus or by an application for post-conviction relief.
(b) Former Procedure Superseded. The procedure established by Rules 16.3 through 16.15 for a personal restraint petition supersedes the appellate procedure formerly available for a petition for writ of habeas corpus and for an application for post-conviction relief, unless one of these rules specifically indicates to the contrary. These rules do not supersede and do not apply to habeas corpus proceedings initiated in the superior court.
(c) Original Appellate Court Jurisdiction. The Supreme Court and the Court of Appeals have original concurrent jurisdiction in personal restraint petition proceedings. The Supreme Court will ordinarily exercise its jurisdiction by transferring the petition to the Court of Appeals. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

## Chapter 7.36 RCW, Habeas Corpus

Comment: Under current law there are two appellate court proceedings which may be used to challenge a restraint on personal liberty. Those two means are an application for post-conviction relief under CrR 7.7 and a Petition for Writ of Habeas Corpus under ROA I-56 or CAROA 56. Rules 16.3 through 16.15 supersede both of these procedures. New rules provide for a single procedure called a personal restraint petition. The procedure employed by the new rules is in many respects similar to the procedure under the superseded Cr 7 7.7, except the appellate court decides petitions where there are factual disputes after a reference hearing in superior court.

These rules do not supersede and do not apply to habeas corpus procedures in the Superior Court.

Rule 16.4 Personal restraint petition-—Grounds for remedy.
(a) Generally. Except as restricted by section (d), the appellate court will grant appropriate relief to a petitioner if the petitioner is under a "restraint" as defined in section (b) and the petitioner's restraint is unlawful for one or more of the reasons defined in section (c).
(b) Restraint. A petitioner is under a "restraint" if the petitioner has limited freedom because of a court decision in a civil or criminal proceeding, the petitioner is confined, the petitioner is subject to imminent confinement, or the petitioner is under some other disability resulting from a judgment or sentence in a criminal case.
(c) Unlawful Nature of Restraint. The restraint must be unlawful for one or more of the following reasons:
(1) the decision in a civil or criminal proceeding was entered without jurisdiction over the person of the petitioner or the subject matter; or
(2) the conviction was obtained or the sentence or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government was imposed or entered in violation of the Constitution of the United States or the constitution or laws of the State of Washington; or
(3) material facts exist which have not been previously presented and heard, which in the interest of justice require vacation of the conviction, sentence, or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government; or
(4) there has been a significant change in the law, whether substantive or procedural, which is material to the conviction, sentence, or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government, and sufficient reasons exist to require retroactive application of the changed legal standard; or
(5) other grounds exist for a collateral attack upon a judgment in a criminal proceeding or civil proceeding instituted by the state or local government; or
(6) the conditions or manner of the restraint of petitioner are in violation of the Constitution of the United States or the constitution or laws of the State of Washington; or
(7) other grounds exist to challenge the legality of the restraint of petitioner.
(d) Restrictions. The appellate court will only grant relief by a personal restraint petition if other remedies which may be available to petitioner are inadequate under the circumstances. No more than one petition for similar relief on behalf of the same petitioner will be entertained without good cause shown. [Amd. June 21, 1976, eff. July 2, 1976; adop. January 28, 1976, eff. July 1, 1976.]

## References:

## Chapter 7.36 RCW, Habeas Corpus

Comment: Relief will be granted only if a petitioner can meet the requirements of sections (b) and (c), subject to the restrictions in (d). The personal restraint petition may be used to challenge the legality of the restraint of the petitioner where the restraint is imposed in a criminal case or a civil case. The relationship between a personal restraint petition and other remedies defined in section (d) is consistent with present law and is in accord with ABA Standards Relating to PostConviction Remedies (Approved Draft, 1968). See Standard 2.2 and the commentary at page 40 . In cases challenging the propriety of a private restraint, a personal restraint petition is not the appropriate remedy if there is another adequate remedy. For example, a custody challenge in a domestic relations case might fit the technical requirements of sections (b) and (c). However, the petition would not be entertained if there was an adequate remedy by means of a domestic relations proceeding. Section (c) relates to the basis of petitioner's restraint. A petitioner must establish that the petitioner's restraint falls within one or more of the classifications in section (c). This section corresponds to Standard 2.1 of the ABA Standards.

Rule 16.5 Personal restraint petition-—Where to seek relief.
(a) Court of Appeals. A personal restraint petition should be filed in the Court of Appeals.
(b) Supreme Court. If a personal restraint petition is filed in the Supreme Court, the Supreme Court will ordinarily transfer the petition to the Court of Appeals. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Chapter 7.36 RCW, Habeas Corpus
Comment: Old CrR 7.7(a) states that a petition for post-conviction relief is to be filed in the Court of Appeals. Rule 16.5 provides that all personal restraint petitions are to be filed in the Court of Appeals. If a personal restraint petition is filed in the Supreme Court, the Supreme Court will ordinarily transfer the petition to the Court of Appeals.

## Rule 16.6 Personal restraint petition-—Parties.

(a) Parties. If petitioner is under a restraint imposed by the state or local government, the petition should be
captioned only with the name of the petitioner. If petitioner is not under a restraint imposed by the state or local government, the petition should be captioned with the name of the petitioner and the name of the person or agency restraining petitioner's liberty, as respondent. The petition may be brought by the person who is under a restraint or in the person's name by that person's guardian, conservator, parent, or attorney.
(b) Respondent——Restraint by Government. If petitioner is under a restraint imposed by the state or local government, the officer or agency responsible for the proceeding against petitioner at the time petitioner claims the proceeding was defective or improper shall respond to the petition. If there are two or more proper respondents, each shall serve and file a separate response unless they agree to joint representation and notify the appellate court and the petitioner of that agreement.
(c) Change of Respondent. If the petitioner is under a restraint imposed by the state or local government, the appellate court may on its own initiative or on motion substitute the proper respondent, and the clerk of the court will notify substituted respondent. [Adopted January 28,1976 , effective July 1, 1976.]

Comment: (b) Respondent. The rules changes current criminal practice for Supreme Court habeas corpus and conforms to the practice which seems to be emerging under (but is not spelled out in) Cr 7.7. In Supreme Court habeas corpus proceedings under the old rules, the custodian of the prisoner is named as the respondent. If the petitioner is confined in a State institution the respondent is the secretary of the Department of Social and Health Services who appears and answers the petition through the Attorney General. Typically, the petition claims a defect in the proceeding against a petitioner in Superior Court at a time when the prosecution was handled by the county prosecutor. The responsibility for answering the petition should be that of the person or agency responsible for the proceeding at the time the claimed defect occurred. That person or agency will be more familiar with the proceeding and would be located in the area where any hearing would be held which should reduce the time and expense required to answer the petition. This rule makes this change by specifically defining who has the duty to respond to the petition.

Rule 16.7 Personal restraint petition-—Form of petition.
(a) Generally. Under the titles indicated, the petition should set forth:
(1) Status of Petitioner. The restraint on petitioner; the place where petitioner is held in custody, if confined; the judgment, sentence, or other order or authority upon which petitioner's restraint is based, identified by date of entry, court, and cause number; any appeals taken from that judgment, sentence or order; and a statement of each other petition filed with regard to the same allegedly unlawful restraint, identified by the date filed, the court, the disposition made by the court, and the date of disposition.
(2) Grounds for Relief. A statement of (i) the facts upon which the claim of unlawful restraint of petitioner is based and the evidence available to support the factual allegations, (ii) why other remedies are inadequate, and (iii) why the petitioner's restraint is unlawful for one or more of the reasons specified in Rule 16.4(c). Legal argument and authorities may be included in the petition, or submitted in a separate brief as provided in Rule
$16.10(a)$.
(3) Statement of Finances. If petitioner is unable to pay the filing fee or fees of counsel, a request should be included for waiver of the filing fee and for the appointment of counsel at public expense. The request should be supported by a statement of petitioner's total assets and liabilities.
(4) Request for Relief. The relief petitioner wants.
(5) Oath. If a notary is available, the petition must be signed by the petitioner or his attorney and verified substantially as follows:
After being first duly sworn, on oath, I depose and say: That I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.
or,
After being first duly sworn, on oath, I depose and say: That I am the attorney for the petitioner, that I have read the petition, know its contents, and I believe the petition is true.
[Signature]
Subscribed and sworn to before me this ..... day of
19..

Notary Public in and for the State of Washington, residing at

If a notary is not available, the petition must be subscribed by the petitioner or his attorney substantially as follows:

I declare that I have examined this petition and to the best of my knowledge and belief it is true and correct.
Dated This $\qquad$ day of $\qquad$
[Signature]
If a notary is available and a petition is filed which is not verified, the appellate court will return the petition for verified signature and advise the petitioner's custodian to make a notary available.
(b) Standard Form. The clerk of the appellate court will make the standard form of petition available to persons who are confined in state institutions and to others who may request the form. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Form 17, Personal Restraint Petition.
Comment: The standard form of petition is designed to assist a petitioner without counsel to prepare a petition which will permit a determination of the petitioner's claim on the merits. The device seems to work in Federal Court. See comment, Washington Proposed Rules of Criminal Procedure, 135. Standardized application forms for those without counsel are recommended in ABA Standards Relating to Post-Conviction Remedies § 3.2. CrR 7.7(a) seems to require the use of a standard form even if the application is prepared by an attorney. Section (b) of the new rule specifies a form of an application but does not require use of the standard form.

Rule 16.8 Personal restraint petition-—Filing and service.
(a) Filing Fee. A personal restraint petition will be filed by the clerk of the appellate court only if the statutory filing fee is paid, unless the appellate court determines that the petitioner is unable to pay the filing fee. The statute requiring payment of a fee for filing a petition for writ of habeas corpus is controlling.
(b) Filing in Court of Appeals. A personal restraint petition filed in the Court of Appeals must be filed in the division which includes the superior court entering the
decision on the basis of which petitioner is held in custody or, if petitioner is not being held in custody on the basis of a decision, in the division in which the petitioner is located.
(c) Service of Petition. If petitioner's restraint is imposed by the state or local government, the clerk of the appellate court will reproduce a copy of the petition and serve the petition on the officer or agency under a duty to respond to the petition. If petitioner's restraint is imposed by a person or agency other than the state or local government, the petitioner must prepare and serve a copy of the petition on the proper respondent. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

RCW 2.32.070, Fees-S Supreme Court Clerk, Clerks of Court of Appeals.
Comment: The statutory filing fee is retained for personal restraint petitions. The filing fee discourages the filing of frivolous petitions by persons in custody. A commissioner or a clerk will accept a personal restraint petition without the payment of the filing fee if the petitioner has insufficient funds to pay that fee. A motion to waive the fee is not necessary. The procedure is designed to be simple so a lay person can make use of it. A section in the standard form of petition gives an indigent petitioner a means to show details about financial circumstances and to request waiver of the filing fee. See Rule 16.7(a)(3).

Rule 16.9 Personal restraint petition-—Response to petition. The respondent must, within 20 days after the petition is served, unless the time is extended by the commissioner or clerk for good cause shown, serve and file a response to the petition. The response must answer the allegations in the petition. The response must state the authority for the restraint of petitioner by respondent and, if the authority is in writing, include a conformed copy of the writing. If an allegation in the petition can be answered by reference to a record of another proceeding, the response should so indicate and include a copy of those parts of the record which are relevant. Respondent should also identify in the response all material disputed questions of fact. [Adopted January 28,1976 , effective July 1, 1976.]

Comment: ABA Standard 4.2(a) states as follows:
Because of the limited pleading capabilities of lay applicants, it is not expedient for courts to undertake to evaluate applications filed pro se by such persons. A routine practice of ruling on such applications for sufficiency of pleadings should be avoided. The court will be better able to understand the nature of the grievance asserted and to determine the proper mode of proceeding after a responsive pleading has been filed and the pertinent record has been brought into focus. It is preferable, therefore, that the courts make it clear that responsive pleadings are expected as of course.

This rule conforms to the ABA Standards. Old $\mathrm{CrR} 7.7(\mathrm{~b})$ is to the contrary; post-conviction applications under $\mathrm{CrR} 7.7(\mathrm{~b})$ are screened to determine if they "have any basis in fact or law" without requiring a responsive answer. This has in the past resulted in sending an application for post-conviction relief to the Superior Court for a trial when an answer would have made clear that this procedure was not necessary

## Rule 16.10 Personal restraint petition-—Briefs.

(a) Briefs Allowed. The following briefs may be, but need not be, filed:
(1) Petitioner's Opening Brief. Petitioner's opening brief, which should be filed with the petition.
(2) Petitioner's Reply Brief. Petitioner's reply brief, which should be filed within 20 days after the answering
brief is served on petitioner. If the brief is mailed, it must be mailed within 17 days after the answering brief is served on petitioner.
(b) Brief Required. Respondent must file an answering brief within the time the response must be filed.
(c) Briefs at Request of Appellate Court. The appellate court may call for additional briefs at any stage of the consideration of the petition.
(d) Content and Style of Briefs. The content and style of briefs is governed by Rules 10.3 and 10.4.
(e) Reproduction and Service of Briefs. Briefs must be filed with the clerk of the appellate court. Briefs will be reproduced and served by the clerk in accordance with Rule 10.5. [Adopted January 28, 1976, effective July 1, 1976.]

Rule 16.11 Personal restraint petition-—Consideration of petition.
(a) Generally. The Chief Judge will consider the petition promptly after the time has expired to file petitioner's reply brief. The Chief Judge determines at the initial consideration if the petition will be transferred to a superior court for determination on the merits or retained by the appellate court for determination on the merits.
(b) Determination by Appellate Court. The Chief Judge determines at the initial consideration of the petition the steps necessary to properly decide on the merits the issues raised by the petition. If the issues presented are frivolous, the Chief Judge will dismiss the petition. If the petition is not frivolous and can be determined solely on the record, the Chief Judge will refer the petition to a panel of judges for determination on the merits. If the petition cannot be determined solely on the record, the Chief Judge will transfer the petition to the superior court for a reference hearing. The Chief Judge may enter other orders necessary to obtain a prompt determination of the petition on the merits.
(c) Oral Argument. Decisions of the Chief Judge will be made without oral argument. If a petition is to be decided on the merits by a panel of judges, the appellate court clerk will set the petition for consideration by the panel of judges, with or without oral argument. If oral argument is directed, the clerk will notify the parties of the date set for oral argument. [Adopted January 28, 1976, effective July 1, 1976.]
Comment: Under old CrR 7.7, the Chief Judge of the Court of Appeals could do one of two things with an application for post-conviction relief. The Chief Judge would dismiss the application if it had no basis in fact or law, or transfer it to a superior court for determination. The new rules provide for three alternatives. If the petition is frivolous, it is dismissed. If the petition is not frivolous and can be determined on the record in the appellate court, the petition is referred directly to a panel of appellate court judges for determination on the merits. If the petition cannot be determined solely on the record, the petition is sent to the superior court for a reference hearing to determine disputed facts.

Rule 16.12 Personal restraint petition-—Reference hearing. If the appellate court transfers the petition to the superior court for a reference hearing, the transfer
will be to the superior court for the county in which the decision was made resulting in the restraint of petitioner or, if petitioner is not being restrained on the basis of a decision, in the superior court in the county in which petitioner is located. If the respondent is represented by the attorney general, the prosecuting attorney, or a municipal attorney, respondent must take steps to obtain a prompt evidentiary hearing and must serve notice of the date set for hearing on all other parties. The parties, on motion and for good cause shown, will be granted reasonable pretrial discovery. Each party has the right to subpoena witnesses. The hearing shall be held before a judge who was not involved in the challenged proceeding. The petitioner has the right to be present at the hearing and the right to cross-examine adverse witnesses. The rules of evidence apply at the hearing. Upon the conclusion of the hearing, the superior court shall enter findings of fact and have the findings and all appellate court files forwarded to the appellate court. [Adopted January 28, 1976, effective July 1, 1976.]

[^14]Rule 16.13 Personal restraint petition-—Procedure after reference hearing. After a reference hearing and the findings of fact and appellate court files have been returned to the appellate court, the Chief Judge will dismiss the petition if the issues presented are frivolous. If the petition is not frivolous, the Chief Judge will refer the petition to a panel of judges for determination on the merits. The appellate court may, on motion of a party, order the preparation of and transmittal to the appellate court of a part or all of the record of the reference proceeding. The appellate court order will define at whose expense the record is prepared. Oral argument is governed by Rule 16.11(c). [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

Rule 16.14 Personal restraint petition——Appellate review.
(a) Decision Whether to Transfer. A decision to transfer a petition to the superior court for a reference hearing or to retain the petition for determination by the appellate court is not subject to review by the Supreme Court.
(b) Other Decisions. If the petition is dismissed by the Chief Judge or decided by the Court of Appeals on the merits, the decision is subject to review by the Supreme Court only by a motion for discretionary review on the terms and in the manner provided in Rule 13.5(a), (b), and (c). [Adopted January 28, 1976, effective July 1, 1976.]

[^15]Rule 16.15 Personal restraint petition-—Supplemental provisions.
(a) Motion. The procedure for and form of a motion is as provided in Title 17, except that a motion by the petitioner must be verified in the same manner as a petition. Motions will ordinarily be considered without oral argument.
(b) Release by Appellate Court of Person in Custody. The appellate court may release a petitioner on bail or personal recognizance before deciding the petition, if release prevents further unlawful confinement and it is unjust to delay the petitioner's release until the petition is determined. The appellate court in its decision on the merits, or by separate order after a decision on the merits, may release a petitioner on bail or on personal recognizance. The appellate court may direct the release of petitioner with the conditions of release to be determined by a trial court.
(c) Oral Argument. Except as otherwise provided in Rule 16.11(c), the procedure for oral argument is governed by Title 11.
(d) Disposition of Petition. The petition will be determined by written opinion or order briefly stating the reasons for the determination.
(e) Costs. Costs are awarded as provided in Title 14.
(f) Indigency - -Superior Court Determination. The provisions of CrR 3.1 apply to a personal restraint petition transferred to the superior court for a reference hearing. If any of petitioner's expenses incurred in the superior court are to be paid with public funds, the expenses shall be paid with funds appropriated by the county in which the superior court is located.
(g) Indigency-—Appellate Court Proceeding. If the restraint is imposed by the state or local government, and if the appellate court determines that petitioner is indigent, the court may provide for the appointment of counsel at public expense for services in the appellate court, order waiver of charges for reproducing briefs and motions, provide for the preparation of the record of prior proceedings and provide for the payment of such other expenses as may be necessary to consider the petition in the appellate court. Invoices for expenses of an indigent person in the appellate court must be submitted to the appellate court which decided the petition in the form and manner provided in Rule 15.4, except that a trial court order of indigency is not required and the invoice must be submitted within 45 days after the appellate court decision terminating the proceeding is filed. If a petitioner who claims to be indigent is in the custody of an agency of the Department of Social and Health Services, the clerk of the appellate court will obtain a statement of petitioner's known assets from the superintendent of the institution where petitioner is confined. Statutes providing for payment of expenses with public funds are not superseded. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Title 15, Special Provisions Relating to Rights of Indigent Party.

Comment: (b) Release by Appellate Court of Person in Custody. See ABA Standards Relating to Post-Conviction Remedies, Standard 5.2(b), which states in part:

The appellate court, or an individual judge or justice, should be authorized to release applicants for post-conviction relief or otherwise to stay execution of their judgments of conviction pending appellate review.
The conditions of release, such as the amount of bail or personal recognizance, may be determined by the trial court.

## Rule 16.16 Question certified by federal court.

(a) Generally. The Supreme Court may entertain a petition to determine a question of law certified to it under the federal court local law certificate procedure act if the question of state law is one which has not been clearly determined and does not involve a question determined by reference to the United States Constitution. Certificate procedure is the means by which a federal court submits a question of Washington law to the Supreme Court. This rule provides the procedure for implementing chapter 2.60 RCW .
(b) Caption of Pleadings and Briefs Filed in Supreme Court. The caption of the case should be:

## CERTIFICATION FROM [ORIGINATING UNITED STATES COURT] IN <br> [Title of Action]

(c) Filing. The cause shall be filed, indexed, and numbered in the same manner as an appeal to the Supreme Court.
(d) Record. The record shall be certified by the federal court as required by statute.
(e) Briefs.
(1) Procedure. The federal court shall designate who will file the first brief. The first brief should be filed within 30 days after the record is filed in the Supreme Court. The opposing party should file the opposing brief within 20 days after receipt of the opening brief. A reply brief should be filed within 10 days after the opposing brief is served. The time for filing the record, the supplemental record, or briefs may be extended for cause.
(2) Form and Reproduction of Briefs. Briefs should be in the form provided by Rules 10.3 and 10.4 . Briefs will be reproduced and served in accordance with Rule 10.5.
(f) Costs. The cost provisions of Title 14 are applicable except that both parties must file a cost bill, and that the commissioner or clerk will not award costs but will divide the total costs equally between the parties.
(g) Finality of Opinion. The opinion of the Supreme Court is certified to the federal court at the time a mandate would issue as provided in Rule 12.5. The certification by the clerk states that the opinion is in answer to the question of Washington law submitted. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Chapter 2.60 RCW, Federal Court Local Law Certificate Procedure Act.
Comment: The old rule is retained except that briefs are filed with the clerk, who reproduces and serves them in accordance with Rule 10.5.

Rule 16.17 Other rules applicable. Rules 1.1, 1.2, 18.1, 18.3 through 18.10, and 18.21 through 18.24 are applicable to the special proceedings in this Title. [Adop. June 21, 1976, eff. July 2, 1976.]

## TITLE 17——MOTIONS

Rule
17.1 Relief available by motion
17.2 Who decides a motion
(a) Generally
(b) Reference to the judges
(c) Transfer by supreme court to court of appeals
17.3 Content of motion
(a) Generally
(b) Motion for discretionary review
(c) Statement of grounds for direct review
17.4 Filing and service of motion-Response to motion
(a) Filing and service generally
(b) Emergency motion
(c) Summary determination
(d) Motion-In brief
(e) Response to motion
(f) Supporting papers
(g) Form of papers and number of copies
17.5 Oral argument of motion
(a) Oral argument to commissioner or clerk
(b) Oral argument to judges
(c) Date and time of argument
(d) Time allowed, order, and conduct of oral argument
(e) Telephone argument
17.6 Motion decided by ruling or order
(a) Motion decided by commissioner or clerk
(b) Motion decided by judges
17.7 Objection to ruling-Review of decision on motion

Rule 17.1 Relief available by motion. A person may seek relief, other than a decision of the case on the merits, by motion as provided in Title 17. [Adopted January 28, 1976, effective July 1, 1976.]

## Rule 17.2 Who decides a motion.

(a) Generally. The judges determine (1) a motion in a brief, (2) a motion to modify a ruling by a commissioner or the clerk, (3) a motion for reconsideration of a decision, (4) a motion to recall the mandate, and (5) a motion to extend time under Rule 18.8(b). All other motions may be determined initially by a commissioner or the clerk of the appellate court.
(b) Reference to the Judges. A commissioner or clerk may refer a motion to the judges for determination. If the motion is referred to the judges, the commissioner or clerk will give notice of the reference to all persons entitled to notice of the motion.
(c) Transfer by Supreme Court to Court of Appeals. A commissioner or clerk of the Supreme Court may transfer a motion for discretionary review of a trial court decision to the Court of Appeals for determination. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

Comment: (a) Generally. With the exception of designated motions to be heard by the judges, all motions may first be heard and determined by an appellate court commissioner or clerk. A commissioner or clerk may hear motions formerly heard by the Chief Justice, such as a motion for discretionary review, a motion for minor procedural changes, and a motion for a stay or other order to insure effective review. A commissioner or clerk may also hear motions formerly heard by the court, such as a motion for a major procedural change and a
motion to dismiss. Each appellate court may restrict the types of motions to be heard by a commissioner or the clerk, and define which types will be heard by a commissioner and which will be heard by the clerk.

This change in procedure is designed to conserve judicial time. It does not deny a hearing by the court. Rule 17.7 gives any party the right to ask for such a hearing.

Division I of the Court of Appeals has both a commissioner and a clerk. The Supreme Court and each division of the Court of Appeals may appoint one or more commissioners to fill the role established by these rules.
(b) Reference to the Court. The commissioner or clerk may refrain from ruling on a motion and refer it to the court for decision.

## Rule 17.3 Content of motion.

(a) Generally. A motion must include (1) a statement of the name and designation of the person filing the motion, (2) a statement of the relief sought, (3) reference to or copies of parts of the record relevant to the motion, and (4) a statement of the grounds for the relief sought, with supporting argument.
(b) Motion for Discretionary Review. A motion for discretionary review should contain under appropriate headings and in the order here indicated:
(1) Cover. A title page, which is the cover.
(2) Identity of Petitioner. A statement of the name and designation of the person filing the motion.
(3) Decision Below. A statement of the decision which petitioner wants reviewed, the court entering or filing the decision, the date entered or filed, and the date and a description of any order granting or denying motions made after the decision.
(4) Issues Presented for Review. A concise statement of the issues presented for review.
(5) Statement of the Case. A statement of the facts and procedure below relevant to the issues presented for review, with appropriate reference to the record.
(6) Argument. A direct and concise statement of the reasons why review should be granted, with supporting argument.
(7) Conclusion. A short conclusion stating the precise relief sought.
(8) Appendix. An appendix containing a conformed copy of the decision which the party wants reviewed and a conformed copy of any order granting or denying motions made with respect to that decision. In addition, the appendix may include copies of statutes and constitutional provisions relevant to the issues presented for review, a conformed copy of parts of the record relevant to the motion, and other material which would assist the court in determining whether the motion should be granted.
(c) Statement of Grounds for Direct Review. If the motion is for discretionary review of a trial court decision and the party making the motion seeks direct review by the Supreme Court, the party seeking review must also file a separate statement urging grounds for Supreme Court review as provided in Rule 4.2(b). [Adopted January 28, 1976, effective July 1, 1976.]

## References:

## Form 3, Motion for Discretionary Review;

Form 4, Statement of Grounds for Direct Review, Form 18, Motion;
Form 20, Motion to Modify Ruling,

Rule 6.2, Discretionary Review; Rule 12.4, Motion for Reconsideration of Decision Terminating Review.
Comment: (a) Generally. Section (a) sets forth the general requirements for a written motion. No comparable provision is found in the former rules. The rule minimizes paperwork and overlap by eliminating the distinction between the motion and the brief in support of the motion. However, it is permissible to file a separate brief with the motion or after the motion is filed. See Rule 17.4(f).
(b) Motion for Discretionary Review. Section (b) defines what the motion for discretionary review must include. See Rule 6.2 and comment 6.2.

Certified copies of parts of the record are not required.
Rule 17.4 Filing and service of motion-—Response to motion.
(a) Filing and Service Generally. Except in the special circumstances defined in section (c), a motion must be served on all parties, amicus, and other persons entitled to notice, and filed in the appellate court. Except in the special circumstances defined in sections (b), (c), and (d), a motion which is to be decided by a commissioner or the clerk must be accompanied by a notice of the time and date set for oral argument of the motion. The movant should contact the clerk of the appellate court to determine the date and time available for argument of the motion. The motion and notice must be served on all parties, amicus, and other persons entitled to notice and filed in the appellate court at least 10 days before the date noted for the hearing on the motion. If service is by mail, the moving party must mail the motion and notice at least 13 days before the date noted for hearing the motion.
(b) Emergency Motion. In an emergency, a person may present a motion to the commissioner or clerk on notice less than that required by section (a) and at any time and place the commissioner or clerk will make available to hear the motion. The movant shall notify all parties, amicus, and other persons entitled to notice of the date, time, and place the motion will be heard. The notice may be written or oral. The person presenting the motion must, at the time the motion is heard, file an affidavit stating the type of notice given and the time and date the notice was given to each person. The commissioner or clerk may decide the motion only if satisfied (1) that adequate relief cannot be given if a decision of the motion is delayed to permit the notice required by section (a), and (2) the movant has taken reasonable steps under the circumstances to give notice to persons who would be affected by the ruling sought.
(c) Summary Determination. The commissioner or clerk may summarily determine without oral argument a motion which, in the judgment of the commissioner or clerk, does not affect a substantial right of a party. The commissioner or clerk may also hear and decide verbal ex parte motions which, in the judgment of the commissioner or clerk, involve minor matters and seek relief which would be routinely granted without sanctions.
(d) Motion in Brief. A party may include in a brief only a motion which, if granted, would preclude hearing the case on the merits.
(e) Response to Motion. A person with a recognized interest in the subject matter of the motion may submit
a written response to the motion. A response to a motion must be served and filed at least 2 days preceding the day of hearing. If service is by mail, the responding party must mail the response at least 5 days before the day noted for hearing the motion. The response to a motion within a brief may be made within the brief of the responding party.
(f) Supporting Papers. A person should serve and file with the motion all affidavits and other papers submitted in support of the motion. A person must, in any event, serve and file affidavits and other papers submitted in support of the motion not less than 5 days before the date designated for hearing the motion. If the affidavits and other papers are mailed, the person must, in any event, mail them at least 8 days before the day noted for hearing the motion. Affidavits and other papers submitted in support of a response must be served and filed with the response.
(g) Form of Papers and Number of Copies. All papers relating to motions or responses should be filed in duplicate in the form provided for briefs in Rule 10.4(a). The appellate court commissioner or clerk will reproduce additional copies that may be necessary for the appellate court and charge the appropriate party as provided in Rule 10.5(a). [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## References:

Form 19, Notice of Motion;
Rule 12.4, Motion for Reconsideration of Decision, (d) Answer and reply, (f) Oral argument.
Comment: Sections (a), and (d) through (g), reorganize and modify the relevant portions of ROA I-53 and I-54. The present practice of permitting certain motions to be made within a brief is retained.

Section (b), Emergency Motions, has no counterpart in the current rules but it is consistent with practice in the Supreme Court and Court of Appeals.

Section (c) provides that minor matters, typically requests for short extensions of time, may be handled by the clerk without the formalities otherwise required by Rule 17.4.

## Rule 17.5 Oral argument of motion.

(a) Oral Argument to Commissioner or Clerk. Unless the motion is determined without oral argument, as provided in Rule 17.4(c) for a motion determined summarily, the movant, and any person entitled to notice of the motion who has filed a response to the motion, may present oral argument on a motion to be decided by a commissioner or the clerk.
(b) Oral Argument to Judges. A motion to be decided by the judges will be decided without oral argument, unless the appellate court directs otherwise.
(c) Date and Time of Argument. Oral argument on a motion to be determined by the clerk or a commissioner will be held on the date and time noted for hearing the motion, unless otherwise directed by the appellate court.
(d) Time Allowed, Order, and Conduct of Oral Argument. If oral argument is held, each side is allowed 10 minutes for argument of a motion. The moving party is entitled to open and conclude oral argument. Rule 11.5 applies to the conduct of argument of motions.
(e) Telephone Argument. The appellate court may direct the parties to conduct oral argument of a motion to the commissioner or clerk or to the court by means of a conference telephone call. The expense of the call will be shared equally by the parties, unless the appellate court directs otherwise in the ruling or decision on the motion. A party may request telephone conference argument by letter to the appellate court clerk. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.] References:
Rule 10.4 Preparation of Brief by Party, (d) Motion in Brief
Comment: The motion days listed in ROA I-53 and CAROA 53 are not set forth. Under these rules, the moving party arranges with the clerk for a hearing on a day acceptable to the court. See Rule 17.4(a).

Rule 17.5(e), Telephone Argument, is suggested by current practice in one division of the Court of Appeals.

## Rule 17.6 Motion decided by ruling or order.

(a) Motion Decided by Commissioner or Clerk. A commissioner or clerk decides a motion by a written ruling which includes a statement of the reason for the decision. The commissioner or clerk will file the ruling and serve a copy on the movant and all persons entitled to notice of the original motion.
(b) Motion Decided by Judges. Ordinarily the judges decide a motion by an order. The judges may decide a motion by an opinion. The clerk will notify the movant and all persons entitled to notice of the motion of the order made or opinion rendered by the court. [Adopted January 28, 1976, effective July 1, 1976.]

Rule 17.7 Objection to ruling——Review of decision on motion. An aggrieved person may object to a ruling of a commissioner or clerk, including transfer of the case to the Court of Appeals under Rule 17.2(c), only by a motion to modify the ruling directed to the judges of the court served by the commissioner or clerk. The motion to modify the ruling must be served on all persons entitled to notice of the original motion and filed in the appellate court not later than 10 days after the ruling is filed. A motion to the justices in the Supreme Court will be decided by a panel of five justices unless the court directs a hearing by the court en banc. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

## Form 20, Motion to Modify Ruling

Comment: A person adversely affected by the ruling of the commissioner or clerk may have the ruling reviewed by the judges. The motion to modify the ruling is decided by the court as an original proposition. The movant does not have to claim an abuse of discretion by the commissioner or clerk.

Rule 17.8 Accelerated disposition of review by motion. RESCINDED. [Rescinded June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## TITLE 18——SUPPLEMENTAL PROVISIONS

 Rule18.1 Attorneys' fees and expenses
(a) Generally
(b) Argument in brief
(c) Affidavit
(d) Oral argument
(e) Fees and expenses determined after remand
18.2 Voluntary withdrawal of review
18.3 Withdrawal by counsel in criminal case
18.4 Disposition of exhibits
(a) If further proceedings ordered
(b) Exhibits requested by interested person
(c) Exhibits not requested by interested person
(d) Disposition of exhibits by clerk
18.5 Service and filing of papers
(a) Service
(b) Proof of service
(c) Filing
18.6 Computation of time
(a) Generally
(b) Service by mail
(c) Filing by mail
18.7 Signing and dating papers
18.8 Waiver of rules and extension and reduction of time
(a) Generally
(b) Restriction on extension of time
(c) Restriction on changing decision
(d) Terms
18.9 Violation of rules
(a) Sanctions
(b) Dismissal on motion of commissioner or clerk
(c) Dismissal on motion of party
(d) Objection to ruling
18.10 Forms
18.11 Civil appeal statement and settlement conference in court of appeals
(a) Application of rule
(b) Service and filing of civil appeal statement
(c) Form of civil appeal statement
(d) Answer to civil appeal statement
(e) Notice of settlement conference
(f) Stay pending settlement conference
(g) Attendance at settlement conference
(h) Settlement conference order
(i) Sanctions
(j) Settlement conference judge disqualified
18.12 Accelerated review
18.13-18.20 [Reserved]
18.21 Title and citation of rules
18.22 Statutes and rules superseded
(a) Generally
(b) List of statutes and rules
18.23 Mail addressed to appellate courts
18.24 Status of comments, references and index

## Rule 18.1 Attorneys' fees and expenses.

(a) Generally. If applicable law grants to a party the right to recover reasonable attorney's fees or expenses on review, the party should request the fees or expenses as provided in this rule.
(b) Argument in Brief. The party should devote a section of the brief to the request for the fee or expenses. The request should not be made in the cost bill.
(c) Affidavit. Seven days prior to oral argument, the party should serve and file an affidavit in the appellate court detailing the expenses incurred and the services performed by counsel.
(d) Oral Argument. A party should include in oral argument a request for the fee or expenses and a reference to the affidavit on file.
(e) Fees and Expenses Determined After Remand. The appellate court may direct that the amount of fees and expenses be determined by the trial court after remand. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

Comment: The rule does not apply to statutory attorney's fees. See RCW 4.84.080. It applies to particular cases in which reasonable attorney's fees are allowed by law or contract. See, e.g., RCW 4.84.250; RCW 60.04.130, 60.76.040, 74.08.080; Corinthian Corp. v. White \& Bollard, 74 Wn.2d 50, 442 P.2d 950 (1968).

Rule 18.2 Voluntary withdrawal of review. The appellate court on motion may, in its discretion, dismiss review of a case on stipulation of all parties and, in criminal cases, the written consent of the defendant, if the motion is made before oral argument on the merits. The appellate court may, in its discretion, dismiss review of a case on the motion of a party who has filed a notice of appeal, a notice for discretionary review, or a motion for discretionary review by the Supreme Court. Costs will be awarded in a case dismissed on a motion for voluntary withdrawal of review only if the appellate court so directs at the time the motion is granted. [Adopted January 28, 1976, effective July 1, 1976.]

Comment: The rule shifts the authority to permit withdrawal of a case on review from the superior court to the appellate court. The appellate court should retain control over proceedings on review.

The rule does not give the appellant or petitioner the right to withdraw the case ex parte. See State v. Wells, 7 Wn. App. 553, 500 P.2d 1012 (1972).

Rule 18.3 Withdrawal by counsel in criminal case. Except for indigent appointments and withdrawals as provided in Rule 15.2(f), counsel for a defendant in a criminal case may withdraw only with the permission of the appellate court on a showing of good cause. The appellate court will not ordinarily grant permission to counsel to withdraw after the opening brief has been filed. A motion to withdraw must be served on all parties and on the defendant personally. An affidavit of service must be filed with the motion to withdraw. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## References:

Rule 15.2, Determination of Indigency and Rights of Indigent Party, (f) Appointment and Withdrawal of Counsel in Trial Court.

Comment: Rule 18.3 is consistent with $\operatorname{CrR} 3.1(\mathrm{~b})$ and (e), which requires permission of the court to withdraw as counsel at any stage of a criminal proceeding. See Rule 15.2 (f) for withdrawal of counsel for an indigent party.

## Rule 18.4 Disposition of exhibits.

(a) If Further Proceedings Ordered. If a case is returned to the trial court for further proceedings, exhibits in the custody of the appellate court will be returned to the trial court.
(b) Exhibits Requested by Interested Person. If a case is not returned to the trial court for further proceedings, the clerk of the appellate court will dispose of exhibits in a civil case as stipulated by the parties, at the expense of the parties designated in the stipulation. In all other circumstances where an interested person requests an exhibit in a civil or criminal case, the exhibit will be returned to the trial court for disposition.
(c) Exhibits Not Requested by Interested Person. Exhibits which are not requested by an interested person will be disposed of in the following manner:
(1) Cumbersome Exhibits. If an exhibit cannot reasonably be retained in the appellate court case pouch,
the clerk will notify the parties that the exhibit will be disposed of in accordance with section (d) unless requested by an interested person in accordance with section (b) within six months of the date of the clerk's notice.
(2) Other Exhibits. Exhibits will be retained in the appellate court case pouch for 30 years after a case is final if it is reasonably practical to do so. After that time if the exhibit appears to the clerk to have material or sentimental value, the clerk will make a reasonable attempt to notify the parties that the exhibit will be disposed of in accordance with section (d) unless the exhibit is requested by an interested person in accordance with section (b) within three months of the date of the clerk's notice.
(d) Disposition of Exhibits by Clerk. Exhibits not requested by an interested person within the time provided in section (c) will be destroyed by the clerk unless: (1) the exhibit is of historical value, in which case it will be transferred to the custody of the Washington State Museum; or (2) the exhibit is of material value, in which case it will be transferred to the Surplus Property Section of the Washington State Department of General Administration for sale; or (3) the transfer or destruction of the exhibit is regulated, in which case the exhibit will be disposed of in accordance with applicable law. [Adopted January 28, 1976, effective July 1, 1976.]

## Rule 18.5 Service and filing of papers.

(a) Service. Except when a rule requires the appellate court commissioner or clerk or the trial court clerk to serve a particular paper, and except as provided in Rule 9.5 , a person filing a paper must, at or before the time of filing, serve a copy of the paper on all parties, amicus, and other persons who may be entitled to notice. If a person does not have an attorney of record, service should be made upon the person. Service must be made as provided in CR 5(b), (f), (g), and (h).
(b) Proof of Service. Proof of service should be made by an acknowledgement of service, or by an affidavit, or, if service is by mail, as provided in CR 5(b). Proof of service may appear on or be attached to the papers filed.
(c) Filing. Papers required or permitted to be filed in the appellate court must be filed with the clerk, except that an appellate court judge may permit papers to be filed with the judge, in which event the judge will note the filing date on the papers and promptly transmit them to the appellate court clerk. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 9.5, Filing and Service of Report of Proceedings_-Objections.

## Rule 18.6 Computation of time.

(a) Generally. In computing any period of time prescribed by these rules, the day of the event from which the time begins to run is not included. The last day of the period so computed is included unless it is a Saturday, Sunday, or day when the appellate court is not open, in which case the period extends to the end of the
next day which is not a Saturday, Sunday, or day when the court is not open.
(b) Service by Mail. Except as otherwise provided in Rule 17.4, if the time period in question applies to a party serving a paper by mail, the paper is timely served if mailed within the time permitted for service. If the time period in question applies to the party upon whom service is made, the time begins to run 3 days after the paper is mailed to the party.
(c) Filing by Mail. A brief authorized by Title 10 is timely filed if mailed to the appellate court within the time permitted for filing. Except as provided in Rule 17.4, any other paper is timely filed only if it is received by the appellate court within the time permitted for filing. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

Rule 3.2, Substitution of Parties, (e) Time Limits.
Rule 17.4, Filing and Service of Motion-Response to Motion.
RCW 1.16.050, Legal holidays,
RCW 2.28.100, No court on legal holidays-Exception.
Comment: Note that service by mail, section (b), is treated differently from filing by mail, section (c).

Rule 18.7 Signing and dating papers. Each paper filed pursuant to these rules should be dated and signed by an attorney or party as provided in CR 11, except papers prepared by a judge, commissioner or clerk of court, bonds, papers comprising a record on review, papers which are verified on oath or by certificate, and exhibits. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

CR 11, Signing of Pleadings.
Rule 18.8 Waiver of rules and extension and reduction of time.
(a) Generally. The appellate court may, on its own initiative or on motion of a party, waive or alter the provisions of any of these rules and enlarge or shorten the time within which an act must be done in a particular case in order to serve the ends of justice, subject to the restrictions in sections (b) and (c).
(b) Restriction on Extension of Time. The appellate court will only in extraordinary circumstances and to prevent a gross miscarriage of justice extend the time within which a party must file a notice of appeal, a notice for discretionary review, a motion for discretionary review of a decision of the Court of Appeals, a petition for review, or a motion for reconsideration. The appellate court will ordinarily hold that the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section. The motion to extend time is determined by the appellate court to which the untimely notice, motion or petition is directed.
(c) Restriction on Changing Decision. The appellate court will not enlarge the time provided in Rule 12.7 within which the appellate court may change or modify its decision.
(d) Terms. The remedy for violation of these rules is set forth in Rule 18.9. The court may condition the exercise of its authority under this rule by imposing terms or awarding compensatory damages, or both, as provided in Rule 18.9. [Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

Comment: (a) Generally. See comment 1.2 .
(b) Restriction on Extension of Time. The appellate court will almost always hold that the desirability of finality of decisions outweighs the right of an individual party to obtain an extension. Thus, the court will rarely grant the extension permitted by this paragraph. This is to be contrasted with the federal rule which permits a 30 -day extension without the showing of "extraordinary circumstances" required by this rule. This paragraph represents only a slight departure from the old rigid $30-$ day rule. Section (b) is designed to accommodate those limited cases where extraordinary circumstances prevent the filing of a timely document. A rigid rule can produce harsh results.
(c) Restriction on Changing Decision. Section (d) should be contrasted with Rule 12.9 , which permits a recall of the mandate and provides that the motion to recall must be made within a reasonable time.
(d) Terms. See comment 18.9.

## Rule 18.9 Violation of rules.

(a) Sanctions. The appellate court on its own initiative or on motion of a party may order a party or counsel who uses these rules for the purpose of delay or who fails to comply with these rules to pay terms or compensatory damages to any other party who has been harmed by the delay or the failure to comply. The appellate court may condition a party's right to participate further in the review on compliance with terms of an order or ruling including payment of an award which is ordered paid by the party. If an award is not paid within the time specified by the court, the appellate court will transmit the award to the superior court of the county where the case arose and direct the entry of a judgment in accordance with the award.
(b) Dismissal on Motion of Commissioner or Clerk. The commissioner or clerk, on 30 days notice to the parties, may (1) dismiss a review proceeding as provided in section (a) and (2) except as provided in Rule 18.8(b), will dismiss a review proceeding for failure to timely file a notice of appeal, a notice for discretionary review, a motion for discretionary review of a decision of the Court of Appeals, or a petition for review. A party may object to the ruling of the commissioner or clerk only as provided in Rule 17.7.
(c) Dismissal on Motion of Party. The appellate court will, on motion of a party, dismiss review of a case (1) for want of prosecution if the party seeking review has abandoned the review, or (2) if the application for review is frivolous, moot, or solely for the purpose of delay, or (3) except as provided in Rule 18.8(b), for failure to timely file a notice of appeal, a notice for discretionary review, a motion for discretionary review of a decision of the Court of Appeals, or a petition for review.
(d) Objection to Ruling. A counsel upon whom sanctions have been imposed or a party may object to the ruling of a commissioner or the clerk only as provided in Rule 7.7 [Adopted January 28, 1976, effective July 1, 1976.]

References:

Rule 10.7, Brief Which Fails to Comply with Rules.
Comment: The old rules provided that a case might be dismissed for the failure of counsel to observe the rules relating to bonds, briefs, and the record. ROA I-51, CAROA 51. The new rules for the most part substitute monetary sanctions for the harsher sanction of dismissal. Sanctions will also be imposed to assure compliance with the rules under circumstances where dismissal was not available under the old rules. The sanction will typically be a fine or a compensatory award paid by the offending person to the opposing party. The rule permits the court to fashion other remedies when appropriate. A dismissal would ordinarily not be granted except as provided in sections (b) and (c).

The rule is suggested by Neal v. Green, 68 Wn.2d 415, 413 P.2d 339 (1966). There, appellant failed to comply with the time requirements for bonds and the record. Respondent moved to dismiss the appeal. The court, however, said that it was hesitant to punish litigants for neglect of their counsel, and instead required the off ending attorney to pay $\$ 150$ attorney's fees to opposing counsel.
The rule does not limit the contempt powers of the appellate court.
Rule 18.10 Forms. A person may use any form which substantially complies with these rules. The forms in the Appendix are only illustrative. [Adopted January 28, 1976, effective July 1, 1976.]

Rule 18.11 Civil appeal statement and settlement conference in court of appeals.
(a) Application of Rule. This rule applies only to an appeal to the Court of Appeals from a trial court decision in a civil case.
(b) Service and Filing of Civil Appeal Statement. A party that files a notice of appeal must, within 15 days after the notice is filed, serve on all other parties and file in the Court of Appeals a "civil appeal statement" in the form provided in section (c).
(c) Form of Civil Appeal Statement. The statement should be captioned "Civil Appeal Statement," contain the title of the case as provided in Rule 3.4, and contain under appropriate headings and in the order here indicated:
(1) Trial Court. The name of the court from which the appeal was taken.
(2) Judge. The name of the trial court judge who made the decision which is being reviewed.
(3) Date of Decision. The date the decision was entered in the trial court.
(4) Post Decision Motions. A statement of each post decision motion made in the trial court including the nature of the motion, the date the motion was made, the decision on the motion, and the date the decision was entered.
(5) Notice of Appeal. The date the notice of appeal was filed. A copy of the notice should be attached to the statement.
(6) Counsel. The name, address, and telephone number of counsel for each party.
(7) Method of Disposition in Trial Court. A statement of the method used to decide the case in the trial court.
(8) Relief Granted by Trial Court. A short statement of the relief granted by the trial court.
(9) Relief Denied by Trial Court. A short statement of the relief sought by the party making the statement which was denied by the trial court.
(10) Nature of Case and Decision. A short statement of the substance of the case below and the basis for the trial court decision.
(11) Issues Presented for Review. A statement of the issues the party intends to present for review by the Court of Appeals.
(12) Relief Sought in Court of Appeals. The relief the party seeks in the Court of Appeals.
(13) Certificate of Counsel. A statement signed by counsel for the party filing the statement certifying that the appeal is taken in good faith; the appeal is not taken for the purpose of delay; and that the party represented by counsel is or is not prepared to immediately take all steps to complete the appeal. If the statement indicates the party is not prepared to immediately take all steps to complete the appeal, the certificate of counsel must state why the party is not prepared to immediately complete the appeal.
(d) Answer to Civil Appeal Statement. A respondent may file an answer to the civil appeal statement within 7 days after service of the statement on respondent.
(e) Notice of Settlement Conference. The Chief Judge of the Court of Appeals will determine if one or more settlement conferences are appropriate in each civil appeal. The clerk of the Court of Appeals will notify each party if a settlement conference is to be held. The notice will specify the date, time, and place of the conference; the name of the judge or judge pro tempore who will conduct the conference; and whether the parties are required to attend the conference.
(f) Stay Pending Settlement Conference. Unless the notice of the settlement conference states otherwise, a party who has received a notice of settlement conference is not required to take any further steps to complete the review until the settlement conference is concluded. After the settlement conference is completed, the clerk or a commissioner or the settlement judge will establish the dates within which the remaining steps in the review should be completed.
(g) Attendance at Settlement Conference. The attorney for each party, and the party if the notice requires it, must attend the settlement conference on the date, time, and place specified in the clerk's notice. Those in attendance should be ready to seriously consider the possibility of settlement, limitation of the issues to be presented for review, and other matters which may promote the prompt and fair disposition of the appeal.
(h) Settlement Conference Order. If the parties agree to settle the case, limit the issues, or to other matters to promote the prompt and fair disposition of the appeal, the settlement judge may enter an order consistent with that agreement. If the settlement conference order fully settles the case, the clerk of the Court of Appeals will immediately issue the mandate to the trial court with directions to enter judgment as indicated in the order. In all other cases the order is binding on the parties during the review proceeding, unless the appellate court otherwise directs on its own initiative or on motion of a party for good cause shown and on those terms the appellate court deems appropriate.
(i) Sanctions. If a party or counsel for a party fails to comply with this rule or to comply with a settlement conference order, the Court of Appeals may impose sanctions or dismiss the review proceeding as provided in Rule 18.9.
(j) Settlement Conference Judge Disqualified. The settlement conference judge will not hear the appeal on the merits and will not discuss the appeal with other judges of the Court of Appeals. [Adopted January 28, 1976, effective July 1, 1976.]

## References:

## Form 21, Civil Appeal Statement.

Comment: This rule is effective on a trial basis from March 1, 1976 through February 28, 1977, unless further extended by order of the Supreme Court. The Court of Appeals has experienced a substantial and dramatic increase in the number of review proceedings being filed in that court. As a result, the backlog in the Court of Appeals has reached crisis proportions.

The procedure established by this rule was suggested to the Supreme Court by several of the judges of the Court of Appeals who studied a similar, but not identical, procedure being used by the New York Supreme Court Appellate Division. The New York experience indicates this procedure holds substantial promise to help reduce the backlog of appellate cases. The judges of the Court of Appeals will study this procedure in actual practice in the State of Washington to determine if its continued use on a permanent basis should be recommended.

Rule 18.12 Accelerated review. The appellate court may set any review proceeding for accelerated disposition on the judges' motion calendar. The appellate court clerk will notify the parties of the setting and any orders entered to promote the accelerated disposition under Rules 1.2(c) and 18.8(a). [Adop. June 21, 1976; eff. July 2, 1976.]

## Rule 18.13 through $\mathbf{1 8 . 2 0}$ [Reserved].

Rule 18.21 Title and citation of rules. These rules are called the Rules of Appellate Procedure and may be cited as RAP. [Adopted January 28, 1976, effective July 1, 1976.]

## Rule 18.22 Statutes and rules superseded.

(a) Generally. Rule 1.1 (g) provides that these rules supersede all statutes and rules covering procedure in the appellate courts, unless a particular rule indicates that statutes control. The statutes and rules superseded by these rules continue to apply to any case pending before the Supreme Court or the Court of Appeals on July 1, 1976.
(b) List of Statutes and Rules. Some, but not necessarily all, of the statutes and rules which are superseded by these rules are listed below. If a listed statute relates to appellate procedure and to some other subject, it is superseded only as it relates to appellate procedure. If a listed statute relates in part to one of these rules which specifies that statutes control, and in part to other rules, the listed statute is superseded only as it relates to the other rules. The rules listed are superseded and no longer effective.

## Statutes and Rules Superseded

SAR 15
ROA I-1 through I. 67
ROA II-1 through II-4

CAROA 1 through 66
CR 62(c), (d), (e), and (g)
CrR 7.4(d)(2)

CAR 15 and 24
CrR 7.1
RCW 1.12 .040
2.04 .010
2.04.160
2.04.170
2.06 .030
4.20 .050
$\begin{array}{ll}4.32 .190 & 36.18 .020(7) \\ 4.32 .250 & 36.94 .290\end{array}$
$\begin{array}{ll}4.32 .250 & 36.94 .290 \\ 4.36 .240 & 43.24 .120\end{array}$
$\begin{array}{ll}4.80 .050 & 48.28 .030 \\ 4.84 .180 & 49.32 .080\end{array}$
$\begin{array}{ll}4.88 .260 & 49.60 .260 \\ 5.48050\end{array}$

|  |  |
| :--- | :--- |
| 6.24 .110 | 51.52 .110 |


| 7.36.040 | 52.34 .090 |
| :--- | :--- |
| 8.040 |  |

$\begin{array}{ll}8.04 .070 & 56.20 .080 \\ 8.04 .150 & 57.16 .090\end{array}$
$\begin{array}{ll}\text { 10.77.130 } & 84.64 .120\end{array}$
$10.77 .230 \quad 85.05 .130$

| 19.10 .110 |
| :--- |
| 85.06 .130 |

$\begin{array}{ll}26.32 .120 & 91.04 .325 \\ 26.32 .130 & 91.08 .580\end{array}$
29.79.170

RCW 29.79.210
29.82.160
30.30 .090
31.12.050
33.40 .120
33.40 .1260
35.44 .260
50.32 .130
85.05 .130
85.08 .440
91.08.580
[Adopted January 28, 1976, effective July 1, 1976.]

## References

## Court Rules

SAR 15, Hearings, quorum, finality of opinion, costs
ROA I-1 through 1-67, and ROA II-1 through II-4 (all Supreme Court Rules on Appeal)
CAR 15, Finality of decision
CAR 24, Procedure
CAROA 1 through 66 (all Court of Appeals Rules on Appeal)
CR 62, Stay of proceedings to enforce a judgment, (c) injunction pending an appeal, (d) stay upon appeal, (e) stay in favor of State, (g) power of Supreme Court not limited

CrR 7.4(d)(2), Rulings on Alternative Motions in Arrest of Judgment or for a New Trial in Supreme Court or Court of Appeals
CrR 7.7, Post-conviction relief

## Statutes

RCW 1. General Provisions
.12. Rules of construction
.040. Computation of time,
RCW 2. Courts of Record
.04. Supreme Court
.110. Jurisdiction;
.160. Finality of departmental decision-_
Rehearings;
.170. En banc hearings-Quorum-
Finality of decision;
.06. Court of Appeals
.030. General powers and authority-_
Transfer of cases---Appellate jurisdiction,
exceptions--Appeals,
RCW 4. .32. Court clerks, reporters and bailifs,
Civil Procedure
.20. Survival of actions
.050. Action not abated by death or disabil-
ity if it survives-Substitution;
.32. Pleadings
.190. Objections not taken deemed
waived-Exceptions,
.250. Effect of minor defects in pleading,
.36. General rules of pleading
.240. Harmless error disregarded,
.80. Exceptions
.050. Review on appeal;
.84. Costs
180. Costs in review proceedings,
.88. Appeals
RCW 5. Evidence .260. Costs on appeal;
.48. Proof-replacement of lost records
.050. Time for appeal extended;

| RCW 6. | Enforcement of Judgments <br> .24. Sales under execution and redemption .110. Effect of execution on reversal of judgment; |
| :---: | :---: |
| RCW 7. | Special Proceedings <br> .36. Habeas corpus .040. Who may grant writ; |
| RCW 8. | Eminent Domain <br> .04. Eminent domain by State <br> .070. Hearing -Order adjudicating public use, .150. Appeal; |
| RCW 10. | Criminal Procedure <br> .77. Criminally insane-Procedures 130. Statement of facts or bill of exceptions as part of record; .230. Appeals; |
| RCW 19. | Business Regulations-Miscellaneous <br> .10. Charitable trusts <br> .110. Order to appear-Effect-En-forcement-Court review, |
| RCW 24. | Corporations and Associations (nonprofit) <br> .32. Agricultural cooperative associations .360. Appeals from action of director of agriculture, |
| RCW 26. | Domestic Relations <br> .32. Adoption <br> 120. Decree-Contents; <br> .130. Vacation of decree; |
| RCW 29. | Elections <br> .79. Initiative and referendum <br> 170. Petitions-Review-Appeal from superior court's refusal to issue mandate, .210. Petitions to legislature-Count of signatures-Review, <br> 82. The Recall .160. Enforcement provisions-Manda-mus-Appeals; |
| RCW 30. | Banks and Trust Companies .30. Trustees' accounting act .090. Appeal from decree, |
| RCW 31. | Miscellaneous Loan Agencies <br> .12. Credit unions <br> .050. Manner of organizing_-Articles, approval, filing_-Appeal-Forms; |
| RCW 33. | Savings and Loan Associations .40. Insolvency, liquidation, merger 120. Removal of liquidator-Appeal; |
| RCW 35. | Cities and Towns <br> .44. Local improvements-Assessments and reassessments .260. Procedure on appeal-Appeal to Supreme Court or Court of Appeals; |
| RCW 36. | Counties <br> 18. Fees of county officers .020. Clerk's fees, (7) (for preparing, copying, or certifying papers, and for authenticating papers); <br> 94. Sewerage, water and drainage systems .290. Review (of decision by board of county commissioners on objections to assessment roll); |
| RCW 43. | State Government-Executive .24. Department of Motor Vehicles 120. Appeal; |
| RCW 48. | Insurance <br> .28. Surety Insurance .030. Judicial Bonds_—Premium as part of recoverable costs; |
| RCW 49. | Labor Regulations <br> .32. Injunctions in labor disputes <br> .080. Appellate review, <br> .60. Law against discrimination <br> .260. Court may enforce orders of tribu- <br> nal-Appeal from court order, |

RCW 50. Unemployment Compensation
.32. Review, hearings and appeals
130. Undertakings on appeals to the courts;

RCW 51.

RCW 52.

RCW 56.

RCW 57

RCW 84. Property Taxes

RCW 85.

RCW 91.

## Industrial Insurance

 52. Appeals110. Court appeal——Taking the,

Fire Districts
34. Validation procedure 090. Appeal;

Sewer Districts
20. Utility local improvement districts 080. Review;

Water Districts
16. Comprehensive plan-Local improvement districts
090. Review;
64. Certificates of Delinquency .120. Appeal to Supreme Court or Court of Appeals-Deposit;
RCW 85. Diking and Drainage
05. Diking districts
130. Assessment of benefited lands formerly omitted——Procedure-Appeals;
06. Part I-Drainage districts
.130. Assessment of benefited lands former-
ly omitted_—Procedure-Appeals;
08. Diking and Drainage
.440. Appeal from apportionmentProcedure,
Waterways
04. Commercial waterway districts-Generally
.325. Appeal;
08. Public waterways
.580. Appeal.
Comment: Rule 18.22 identifies statutes and rules in force on July 1, 1975, which are superseded by these rules. There may be other statutes the Task Force did not find, and statutes enacted since July 1, 1975, in conflict with these rules. If a statute or rule has been overlooked, the question whether or not it is superseded is governed by Rule 1.1.
A statute may be superseded in part and retained in part. Statutes are superseded only as they relate to appellate procedure. Further, a portion of a procedural statute may be retained if a particular rule expressly states that statutes control. For example, RCW 8.04.070 is superseded as to the appropriate method of review but is retained insofar as it specifies the time allowed to seek review. Compare Rules 2.2(a)(4) and 5.2(d).

The intended relationship between these rules and the statutes next discussed deserves clarification.

RCW 24.32.360 is superseded except for that portion which restricts relief available under Rules 8.1 and 8.3.

RCW 46.20.270, staying execution of sentence pending an appeal, is retained.

RCW 48.31.190 restricts relief available under Rules 8.1 and 8.3, and is retained.

RCW 50.32.130 and RCW 51.52.110 affect relief available under Rules 8.1 and 8.3 and are retained except to the extent that the statutory requirements purport to be jurisdictional.

RCW 59.12.200 affects relief available under Rules 8.1 and 8.3, and is retained.

RCW 84.64.1 20 is superseded as it relates to notice of appeal, but is retained as it affects relief available under Rules 8.1 and 8.3 , except to the extent the statutory requirements purport to be jurisdictional.

RCW 85.05.130 is superseded except for the 30 -day time limit for seeking review (which, in any event, corresponds to the rules). No position is taken with respect to the statement, "No bonds shall be allowed on such appeals," because the Task Force is unable to determine the meaning of this statement.

RCW 85.06.130 is superseded except for the 30 -day time limit for seeking review, (which, in any event, corresponds to the rules). No position is taken with respect to the statement, " No bonds shall be required on such appeals," because the Task Force is unable to determine the meaning of this statement.

RCW 90.03.210 affects relief available under Rules 8.1 and 8.3, and is retained.

RCW 91.04.325 is superseded except for the 30-day time limit for seeking review (which, in any event, corresponds to the rules). No position is taken with respect to the statement "Upon such appeal, no bonds shall be required and no stay shall be allowed," because the Task Force is unable to determine the meaning of this statement.

RCW 10.77.130 relates to the record on review and is superseded.
RCW 10.77.230 relates to appealable orders and judgments, and is superseded.

Rule 18.23 Mail addressed to appellate courts. All briefs and other papers sent to the Supreme Court and the Court of Appeals to be filed in a case should be addressed to the clerk of the appropriate court. [Adopted January 28, 1976, effective July 1, 1976.]

Rule 18.24 Status of comments, references and index. The comments, references and index to these rules have not been adopted by the Supreme Court. The comments, references and index are solely those of the advisory task force on appellate rules. [Adopted January 28, 1976, effective July 1, 1976.]

## APPENDIX OF FORMS

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Notice of Appeal (Trial Court Decision)
Notice for Discretionary Review
Motion for Discretionary Review
Statement of Grounds for Direct Review
Title Page for All Briefs and Petition for Review
Brief of Appellant
Notice of Intent To File Pro Se Supplemental Brief
Notice of Appeal From Court of Appeals Decision
Petition for Review
Cost Bill
Objections to Cost Bill
Order of Indigency
Invoice of Counsel for Indigent Party
Invoice of Court Reporter-Indigent Case
Statement of Arrangements
Petition against State Officer
Personal Restraint Petition for Person Confined by State or Lo-
cal Government
Motion
Notice of Motion
Motion to Modify Ruling
Civil Appeal Statement
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Form 1. Notice of appeal (trial court decision).
[Rule 5.3(a)]
Superior Court of Washington
For [--------.-] County

| [Name of plaintif], | No. [Trial court |
| :---: | :---: |
| v. | Notice of Appeal |
|  | to [Court of |
|  | $\underset{\text { APPEALS Or }}{ }$ |
| ame of defendant , <br> Defendant. |  |

[Name of party seeking review], [Plaintiff or Defendant], seeks review by the designated appellate court of the [Describe the decision or part of decision which the party wants reviewed: for example, "Judgment", "Paragraph 4 of the Marriage Dissolution Decree"] entered on [date of entry].
[Date]
Signature
Attorney for [Plaintiff or Defendant]
[Name, address, and phone number of attorney for appellant and the name and address of counsel for each other party should be listed here. In a criminal case, the name and address of the defendant should also be listed here. See Rule 5.3(c).]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 2. Notice for discretionary review.
[Rule 5.3(b)]
Superior Court of Washington
For [-----.-.-.] County

| [ Name of plaintiff], Plaintiff, | No. [Trial court DOCKET NUMBER] |
| :---: | :---: |
| v. | Notice for |
|  | Discretionary |
| me of defendant], | Review to [Court of Appeals or |
| Defendant. | Supreme Court] |

[ Name of party seeking review], [Plaintiff or Defendant], seeks review by the designated appellate court of the [Describe the decision or part of decision which the party wants reviewed: for example, "Order Denying Discovery", "Paragraph 4 of the Restraining Order"] entered on [date of entry].
[Date]

## Signature <br> Attorney for [Plaintiff or Defendant]

[ Name, address, and phone number of attorney for petitioner and the name and address of counsel for each other party should be listed here. In a criminal case, the name and address of the defendant should also be listed here. See Rule 5.3(c).]
[Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]
Form 3. Motion for discretionary review.
(Rule 6.2 [review of trial court decision]; Rule 13.5 [review of court of appeals interlocutory decision]; Rule 17.3(b) [content of motion])

## No. [Appellate Court docket number]

## [Supreme Court or Court of Appeals, Division <br> $\qquad$ <br> of the State of Washington

[Title of trial court proceedings with parties designated as in Rule 3.4, for example:

John Doe, Respondent, v.<br>Mary Doe, Petitioner, and<br>Henry Jones, Defendant]

Motion for Discretionary Review
[Name of petitioner's attorney]
Attorney for [Petitioner]
[Address and phone number of petitioner's attorney]

## A. Identity of Petitioner

[Name] asks this court to accept review of the decision or parts of decision designated in Part B of this motion.

## B. Decision

[Identify the decision or parts of decision which the party wants reviewed by the type of decision, the court entering or filing the decision, the date entered or filed, and the date and a description of any order granting or denying motions made after the decision such as a motion for reconsideration. The substance of the decision may also be described: for example, "The decision restrained defendant from using any of her assets for any purpose other than living expenses. Defendant is thus restrained from using her assets to pay fees and costs to defend against plaintiff's suit for a claimed conversion of funds from a joint bank account."] A copy of the decision [and the trial court memorandum opinion] is in the Appendix at pages A $\qquad$ through $\qquad$
C. Issues Presented for Review
[Define the issues which the Court is asked to decide if review is granted. See Part A of Form 6 for suggestions for framing issues presented for review.]

## D. Statement of the Case

[Write a statement of the procedure below and the facts. The statement should be brief and contain only material relevant to the motion. If the motion is directed to a Court of Appeals decision, the statement should contain appropriate references to the record on review. See Part B of Form 6. If the motion is directed to a trial court decision, reference should be made to portions of the trial court record. Portions of the trial court record may be placed in the Appendix. Certified copies are not necessary. If portions of the trial court record are placed in the Appendix, the portions should be identified here with reference to the pages in the Appendix where the portions of the record appear.]

## E. Argument Why Review Should Be Accepted

[The argument should be short and concise and supported by authority. The argument should be directed to the considerations for accepting review set out in Rule 2.3(b) for review of a trial court decision and Rule 13.5(b) for review of a decision of the Court of Appeals.]

## F Conclusion

[State the relief sought if review is granted. For example: " This Court should accept review for the reasons indicated in Part E and modify the restraining order to permit defendant to use her assets to pay fees and costs incurred in defending plaintiff's suit for conversion."]
[Date]

## Respectfully submitted, Signature

[ Name of petitioner's attorney]

## Appendix

[See Rule 17.3(b)(8) for materials to include within the Appendix.]
[Adopted January 28, 1976, effective July 1, 1976.]

Form 4. Statement of grounds for direct review.
[Rule 4.2(b)]
No. [Supreme Court docket number]
Supreme Court of the State of Washington
[Title of trial
court proceeding
with parties
designated as in
Rule 3.4]
Statement of Grounds
for Direct Review by the Supreme Court
[ Name of party] seeks direct review of the [Describe the decision or part of decision which the party wants reviewed.] entered by the [name of court] on [date of entry]. The issues presented in the review are:
[State issues presented for review. See Part A of
Form 6 for suggestions for framing issues presented for review.]
The reasons for granting direct review are:
[Briefly indicate and argue grounds for direct re-
view. State and argue briefly whether the case is one which the Supreme Court would probably review if decided by the Court of Appeals in the first instance. See Rule 4.2.]
[Date]
Respectfully submitted,
Signature
[Name, address, and telephone number of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 5. Title page for all briefs and petition for review.
(Rule 10.3 [Briefs]; Rule 13.4(d) [Petition for review])
No. [Appellate Court docket number]
[Supreme Court or Court of Appeals, Division $\qquad$ of the State of Washington
[Title of trial court proceedings with parties designated as in Rule 3.4, for example:

> John Doe, Respondent, v.

Mary Doe, (Appellant or Petitioner), and
Henry Jones, Defendant.]
[Petition for Review or title of brief, for example: Brief of Petitioner, Reply Brief of Appellant]
[Name of attorney for party filing brief]
Attorney for [Identity of party, as Appellant.]
[Address and phone number of attorney for party filing brief or petition]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 6. Brief of appellant.
[Rule 10.3(a)]
[See Form 5 for form of cover and title page.]

## Table of Contents

A. Assignments of Error

Assignments of Error
No. 1
No. 2
No. 3
Issues Pertaining to Assignments of Error
No. 1
No. 2
B. Statement of the Case
C. Summary of Argument
D. Argument
[If the argument is divided into separate headings, list each separate heading and give the page where each begins.]
E. Conclusion
F. Appendix
[List each separate item in the Appendix and give page where each item begins.]

## Table of Authorities

Table of Cases
[Here list cases, alphabetically arranged, with citations complying with Rule $10.4(\mathrm{~g})$, and page numbers where each case appears in the brief. Washington cases may be first listed alphabetically with other cases following and listed alphabetically.]

## Constitutional Provisions

[Here list constitutional provisions in order in which the provisions appear in the constitution with page numbers where each is referred to in the brief.]

## Statutes

[Here list statutes in order in which they appear in RCW, U.S.C., etc., with page numbers where each is referred to in the brief. Common names of statutes may be used in addition to code numbers.]

## Regulations and Rules

[Here list regulations and court rules grouped in appropriate categories and listed in numerical order in each category with page numbers where each is referred to in the brief.]

## Other Authorities

[Here list other authorities with page numbers where each is referred to in the brief.]
Note: For form of citations generally, see Sections 71 through 76 of $F$. Wiener, Briefing and Arguing Federal Appeals (1967).

## A. Assignments of Error

## Assignments of Error

[Here separately state and number each assignment of error as required by Rule 10.3(a) and (g). For example:
" 1. The trial court erred in entering the order of May 12, 1975, denying defendant's motion to vacate the judgment entered on May 1, 1975.

OR
"2. The trial court erred in denying the defendant's motion to suppress evidence by order entered on March 10, 1975."]

## Issues Pertaining to Assignments of Error

[Concisely define the legal issues in question form which the appellate court is asked to decide and number each issue. List after each issue the Assignments of Error which pertain to the issue. Proper phrasing of the issues is important. Each issue should be phrased in the terms and circumstances of the case, but without unnecessary detail. The court should be able to determine what the case is about and what specific issues the court will be called upon to decide by merely reading the issues presented for review. For an excellent discussion of how to properly phrase issues, see Sections 31 through 33 of $F$. Wiener, Briefing and Arguing Federal Appeals (1967).]
[Examples of issues presented for review are:
"Does an attorney, without express authority from his client, have implied authority to stipulate to the entry of judgment against his client as a part of a settlement which limits the satisfaction of the judgment to specific property of the client? (Assignment of Error 1.)"

## OR

" Defendant was arrested for a traffic offense and held in jail for two days because of outstanding traffic warrants.
The police impounded defendant's car and conducted a warrantless 'inventory' search of defendant's car and seized stolen property in the trunk. The impound was not authorized by any ordinance. Did the search and seizure violate defendant's rights under the Fourth and Fourteenth Amendments to the Constitution of the

United States and under Article I, Section 7 of the Constitution of the State of Washington? (Assignment of Error 2.)"]

## B. Statement of the Case

[ Write a statement of the procedure below and the facts relevant to the issues presented for review. The statement should not be argumentative. Every factual statement should be supported by a reference to the record. See Rule 10.4(f) for proper abbreviations for the record. For a good discussion of this aspect of brief writing, see Wiener, supra, Sections 23 through 28 and 42 through 45.]
C. Summary of Argument
[This is optional. For suggestions for preparing a summary of argument, see Wiener, supra, Section 65.]
D. Argument
[The argument should ordinarily be separately stated under appropriate headings for each issue presented for review. Long arguments should be divided into subheadings. The argument should include citations to legal authority and references to relevant parts of the record. See Wiener, supra, Sections 34 through 36, 38, and 46 through 64.]
E. Conclusion
[Here state the precise relief sought.]
[Date]
Respectfully submitted, Signature
[Name of Attorney]
Attorney for [Appellant, Respondent, or Petitioner]

Appendix
[Optional. See Rule 10.3(a)(7).]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 7. Notice of intent to file pro se supplemental brief.
[Rule 10.1(d)]
No. [Appellate court docket number]
[Supreme Court or Court of Appeals, Division No. --.-.-.-.-.]
of the State of Washington
[Title of trial court proceeding with parties designated as in Rule 3.4]

Notice of Intent to File Pro Se
Supplemental Brief

I intend to file a brief of my own in this case. I have received a copy of the brief prepared by my attorney. I must send my brief to the address below on or before [Clerk inserts appropriate date] if I want my brief to be considered by the Court.
I am sending this notice to the Court on [today's date].

Signature

Send Brief to:
[ Name and address of appellate court]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 8. Notice of appeal from court of appeals decision.
[Rule 13.2(b)]
No. [Court of Appeals docket number]
Court of Appeals, Division_-........of the
State Of WASHington

## [Title of trial court proceeding with parties designated as in Court of Appeals.]

Notice of Appeal to
the Supreme Court
[Name of party seeking review], [designation of party in Court of Appeals, as "Respondent in the Court of Appeals"], appeals to the Supreme Court of the State of Washington from the decision filed in the Court of Appeals on [date filed]. A motion for reconsideration was filed on [date] and denied on [date].

Signature
[Name, address, and telephone number of attorney]
[Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## Form 9. Petition for review.

[Rule 13.4(d)]
[See Form 5 for form of cover which is the title page.]

## Table of Contents

[See Form 6, except modify names of parts of brief to correspond to names of parts of Petition for Review.]

Table of Authorities
[See Form 6.]

## A. Identity of Petitioner

[Name] asks this Court to accept review of the Court of Appeals decision terminating review designated in Part B of this petition.

## B. Court of Appeals Decision

[Identify the decision or parts of the decision of the Court of Appeals which the party wants reviewed, the date filed, and the date of any order granting or denying a motion for reconsideration.]

A copy of the decision is in the Appendix at pages A-....- through .-.... A copy of the order denying petitioner's motion for reconsideration is in the Appendix at pages $A$ through

## C. Issues Presented for Review

[Define the issues which the Supreme Court is asked to decide if review is granted. See the second portion of Part A of Form 6 for suggestions for framing issues presented for review.]

## D. Statement of the Case <br> [See Part B of Form 6]

E. Argument Why Review Should Be Accepted
[The argument should be short and concise and directed to the considerations for accepting review set out in Rule 13.4(b). For argument generally, see Part D of Form 6. The argument may be preceded by a summary.]

## F. Conclusion

[State the relief sought if review is granted. See Part F of Form 3.]
[Date]
Respectfully submitted,
Signature
[Name of Attorney]
Attorney for [Petitioner or Respondent]

## Appendix

[See Rule 13.4(c)(9) for materials to include within Appendix.]
[Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

## Form 10. Cost bill.

[Rule 14.4]
No. [Appellate court docket number]

## [Supreme Court or Court of Appeals, Division <br> $\qquad$ of the State of Washington

[Title of trial court proceeding with parties designated as in Rule 3.4]

## Cost Bill

[Name of party asking for costs], [appellant, petitioner, or respondent], asks that the following costs be awarded:

1. Statutory attorney's fees
2. Preparation of original and one copy of re-
port of proceedings
3. Copies of clerk's papers \$
4. Transmittal of record on review $\$$
5. Bonds given in connection with the review [Identify]
6. Charges of appellate court clerk for reproduction of briefs, petitions, and motions [Identify and separately state the charge for each.]\$
7. Preparing 50 pages of original documents $\$$

The above items are expenses allowed as costs by Rule 14.3, reasonable expenses actually incurred, and reasonably necessary for review. [Name of party] should pay the costs.
[Date]
Signature
Attorney for [Appellant, Respondent, or Petitioner]
[Name, address, and telephone number of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]

## Form 11. Objections to cost bill.

[Rule 14.5]
No. [Appellate court docket number]
[Supreme Court or Court of Appeals,
Division -.-.-.....- ]
of the State of Washington
[Title of trial
court proceeding with parties designated as in Rule 3.4]

Objections to
Cost Bill
[Name of party objecting], [Appellant, Petitioner or Respondent], objects to the award of any costs to [Name of party] because:
[Here state reasons. See Rule 14.2.]

## Alternate Form

[Name of party objecting], [Appellant, Petitioner, or Respondent], objects to the following expenses listed on the Cost Bill of [name of party]:
[List the items on the cost bill which are objectionable, by number of item on the cost bill with a description of the item and the amount claimed. State the objection after each item.
For example:
2. Report of Proceedings $\$ 320.00$

Objection: The amount claimed is unreasonable.
See RAP 14.3
(a). The report of proceedings is double spaced and is ...-_pages. The usual charge per page is \$.-.... Computed on the usual basis, the total charge should be $\$ 220.00$.

> 5. Bond
> Objection: The charge is for the premium on a cost bond. A cost bond is not required under the new rules. The charge was not reasonably necessary for review. See RAP $14.3(\mathrm{a})$.]
[Date]

## Signature

Attorney for [Appellant, Respondent, or Petitioner]
[Name, address, and telephone number of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]

Form 12. Order of indigency.
[Rule 15.2]

| Superior Court of Washington for [-----.-.-.] County |  |
| :---: | :---: |
| [Name of plaintif], Plaintiff, | No. [Trial court docket number] |
| $v$. | Order of Indigenc |
| [Name of defendant], Defendant, |  |

[Set forth finding of indigency and state that applicable law grants review wholly or partially at public expense. For example, " The Court finds that the defendant lacks sufficient funds to prosecute an appeal and applicable law grants defendant a right to review at public expense to the extent defined in this order."] The Court orders as follows:

1. [Name of indigent] is entitled to counsel for review wholly at public expense.
2. [Name of appointed attorney] is appointed as counsel for review. Appointed counsel may be assisted by counsel in the same firm as appointed counsel. [If applicable: " Trial counsel must assist appointed counsel for review in preparing the record."]
3. [Name of indigent] is entitled to the following at public expense:
(a) Those portions of the verbatim report of proceedings reasonably necessary for review as follows: [Designate parts of report.]
(b) A copy of the following clerk's papers:
[Designate papers by name and trial court clerk's sub-number.]
(c) Preparation of original documents to be reproduced by the clerk as provided in Rule 14.3(b).
(d) Reproduction of briefs and other papers on review which are reproduced by the clerk of the appellate court.
(e) The cost of transmitting the following cumbersome exhibits:
[Designate cumbersome exhibits needed for review. See Rule 9.8(b).]
(f) Other items:
[Designate items.]
[Date]

## Signature

[ Name of judge]
Judge of the Superior Court
Presented by:
[Name of party and attorney
for party presenting order]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 13. Invoice of counsel for indigent party.
[Rule 15.4(c)]
No. [Appellate court docket number]
[Supreme Court or Court of Appeals, Division

of the State of Washington
[Title of trial court proceeding with parties designated as in Rule 3.4]

Invoice of Counsel for Indigent Party
[Name of claimant counsel] submits this invoice to be paid from public funds. An order authorizing the expenses claimed by this invoice was entered in [Name of .court] on [date of entry]. ["A copy of the order is attached." or "The order of indigency is located at CP page---..."] My Social Security number [or, my firm's IRS employer identification number] is.-------------.

1. I claim \$-.-.-.-.- for attorney fees. I spent.-------- hours on the review and a reasonable hourly charge is $\$ \ldots-1--\ldots$. ing services:
[List services; for example: "Reviewed record, prepared brief of appellant and reply brief of appellant, oral argument in Court of Appeals, and prepared cost bill."]
2. The following expenses were incurred for the review:
[List each item of expense including preparing reproducible originals at the rate per page set pursuant to Rule 14.3(b), the amount, and the total of all items listed.]
3. I have not filed another invoice in this cause.
4. The total amount of this invoice is [the totals from par. 1 and par. 2]. \$

I swear or affirm that the items listed are correct charges for necessary services rendered and expenses incurred for proper consideration of the review and I have not been promised compensation for the review from the indigent party or from any other source except as has been approved by the court.

Signature
[Name, address, and telephone number of claimant]
SUBSCRIBED AND SWORN to before me this day of ----------, 19.-.

Notary Public in and for the State of Washington, residing at
[Adopted January 28, 1976, effective July 1, 1976.]
Form 14. Invoice of court reporter-—Indigent case.

$$
\text { [Rule } 15.4(\mathrm{~d}) \text { ] }
$$

No. [Appellate court docket number]
[Supreme Court or Court of Appeals,
DIVISION --.-.-.-.- ]
of the State of Washington
[Rules on Appeal-—p 53]

Form 14.

## Rules on Appeal

[Title of trial court proceeding with parties designated as in Rule 3.4]
[Name of claimant court reporter] submits this invoice to be paid from public funds. An order authorizing the expenses claimed by this invoice was entered in [name of court] on [date of entry]. My Social Security number [or, my firm's IRS employer identification number] is:

I swear or affirm that I transcribed or caused to be transcribed the original and one copy of a verbatim report of proceedings in this case. The report was prepared in compliance with RAP 9.2(e) and (g). I transcribed.-..-.-.-- pages. The rate per page set by the Supreme Court is $\$ \ldots-$--.-.... The total amount of this invoice is $\$$ $\qquad$

## Signature

[ Name, address, and telephone number of claimant]
SUbsCribed and sworn to before me this ..... day of .-----..... 19...

Notary Public in and for the State of Washington, residing at

I hereby certify that the amount claimed in this invoice is for that portion of the verbatim report of proceedings ordered by the trial court; that the typing of the report is in accordance with Rule 9.2(e) and (g); and that the bill is computed at the current rate per page set by the Supreme Court for the original and one copy, namely, \$ $\qquad$ per page.

## Signature

[Date]

$$
\begin{aligned}
& \text { [Name of Superior Court Clerk] } \\
& \text { Clerk of the Superior Court of } \\
& \text { Washington for [------ } \\
& \text { County }
\end{aligned}
$$

[Adopted January 28, 1976, effective July 1, 1976.]
Form 15. Statement of arrangements.
[Rule 9.2(a)]
No. [Appellate court docket number]

## [Supreme Court or Court of Appeals, <br> Division <br> --------- $]$ <br> of the State of Washington

[Title of trial court proceeding
with parties designated as in Rule 3.4]

Statement of

## Arrangements

[Name of attorney], Attorney for [appellant, or petitioner], states that on.-....-........., 19.-, [appellant or petitioner] ordered transcription of the
original and one copy of the verbatim report of proceedings in this case from [name and address of person doing the transcribing], and arranged to pay the cost of transcription as follows: [describe arrangements for paying].
[Date]
Signature
Attorney for [Appellant or
Petitioner]
[Name, address, and telephone num-
ber of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]

## Form 16. Petition against state officer.

[Rule 16.2(b)]
No. [Appellate court docket number]
Supreme Court of the State of Washington
$\left.\begin{array}{cc|}\begin{array}{cc}\text { [Name of } \\ \text { petitioner], },\end{array} & \text { Petitioner, } \\ \begin{array}{cc}\text { [Name of } \\ \text { respondent], }\end{array} & \\ & \text { Respondent. }\end{array}\right) \quad \begin{gathered} \\ \text { Petition Against } \\ \text { State OfFicer }\end{gathered}$
Petitioner alleges:
[Set forth in numbered, descriptively titled paragraphs, as in a complaint in a civil action, a short and plain statement of the claim showing that petitioner is entitled to relief. Conclude with a demand for judgment for the relief sought. See CR 10.]
[Date]

## Signature

Attorney for Petitioner
[Name, address, and telephone number of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 17. Personal restraint petition for person confined by state or local government.
[Rule 16.7]
No. [ Appellate court docket number]
[Put name of appellate court that
you want to hear your case]
of the State of Washington


Petitioner. $\} \begin{gathered}\text { Personal Restraint } \\ \text { Petition }\end{gathered}$
If there is not enough room on this form, use the back of these pages or use other paper. Fill out all of this form and other papers you are attaching before you sign this form in front of a notary.

## A. Status of Petitioner

I, (full name and address), apply for relief from confinement. I am $\square$ am not $\square$ now in custody serving a sentence upon conviction of a crime. (If not serving a sentence upon conviction of a crime) I am now in custody because of the following type of court order:
(Identify type of order)

1. The court in which I was sentenced is
2. I was convicted of the crime(s) of
3. I was sentenced after trial $\square$, after plea of guilty on (date of sentence) , 19... The judge who imposed sentence was - (Name of trial court judge)
4. My lawyer at trial court was
(Name and address if known; if none, write "none")
5. I did $\square$ did not $\square$ appeal from the decision of the trial court. (If the answer is that I did), I appealed to (Name of court or courts to which appeal taken)
My lawyer on appeal was (Name and address if known; if none, write "none")
The decision of the appellate court was $\square$ was not $\square$ published. (If the answer is that it was published, and I have this information), the decision is published in
(Volume number, Washington Appellate Reports or Washington Reports, and page number)
6. Since my conviction I have $\square$ have not $\square$ asked a court for some relief from my sentence other than I have already written above. (If the answer is that I have asked), the court I asked was (Name of court or courts in which relief was sought)
Relief was denied on (Date of decision or, if more than once, dates of all decisions)
7. (If I have answered in question 6 that I did ask for relief), the name of my lawyer in the proceeding mentioned in my answer to question 6 was (Name and address if known; if none, write "none")
8. If the answers to the above questions do not really tell about the proceedings and the courts, judges and attorneys involved in your case, tell about it here:

## B. Grounds for Relief

(If I claim more than one reason for relief from confinement, I attach sheets for each reason separately, in the same way as the first one. The attached sheets should be numbered "First Ground", "Second Ground", "Tnird Ground", etc.). I claim that I have (number) reason(s) for this court to grant me relief from the conviction and sentence described in Part A.
(First, Second, etc.) Ground

1. I should be given a new trial or released from confinement because [here state legal reasons why you think there was some error made in your case which gives you the right to a new trial or release from confinement]:
2. The following facts are important when considering my case [After each fact statement, put the name of the person or persons who know the fact and will support your statement of the fact. If the fact is already in the record of your case, indicate that, also.]:
$\qquad$
$\qquad$
3. The following reported court decisions [include citations if possible] in cases similar to mine show the error I believe happened in my case [If none are known, state "None known".]:
4. The following statutes and constitutional provisions should be considered by the Court [If none are known, state "None known".]:
5. This petition is the best way I know to get the relief I want, and no other way will work as well because


## C. Statement of Finances

If you cannot afford to pay the $\$ 25$ filing fee or cannot afford to pay an attorney to help you, fill this out. If you have enough money for these things, do not fill out this part of the form.

1. I do $\square$ do not $\square$ ask the court to file this without making me pay the $\$ 25$ filing fee because I am so poor I cannot pay the fee.
2. I have $\$$--------- in my prison or institution account.
3. I do $\square$ do not $\square$ ask the court to appoint a lawyer for me because I am so poor I cannot afford to pay a lawyer.
4. I am $\square$ am not $\square$ employed. My salary or wages amount to $\$$------.-- a month. My employer is (Name and address)
5. During the past 12 months I did $\square$ did not $\square$ get any money from a business, profession or other form of self-employment. (If I did, it was (kind $\frac{\text { of self-employment) }}{\text { was } \$}$ and the total income I got was $\$$
6. During the past 12 months, I did did not get any rent payments. If so, the total amount I got was \$

Form 17.
Rules on Appeal
get any interest. If so, the total amount I got was \$. get any dividends. If so, the total amount I got was \$
get any other money. If so, the amount of money I got was $\$$
7.
have any cash except as said in answer 2 . If so, the total amount of cash I have is $\$$
have any savings accounts or checking accounts. If so, the amount in all accounts is $\$$.
own stocks, bonds, or notes. If so, their total value is $\$$
8. List all real estate and other property or things of value which belong to you or in which you have an interest. Tell what each item of property is worth and how much you owe on it. Do not list household furniture and furnishings and clothing which you or your family need.

| Items | Value |
| :---: | :---: |

9. I am $\square$ am not $\square$ married. If I am married, my wife or husband's name and address is
10. All of the persons who need me to support them are listed here.
Name and Address Relationship Age
11. All the bills I owe are listed here. Name of creditor
you owe money to Address Amount
$\qquad$
$\qquad$
$\qquad$

## D. Request for Relief

I want this Court to:
vacate my conviction and give me a new trial.vacate my conviction and dismiss the criminal charges against me without a new trial.
$\square$ other: $\qquad$ ----------------
$\qquad$
$\qquad$
$\qquad$
$\qquad$

## E. Oath of Petitioner

State of Washington

## County of

ss.

After being first duly sworn, on oath, I depose and say: That I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.
[Sign here]
SUBSCRIBED and sworn to before me this .-..- day
of ...-.-...-., 19-..
Notary Public in and for the State of Washington, residing at -.-.-.-.---
If a notary is not available, explain why none is available and indicate who can be contacted to help you find a Notary:

## Then sign below:

I declare that I have examined this petition and to the best of my knowledge and belief it is true and correct.

Dated this .-..- day of .-......... $19 .$. .

## [Sign here]

[Adopted January 28, 1976, effective July 1, 1976.]

## Form 18. Motion.

[Rule 17.3(a)]
No. [Appellate court docket number]
[Supreme Court or Court of Appeals, Division $\qquad$ of the State of Washington
[Title of trial court proceeding with parties designated as in Rule 3.4]

1. Identity of Moving Party
[ Name], [Designation of moving party, for example: "Appellant" or "Assignee of Respondent's interest in the judgment being reviewed"] asks for the relief designated in Part 2.
2. Statement of Relief Sought
[State the relief sought, for example: "Substitution of John Doe as respondent in place of Alvin Jones".]
3. Facts Relevant to Motion
[Here state facts relevant to motion with reference to or copies of parts of the record relevant to the motion. For example, "Alvin Jones, plaintiff, obtained a judgment against defendant, Henry Hope (Judgment, CP 17). Alvin Jones assigned the judgment to John Doe after defendant filed his Notice of Appeal. A true copy of the assignment is attached. Defendant did not assert a counterclaim against plaintiff in the trial court ${ }^{t}$.]
4. Grounds for Relief and Argument
[Here state the grounds for the relief sought with authority and supporting argument. For example, "RAP 3.2(a) authorizes substitution of parties when the interest of a party in the subject matter of the review has been transferred. Substitution should be granted here as defendant has no claim against plaintiff-respondent and respondent no longer has an interest in the judgment which is the subject matter of this appeal".]
[Date]
Respectfully submitted,
Signature
Attorney for [Appellant, Respondent, or Petitioner]
[Name, address, and telephone number of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]

## Form 19. Notice of motion.

[Rule 17.4(a)]
No. [Appellate court docket number]
[Supreme Court or Court of Appeals, Division $\qquad$ of the State of Washington
[Title of trial court proceeding with parties designated as in Rule 3.4]

Notice of Motion

To: [Names of persons entitled to notice and their attorneys. See Rule 17.4(a)(2).]
[Name of moving party], [appellant, petitioner, or respondent], will bring on for hearing the [name of motion, for example: "Motion to Substitute Appellant"] on [date]. The motion will be heard by the [Judges, Commissioner, or Clerk] at [hour], or as soon thereafter as the motion can be heard. The address of the place of hearing is [room number and address].
[Date]
Signature
[Name of counsel] Attorney for [Appellant, Respondent, or Petitioner]
(The Notice May Be Made a Part of the Motion)
[Amd. June 21, 1976, eff. July 2, 1976; adop. Jan. 28, 1976, eff. July 1, 1976.]

Form 20. Motion to modify ruling.
[Rule 17.7]
No. [Appellate court docket number]
[Supreme Court or Court of Appeals, Division
 - ] of the State of Washington
[Title of trial
court proceeding with parties designated as in Rule 3.4]

1. Identity of Moving Party [Name of moving party], [Designation of moving party] asks for the relief designated in Part 2.
2. Statement of Relief Sought

Modify ruling of the [Clerk or Commissioner] filed on [date]. The ruling [state substance of ruling, for example: "denied the motion to be substituted as respondent in place of Alvin Jones." $]$ This Court should [state relief requested, for example: "authorize the requested substitution."]
3. Facts Relevant to Motion
[Here state facts relevant to original motion, with reference to or copies of parts of the record relevant to that motion. The facts set forth in the original motion may be incorporated by reference. For example, " The facts are set out in Part 3 of the original motion to the Commissioner."]
4. Grounds For Relief and Argument
[Here state the grounds for relief sought with authority and supporting argument. The grounds for relief set forth in the original motion may be incorporated by reference.]
[Date]
Respectfully submitted,
Signature
Attorney for [Appellant, Respondent,
or Petitioner]
[ Name, address, and telephone num-
ber of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]
Form 21. Civil appeal statement.

> [Rule $18.11(c)]$
> Court of Appeals Division [ $\ldots-\ldots-\ldots$ ]
> State OF Washington


1. Trial Court
[Name of County] County Superior Court
2. Judge
[Name of Trial Court Judge]
3. Date of Decision
[The date the decision was entered in the trial court]
4. Post Decision Motions
[State each post decision motion made in the trial court including the nature of the motion, the date
the motion was made, the decision on the motion, and the date the decision was entered.]
5. Notice of Appeal

The notice of appeal was filed on [date]. A copy of the notice of appeal is attached to this statement.
6. Counsel

Counsel for appellant [name of appellant] is [name, address and telephone number of attorney].
Counsel for respondent [name of respondent] is [name, address and telephone number of attorney].
7. Method of Disposition in Trial Court
[State the method used to decide the case in the trial court. For example, "summary judgment, order of dismissal, judgment after trial to the court, judgment after jury trial."]
8. Relief Granted by Trial Court
[State the relief granted by the trial court. For example, "The trial court entered a judgment declaring that defendant has coverage under the uninsured motorist provisions of the automobile liability policy issued by plaintiff."]
9. Relief Denied by Trial Court
[State the relief sought by the party making the statement which was denied by the trial court. For example, " Plaintiff sought a judgment declaring that the uninsured motorist provision of the automobile liability policy no longer provided coverage to defendant."]
10. Nature of the Case and Decision
[State the substance of the case below and the basis for the trial court decision. For example, " Defendant was driving his automobile when struck from the rear by a truck driven by Jones. An automobile coming from the opposite direction driven by an uninsured motorist crossed the center line into the lane occupied by defendant and collided with the defendant's car. Defendant settled his claim against Jones and executed a release without the consent of plaintiff insurance company. The policy issued by plaintiff contained a provision which excluded coverage under the uninsured motorist provisions for bodily injury to an insured who has made any settlement with any person without the written consent of the company. The trial court held that this exclusion violated public policy by restricting the uninsured motorist coverage required by $R C W$ 48.22.030 and declared the exclusion void."]
11. Issues Presented for Review
[State the issues the party intends to present for review by the Court of Appeals. For example, "Whether a provision which excludes coverage when the insured does not secure the insurer's consent before settling with any person responsible for an injury violates public policy by restricting the uninsured motorist coverage required by $R C W$ 48.22.030?"]
12. Relief Sought in Court of Appeals [State the relief the party seeks in the Court of Appeals. For example, " Reversal of trial court decision with directions to enter judgment declaring that defendant is not covered by the uninsured motorist
provisions of the liability policy issued by plaintiff:"]
13. Certificate of Counsel

I, attorney for appellant [ name of appellant], certify that this appeal is taken in good faith and not for purposes of delay. I further certify that my client [is or is not] prepared to immediately take all steps to complete the appeal. [If the statement indicates the party is not prepared to immediately take all steps to complete the appeal, state here why the party is not prepared to immediately complete the appeal.]
[Date]
Signature
Attorney for Appellant
[ Name, address, and telephone number of attorney]
[Adopted January 28, 1976, effective July 1, 1976.]

# Part IV <br> RULES FOR SUPERIOR COURT 

| Title of Rules Ab | Abbreviation | Formerly |
| :---: | :---: | :---: |
| Superior Court Administrative Rules | . (AR) |  |
| Superior Court Civil Rules | (CR) | (RPPP-Part) |
| Superior Court Special Proceedings Rules | . (SPR) | (RPPP-Part) |
| Superior Court Criminal Rules | . $(\mathrm{CrR})$ | (RPPP-Part) |
| Superior Court Mental Proceedings Rules | . (MPR) |  |
| Juvenile Court Rules | (JuCR) |  |
| Appendix to Part IV: Court Orders and Tables |  |  |

## SUPERIOR COURT ADMINISTRATIVE RULES (AR) <br> (Formerly: Administrative Rules for Superior Court)

Table of Rules
Rule
1 Reporting of Criminal Cases.

## Rule 1 Reporting of criminal cases.

(a) Report of Disposition. Within five court days after disposition by the superior court of a criminal charge, whether the disposition be a plea of guilty or by deferral or suspension of imposition of sentence, or a finding of guilty, or not guilty after trial, or by dismissal of the charge, the court clerk shall report such disposition to the Washington State Patrol Section on Identification on a disposition form approved by the Administrator for the Courts. When a sentence has been deferred or suspended, the report to the Section shall indicate the length of time over which such suspension or deferral is to be effective. At the conclusion of the time period for deferral or suspension of sentence, the court clerk shall forward an amended disposition form to the Section showing the actual disposition of the case.
(b) Report of Appeal. If an appeal is taken from the disposition made by the superior court, the court clerk shall, within five court days of the taking of the appeal, notify the Section on an amended disposition form. In the event that the result of any proceeding changes or otherwise makes inaccurate the information forwarded on the original disposition report, the court clerk shall prepare and forward to the Section a supplemental disposition report on a form approved by the Administrator
for the Courts indicating thereon the information necessary to correct the current status of the disposition of charges against the subject maintained in the records of the Section. [Adopted Jan. 17, 1974; effective March 1, 1974.]

SUPERIOR COURT CIVIL RULES (CR)
(Formerly: Civil Rules for Superior Court (CR); Rules of Pleading, Practice and Procedure, RPPP.)

Table of Contents

## I. Introductory.

Rule
1 Scope of Rules.
2 One Form of Action.
2A Stipulations.
II. Commencement of action; service of process; pleadings; motions and orders.
Rule
3 Commencement of Action.
4 Process.
5 Service and Filing of Pleadings and Other Papers.
6 Time.

## III. Pleadings and motions.

## Rule

7 Pleadings Allowed; Form of Motions.
8 General Rules of Pleading.
9 Pleading Special Matters.
10 Form of Pleadings and Other Papers.
11 Signing of Pleadings.
12 Defenses and Objections.
13 Counterclaim and Cross-Claim.
14 Third-Party Practice.
15 Amended and Supplemental Pleadings.
6 Pre-Trial Procedure and Formulating Issues.

## IV. Parties

Rule
17 Parties Plaintiff and Defendant; Capacity.
18 Joinder of Claims and Remedies.
19 Joinder of Persons Needed for Just Adjudication.
20 Permissive Joinder of Parties.
21 Misjoinder and Non-Joinder of Parties.
22 Interpleder.
23 Class Actions.
23.1 Derivative Actions by Shareholders.
23.2 Actions Relating to Unincorporated Associations.

24 Intervention.
25 Substitution of Parties.

## V. Depositions and discovery <br> Rule

28 Persons Before Whom Depositions May be Taken.
29 Stipulations Regarding Discovery Procedure.
30 Depositions Upon Oral Examination.
31 Depositions Upon Written Questions.
32 Use of Depositions in Court Proceedings.
33 Interrogatories to Parties.
34 Production of Documents and Things and Entry Upon Land for Inspection and Other Purposes.
35 Physical and Mental Examination of Persons.
36 Requests for Admission.
37 Failure to Make Discovery: Sanctions.
VI. Trials.

Rule
38 Jury Trial of Right.
39 Trial by Jury or by the Court.
40 Assignment of Cases.
41 Dismissal of Actions.
42 Consolidation; Separate Trials.
43 Evidence.
44 Proof of Official Record.
44.1 Determination of Foreign Law.

45 Subpoena.
46 Exceptions Unnecessary.
47 Jurors.
48 Juries of Less than Twelve.
49 Verdicts.
50 Motion for a Directed Verdict and for Judgment Notwithstanding the Verdict.
51 Instructions to Jury and Deliberation.
52 Decisions, Findings and Conclusions.
53 Masters [Reserved].
53.1 Referees.
53.2 Court Commissioners.

## VII.

Rule

55
56 Summary Judgment.
57 Declaratory Judgments.
58 Entry of Judgment.
59 New Trial and Amendment of Judgments.
60 Relief from Judgment or Order.
61 Harmless Error [Reserved].
62 Stay of Proceedings to Enforce a Judgment.
63 Judges.
VIII. Provisional and final remedies.

Rule
64 Seizure of Person or Property.
65 Injunctions.
65.1 Security: Proceedings Against Sureties.

66 Receivership Proceedings.
67 Deposit in Court.
68 Offer of Judgment.
69 Execution.
70 Judgment for Specific Acts; Vesting Title.
71 [Reserved].

IX. Appeals [Reserved].<br>X. Superior courts and clerks.<br>Rule<br>77 Superior Courts and Judicial Officers.<br>78 Clerks.<br>79 Books and Records Kept by the Clerk.<br>80 Court Reporters.<br>XI. General provisions.<br>Rule<br>81 Applicablity in General.<br>82 Venue.<br>Local Rules of Superior Court.<br>Forms [Reserved].<br>Title of Rules.<br>Effective Dates.

## I. INTRODUCTORY

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Rule
1 Scope of rules.
2 One form of action.
2A Stipulations.
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Rule 1 Scope of rules. These rules govern the procedure in the superior court in all suits of a civil nature whether cognizable as cases at law or in equity with the exceptions stated in Rule 81. They shall be construed to secure the just, speedy, and inexpensive determination of every action. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court: This rule is similar to FRCP 1.
Rule 2 One form of action. There shall be one form of action to be known as "civil action." [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court: This rule is identical to FRCP 2. It supersedes RCW 4.04.020.

Rule 2A Stipulations. No agreement or consent between parties or attorneys in respect to the proceedings in a cause, the purport of which is disputed, will be regarded by the court unless the same shall have been made and assented to in open court before a court reporter, or entered in the minutes, or unless the evidence thereof shall be in writing and subscribed by the attorneys denying the same. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967.]
Comment by the Court: Rule 2A is identical to and supersedes RPPP 89.04W.

## II. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS AND ORDERS

## Rule

3 Commencement of action.
(a) Methods.
(b) Tolling statute.
(c) Obtaining jurisdiction.
(d) Lis pendens.

4 Process.
(-) What is process.
(a) Summons; issuance.
(b) Summons.
(c) By whom served
(d) Service.
(e) Other service.
(f) Territorial limits of effective service.
(g) Return of service.
(h) Amendment of process.
(i) Alternative provisions for service in a foreign country.

5 Service and filing of pleadings and other papers.
(a) Service; when required.
(b) Service; how made.
(c) Service; numerous defendants.
(d) Filing.
(e) Filing with the court defined.
(f) Other methods of service.
(g) Certified mail.
(h) Service of papers by telegraph.

6 Time.
(a) Computation.
(b) Enlargement.
(c) Proceeding not to fail for want of judge or session of court.
(d) For motions-Affidavits.
(e) Additional time after service by mail.

## Rule 3 Commencement of action.

(a) Methods. A civil action is commenced by service of a summons as provided in Rule 4 or by filing a complaint. If no service of summons is had upon a defendant before the complaint is filed, one or more defendants shall be served personally, or service by publication shall be commenced within 90 days after complaint is filed. Upon written demand by any other party, the plaintiff instituting the action forthwith, shall pay the filing fee and file the summons and complaint. If the summons was served without the complaint being attached, the plaintiff shall file the complaint within 5 days after the first service of the summons upon a defendant. An action shall not be deemed commenced for the purpose of tolling any statute of limitations unless pursuant to the provisions of RCW 4.16.170.

Comment by the Court. Subdivision (a) follows and supersedes RCW 4.28.010 except for the addition of the last three sentences. For sanctions see Rule 5(d); for venue provisions see Rule 82.
(b) Tolling Statute. [Reserved——See RCW 4.16.170.]
(c) Obtaining Jurisdiction. [Reserved——See RCW 4.28.020.]

Comment by the Court. The last sentence of RCW 4.28.020 is superseded by Rule 4(d)(4).
(d) Lis Pendens. [Reserved——See RCW 4.28.320 and 4.28.160.] [Adopted May 5, 1967, effective July 1, 1967; amended, adopted Feb. 24, 1972, effective July 1, 1972.]

## Rule 4 Process.

(-) What Is Process. A summons is deemed to be process under these rules. These Rules do not exclude the use of other forms of process authorized by law.
(a) Summons; Issuance. The summons must be subscribed by the plaintiff or his attorney, and directed to the defendant requiring him to appear and defend, and serve a copy of his appearance or defense on the person whose name is subscribed to the summons at a place
within the state therein specified in which there is a post office, within 20 days after the service of the summons, exclusive of the day of service. No summons is necessary for a counterclaim or cross-claim for any person who previously has been made a party. Counterclaims and cross-claims against an existing party may be served as provided in Rule 5.

Comment by the Court. Subdivision (a) follows and supersedes RCW 4.28.030.
(b) Summons.
(1) Contents. The summons for personal service shall contain:
(A) The title of the cause, specifying the name of the court in which the action is brought, the name of the county designated by the plaintiff as the place of trial, and the names of the parties to the action, plaintiff and defendant.
(B) A direction to the defendants summoning them to appear within 20 days after service of the summons, exclusive of the day of service, and defend the action.
(C) A notice that, in case of failure so to do, judgment will be rendered against them according to the demand of the complaint. It shall be subscribed by the plaintiff, or his attorney, with the addition of his post office address, at which the papers in the action may be served on him by mail.
(2) Form. The summons for personal service in the State shall be substantially in the following form:

| Superior Court of Washington FOR $\qquad$ County |  |
| :---: | :---: |
| Richard Roe, Plaintiff, vs. | No. |
| James Moe, Defendant | Summons |

The State of Washington, -..-.-...... to the said ---------, Defendant:

You are hereby summoned to appear within 20 days after service of this summons, exclusive of the day of service, and defend the above entitled action by serving a copy of your written appearance or defense upon the undersigned. If you fail to appear and defend, judgment will be rendered against you, according to the demand of the complaint, which has been or will be filed with the clerk of the court, or a copy of which is herewith served upon you.

> John Doe, Plaintiff's Attorney P.O. Address
> [Telephone No.]

Comment by the Court. Paragraph (1) follows and supersedes RCW 4.28.040. Paragraph (2) follows and supersedes RCW 4.28 .050 with minor clarifying changes.
(c) By Whom Served. Service of summons and process, except when service is by publication, shall be by the sheriff of the county wherein the service is made, or by his deputy, or by any person over 18 years of age who is competent to be a witness in the action, other than a party. Subpoenas may be served as provided in Rule 45. Nov. 9, 1971; amended, adopted Nov. 29, 1971, effective Jan. 1, 1972.]

Comment by the Court. Subdivision (c) follows and supersedes RCW 4.28.070.
(d) Service.
(1) Of Summons and/or Complaint. The summons and complaint shall be served together unless the complaint has been or is filed within 5 days after service of summons. When a summons is served without a complaint, the summons must notify the defendant that a complaint has been or will be filed prior to service of the summons or will be filed within 5 days after the service. If the defendant appears within 10 days after the service of the summons, the plaintiff must serve a copy of the complaint on the defendant or his attorney within 10 days after the notice of such appearance, and the defendant shall have at least 10 days thereafter to answer the same; and no judgment shall be entered against him for want of an answer in such case until the expiration of the time.
(2) Personal in State. Personal service of summons and other process shall be as provided in RCW 4.28.080, 4.28.081, 4.28.090, 23A.08.110, 23A.32.100, 46.64.040, 48.05.200 and 48.05.210, and other statutes which provide for personal service.
(3) By Publication. Service of summons and other process by publication shall be as provided in RCW 4.28.100, 4.28.110, 13.04.080, and 26.32.080, and other statutes which provide for service by publication.
(4) Appearance. A voluntary appearance of a defendant does not preclude his right to challenge lack of jurisdiction over his person, insufficiency of process, or insufficiency of service of process pursuant to Rule 12(b).

Comment by the Court. Paragraph (1) supersedes RCW 4.28.060.
The rule should be read in connection with Rule 3. Paragraph (4) supersedes the last sentence of RCW 4.28.020.
(e) Other Service.
(1) Generally. Whenever a statute or an order of court thereunder provides for service of a summons, or of a notice, or of an order in lieu of summons upon a party not an inhabitant of or not found within the state, service may be made under the circumstances and in the manner prescribed by the statute or order, or if there is no provision prescribing the manner of service, in a manner prescribed by this rule.
(2) Personal Service Out of State-Generally. [Reserved——See RCW 4.28.180.]
(3) Personal Service Out of State_-Acts Submitting Person to Jurisdiction of Courts. [Reserved-See RCW 4.28.185.]
(4) Non-Resident Motorist. [Reserved—_See RCW 46.64.040.]

Comment by the Court. Paragraph (1) follows FRCP 4(e) as amended with appropriate changes.
(f) Territorial Limits of Effective Service. All process other than a subpoena may be served anywhere within the territorial limits of the state, and when a statute or these rules so provide beyond the territorial limits of the state. A subpoena may be served within the territorial limits provided in Rule 45 and RCW 5.56.010.

Comment by the Court. Subdivision (f) follows FRCP 4(f) with appropriate changes. This subdivision is similar to the first sentence of RCW 2.08.210.
(g) Return of Service. Proof of service shall be as follows:
(1) If served by the sheriff or his deputy, the return of the sheriff or his deputy indorsed upon or attached to the summons;
(2) If served by any other person, his affidavit of service endorsed upon or attached to the summons; or
(3) If served by publication, the affidavit of the printer, publisher, foreman, principal clerk, or business manager of the newspaper showing the same, together with a printed copy of the summons as published; or
(4) The written acceptance or admission of the defendant, his agent or attorney;
(5) In case of personal service out of state, the affidavit of the person making the service, sworn to before a notary public, with a seal attached, or before a clerk of a court of record.

In case of service otherwise than by publication, the return, acceptance, admission, or affidavit must state the time, place, and manner of service. Failure to make proof of service does not affect the validity of the service.

Comment by the Court. Subdivision (g) follows RCW 4.28.310 which is superseded. The last sentence of FRCP $4(\mathrm{~g})$ is added.
(h) Amendment of Process. At any time in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process issued.

Comment by the Court. Subdivision (h) is identical to FRCP 4(h).
(i) Alternative Provisions for Service in a Foreign Country.
(1) Manner. When a statute or rule authorizes service upon a party not an inhabitant of or found within the state, and service is to be effected upon the party in a foreign country, it is also sufficient if service of the summons and complaint is made: (A) in the manner prescribed by law of the foreign country for service in that country in an action in any of its courts of general jurisdiction; or (B) as directed by the foreign authority in response to a letter rogatory, when service in either case is reasonably calculated to give actual notice; or (C) upon an individual, by delivery to him personally, and upon a corporation or partnership or association, by delivery to an officer, a managing or general agent; or (D) by any form of mail, requiring a signed receipt, to be addressed and mailed to the party to be served; or (E) as directed by order of the court. Service under (C) or (E) above may be made by any person who is not a party and is not less than 21 years of age or who is designated by order of the court or by the foreign court.
(2) Return. Proof of service may be made as prescribed by subdivision ( g ) of this rule, or by the law of the foreign country, or by order of the court. When service is made pursuant to subparagraph (1)(D) of this subdivision, proof of service shall include a receipt signed by the addressee or other evidence of delivery to the addressee satisfactory to the court.

Comment by the Court: Subdivision (i) follows FRCP 4(i).

Rule 5 Service and filing of pleadings and other papers.
(a) Service; When required. Except as otherwise provided in these rules, every order required by its terms to be served, every pleading subsequent to the original complaint unless the court otherwise orders because of numerous defendants, every paper relating to discovery required to be served upon a party unless the court otherwise orders, every written motion other than one which may be heard ex parte, and every written notice, appearance, demand, offer of judgment, designation of record on appeal, and similar paper shall be served upon each of the parties. No service need be made on parties in default for failure to appear except that pleadings asserting new or additional claims for relief against them shall be served upon them in the manner provided for service of summons in Rule 4.

In an action begun by seizure of property, in which no person need be or is named as defendant, any service required to be made prior to the filing of an answer, claim, or appearance shall be made upon the person having custody or possession of the property at the time of its seizure.

Comment by tbe Court. Subdivision (a) follows FRCP 5(a), and supersedes the third sentence of RPPP 8.04W(1).

## (b) Service; How Made.

(1) On Attorney or Party. Whenever under these rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party himself is ordered by the court. Service upon the attorney or upon a party shall be made by delivering a copy to him or by mailing it to him at his last known address or, if no address is known, by leaving it with the clerk of the court. Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at his office with his clerk or other person in charge thereof; or, if there is no one in charge, leaving it in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.
(2) Service by Mail.
(A) How Made. If service is made by mail, the papers shall be deposited in the post office addressed to the person on whom they are being served, with the postage prepaid. The service shall be deemed complete upon the third day following the day upon which they are placed in the mail, unless the third day falls on a Saturday, Sunday or legal holiday, in which event service shall be deemed complete on the first day other than a Saturday, Sunday or legal holiday, following the third day.
(B) Proof of Service by Mail. Proof of service of all papers permitted to be mailed may be by written acknowledgment of service, by affidavit of the person who mailed the papers, or by certificate of an attorney. The certificate of an attorney may be in form substantially as follows:

## Certificate

I certify that I mailed a copy of the foregoing --------- to [John Smith], [plaintiff's] attorney, at [office address or residence], and to [Joseph Doe], an additional [defendant's] attorney [or attorneys] at [office address or residence], postage prepaid, on [date].

[John Brown], Attorney for [Defendant] William Noe

(3) Service on Non-Residents. Where a plaintiff or defendant who has appeared resides outside the state and has no attorney in the action, the service may be made by mail if his residence is known; if not known, on the clerk of court for him. Where a party, whether resident or non-resident, has an attorney in the action, the service of papers shall be upon the attorney instead of the party. If the attorney does not have an office within the state or has removed his residence from the state, the service may be upon him personally either within or without the state, or by mail to him at either his place of residence or his office, if either is known, and if not known, then by mail upon the party, if his residence is known, whether within or without the state. If the residence of neither the party nor his attorney, nor the office address of the attorney is known, the service may be upon the clerk of court for the attorney.
Comment by tbe Court. Paragraphs (1) and (2) supersede RCW
4.28.240, 4.28.250, 4.28.260 and 4.28.280. Paragraph (3) is simi-
lar to and supersedes RCW 4.28.270.
(c) Service; Numerous Defendants. In any action in which there are unusually large numbers of defendants, the court, upon motion or of its own initiative, may order that service of the pleadings of the defendants and replies thereto need not be made as between the defendants and that any cross-claim, counterclaim, or matter constituting an avoidance or affirmative defense contained therein shall be deemed to be denied or avoided by all other parties and that the filing of any such pleading and service thereof upon the plaintiff constitutes due notice of it to the parties. A copy of every such order shall be served upon the parties in such manner and form as the court directs.

Comment by the Court. Subdivision (c) is identical to FRCP 5(c).
(d) Filing.
(1) Time. All pleadings and other papers after the complaint required to be served upon a party shall be filed with the court either before service or promptly thereafter. Complaints shall be filed as provided in Rule 3(a) or Rule 4(d)(1).
(2) Default. If a party fails to pay the filing fee or to file the complaint after demand, pursuant to Rule 3(a), or fails to file any other pleading or paper under this rule, the court upon 5 days' notice of motion for sanctions may dismiss the action or strike the pleading or other paper and grant judgment against the defaulting party for costs and terms including a reasonable attorneys' fee unless good cause is shown for, or justice requires, the granting of an extension of time.
(3) Limitation. No sanction shall be imposed if prior to the hearing the filing fee is paid and the pleading or other paper is filed and the moving attorney is notified of
the payment and filing before he leaves his office for the hearing.
(4) Non-Payment. No further action shall be taken in the pending action and no subsequent pleading or other paper shall be filed until the judgment is paid. No subsequent action shall be commenced upon the same subject matter until the judgment has been paid.
Comment by tbe Court. Subdivision (d) supersedes RPPP $8.04 \mathrm{~W}(2)$ and RCW 4.32.260.
(e) Filing with the Court Defined. The filing of pleadings and other papers with the court as required by these rules shall be made by filing them with the clerk of the court, except that the judge may permit the papers to be filed with him, in which event he shall note thereon the filing date and forthwith transmit them to the office of the clerk.

Comment by the Court. Subdivision (e) is identical to FRCP 5(e) as amended.
(f) Other Methods of Service. Service of all papers other than the summons and other process may also be made as authorized by statutes other than RCW 4.28.230, 4.28.240, 4.28.250, 4.28.260, 4.28.270, and 4.28.280 , which are superseded by these rules.
(g) Certified Mail. Whenever the use of "registered" mail is authorized by statutes relating to judicial proceedings or by rule of court, "certified " mail, with return receipt requested, may be used.
Comment by the Court. Subdivision (g) is similar to and supersedes RPPP 5.04W.
(h) Service of Papers by Telegraph. Any writ or order in any civil suit or proceeding, and all the papers requiring service, may be transmitted by telegraph for service in any place, and the telegraphic copy of such writ or order so transmitted may be served or executed by the officer or person to whom it is sent for that purpose, and returned by him, if any return be requisite, in the same manner, and with the same force and effect, in all respects, as the original thereof might be, if delivered to him, and the officer or person serving or executing the same shall have the same authority and be subject to the same liabilities as if the said copy were the original. The original, when a writ or order, shall also be filed in the court from which it was issued, and a certified copy thereof shall be preserved in the telegraph office from which it was sent. In sending it, either the original or certified copy may be used by the operator for that purpose. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972.]

Comment by the Court. Subdivision (h) follows and supersedes RCW 4.28.300. For Statutes relating to Telegraphic Communications, see chapter 5.52 RCW.

## Rule 6 Time.

(a) Computation. In computing any period of time prescribed or allowed by these rules, by the local rules of any superior court, by order of court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the
end of the next day which is neither a Saturday, a Sunday nor a legal holiday. Legal holidays are prescribed in RCW 1.16.050. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.
(b) Enlargement. When by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion, (1) with or without motion or notice, over the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order or, (2) upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect; but it may not extend the time for taking any action under Rules 50(b), 52(b), 59(b), 59(d) and 60(b).

Comment by the Court. Subdivision (b) follows FRCP 6(b). RCW 4.32.250 is a related statutory provision. See also RCW 4.32.240.
(c) Proceeding Not to Fail for Want of Judge or Session of Court. No proceeding in a court of justice in any action, suit, or proceeding pending therein, is affected by a vacancy in the office of any or all of the judges or by the failure of a session of the court.

Comment by the Court. Subdivision (c) is identical to and supersedes RCW 2.28.130.
(d) For Motions——Affidavits. A written motion, other than one which may be heard ex parte, and notice of the hearing thereof shall be served not later than 5 days before the time specified for the hearing, unless a different period is fixed by these rules or by order of the court. Such an order may for cause shown be made on ex parte application. When a motion is supported by affidavit, the affidavit shall be served with the motion; and, except as otherwise provided in Rule 59(c), opposing affidavits may be served not later than 1 day before the hearing, unless the court permits them to be served at some other time.

Comment by the Court. Subdivision (d) is identical to FRCP 6(d) which supersedes subdivision (1) of RPPP 8.08W. See also Rule 43(e)(2).
(e) Additional Time After Service by Mail. Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967.]

Comment by tbe Court. Subdivision (e) is identical with FRCP 6(e).

## III. PLEADINGS AND MOTIONS

Rule
7 Pleadings allowed; form of motions.
(a) Pleadings.
(b) Motions and other papers.
(c) Demurrers, pleas, etc., abolished.
(d) Security for costs.

8 General rules of pleading.
(a) Claims for relief.
(b) Defenses, form of denials.
(c) Affirmative defenses.
(d) Effect of failure to deny.
(e) Pleading to be concise and direct, consistency.
(f) Construction of pleadings.

9 Pleading special matters.
(a) Capacity.
(b) Fraud, mistake, condition of the mind.
(c) Condition precedent.
(d) Official document of act.
(e) Judgment.
(f) Time and place.
(g) Special damage.
(h) Pleading existence of city or town.
(i) Pleading ordinance.
(j) Pleading private statutes.
(k) Foreign law.
(l) Burden of proof.

10 Form of pleadings and other papers.
(a) Caption.
(b) Paragraphs, separate statements.
(c) Adoption by reference, exhibits.
(d) Paper size.
(e) Format recommendations.

11 Signing of pleadings.
12 Defenses and objections.
(a) When presented.
(b) How presented.
(c) Motion for judgment on the pleadings.
(d) Preliminary hearings.
(e) Motion for more definite statement.
(f) Motion to strike.
(g) Consolidation of defenses in motion.
(h) Waiver of preservation of certain defenses.

13 Counterclaim and cross-claim.
(a) Compulsory counterclaims.
(b) Permissive counterclaims.
(c) Counterclaim exceeding opposing claim.
(d) Counterclaim against the state.
(e) Counterclaim maturing or acquired after pleading.
(f) Omitted counterclaim.
(g) Cross-claim against co-party.
(h) Joinder of additional parties.
(i) Separate trials, separate judgment.
(j) Setoff against assignee.
(k) Other setoff rules.

14 Third-party practice.
(a) When defendant may bring in third party.
(b) When plaintiff may bring in third party.
(c) Tort cases.

15 Amended and supplemental pleadings.
(a) Amendments.
(b) Amendments to conform to the evidence.
(c) Relation back of amendments.
(d) Supplemental pleadings.
(e) Interlineations.

16 Pre-trial procedure and formulating issues.
(a) Hearing matters considered.
(b) Pre-trial order.

## Rule 7 Pleadings allowed; form of motions.

(a) Pleadings. There shall be a complaint and an answer; a reply to a counterclaim denominated as such; an answer to a cross-claim, if the answer contains a crossclaim; a third-party complaint, if a person who was not an original party is summoned under the provisions of Rule 14 ; and a third-party answer, if a third-party complaint is served. No other pleading shall be allowed, except that the court may order a reply to an answer or a third-party answer.

Comment by tbe Court. Subdivision (a) is identical with FRCP 7(a).

## (b) Motions and Other Papers.

(1) How Made. An application to the court for an order shall be by motion which, unless made during a hearing or trial, shall be made in writing, shall state with particularity the grounds therefor, and shall set forth the relief or order sought. The requirement of writing is fulfilled if the motion is stated in a written notice of the hearing of the motion.
(2) Form. The rules applicable to captions, signing, and other matters of form of pleadings apply to all motions and other papers provided for by these rules.
(3) Identification of Evidence. When a motion is supported by affidavits or other papers, it shall specify the papers to be used by the moving party.

Comment by tbe Court. Paragraphs (1) and (2) are identical to
FRCP 7(b) except for insertions of subheadings. Paragraph (3)
follows and supersedes RPPP 8.08W(1). See Rule 43(e) for evi-
dence to be used on motions.
(c) Demurrers, Pleas, etc., Abolished. Demurrers, pleas and exceptions for insufficiency of a pleading shall not be used.
(d) Security for Costs. [Reserved-_See RCW 4.84.210 et seq.] [Adopted May 5, 1967, effective July 1, 1967.]

Comment by tbe Court. Rule 7 alone, or Rule 7 combined with various other rules, supersedes RCW 4.32.020, 4.32.030, 4.32.010 (by Rules 7 through 15), 4.32.050 (by Rules 7 and 12), 4.32.060 (by Rules 7 and 12), 4.32.180 (by Rules 7 and 12), 4.32.190 (by Rules 7 and 12), 4.32.200 (by Rules 7 and 12), 4.32.210 (by Rules 7 and 8), 4.32.220 (by Rules 7 and 12), 4.40.020 (by Rules 7, 12, and 56), 4.40.030 (by Rules 7, 8, 12 and 56) and 4.56.180 (by Rules 7 and 12). In addition, Rule 7 modifies or supersedes the following statutes insofar as they relate to demurrers: RCW 2.08.190, 2.08.200, 4.16.010, 4.28.210, 4.36.010, 4.56.020.

## Rule 8 General rules of pleading.

(a) Claims for Relief. A pleading which sets forth a claim for relief, whether an original claim, counterclaim, cross-claim, or third-party claim, shall contain (1) a short and plain statement of the claim showing that the pleader is entitled to relief and (2) a demand for judgment for the relief to which he deems himself entitled. Relief in the alternative or of several different types may be demanded.
(b) Defenses; Form of Denials. A party shall state in short and plain terms his defenses to each claim asserted and shall admit or deny the averments upon which the adverse party relies. If he is without knowledge or information sufficient to form a belief as to the truth of an averment, he shall so state and this has the effect of a denial. Denials shall fairly meet the substance of the averments denied. When a pleader intends in good faith to deny only a part or a qualification of an averment, he shall specify so much of it as is true and material and shall deny only the remainder. Unless the pleader intends in good faith to controvert all the averments of the preceding pleading, he may make his denials as specific denials of designated averments or paragraphs, or he may generally deny all the averments except such designated averments or paragraphs as he expressly admits; but, when he does so intend to controvert all its averments, he may do so by general denial subject to the obligations set forth in Rule 11.
(c) Affirmative Defenses. In pleading to a preceding pleading, a party shall set forth affirmatively accord and satisfaction, arbitration and award, assumption of risk, contributory negligence, discharge in bankruptcy, duress, estoppel, failure of consideration, fraud, illegality, injury by fellow servant, laches, license, payment, release, res judicata, statute of frauds, statute of limitations, waiver, and any other matter constituting an avoidance or affirmative defense. When a party has mistakenly designated a defense as a counterclaim or a counterclaim as a defense, the court on terms, if justice so requires, shall treat the pleading as if there had been a proper designation.
(d) Effect of Failure to Deny. Averments in a pleading to which a responsive pleading is required, other than those as to the amount of damage, are admitted when not denied in the responsive pleading. Averments in a pleading to which no responsive pleading is required or permitted shall be taken as denied or avoided.
(e) Pleading to Be Concise and Direct; Consistency.
(1) Each averment of a pleading shall be simple, concise and direct. No technical forms of pleadings or motions are required.
(2) A party may set forth two or more statements of a claim or defense alternately or hypothetically, either in one count or defense or in separate counts or defenses. When two or more statements are made in the alternative and one of them if made independently would be sufficient, the pleading is not made insufficient by the insufficiency of one or more of the alternative statements. A party may also state as many separate claims or defenses as he has regardless of consistency and whether based on legal or on equitable grounds or on both. All statements shall be made subject to the obligations set forth in Rule 11.
(f) Construction of Pleadings. All pleadings shall be so construed as to do substantial justice.

The adoption of this rule shall not be considered an adoption or approval of the forms of pleading in the Appendix of Forms approved in Rule 84, Federal Rules of Civil Procedure. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 8.]

Comment by the Court. Rule 8 combined with other rules supersedes RCW 4.36.050, 4.32.050 (by Rules 8 and 10), 4.32.080 (by Rules 8 , 12 and 13), 4.32 .090 (by Rules 8, 10, 12 and 13), 4.36.040 (by Rules 8 and 12), and 4.36.160 (by Rules 8 and 12). In addition, the following statutes are modified or superseded in part by Rule 8: RCW 4.16.010 (and by Rules 7, 12, and 56), 4.36.120, 4.36.220 (and by Rule 12). See also comment at the end of Rule 7 for statutes superseded by Rule 8 and other rules.

## Rule 9 Pleading special matters.

(a) Capacity. It is not necessary to aver the capacity of a party to sue or be sued or the authority of a party to sue or be sued in a representative capacity or the legal existence of an organized association of persons that is made a party. When a party desires to raise an issue as to the legal existence of any party or the capacity of any party to sue or be sued or the authority or a party to sue or be sued in a representative capacity, he shall do so by
specific negative averment which shall include such supporting particulars as are peculiarly within the pleader's knowledge.
(b) Fraud, Mistake, Condition of the Mind. In all averments of fraud or mistake, the circumstances constituting fraud or mistake shall be stated with particularity. Malice, intent, knowledge, and other condition of mind of a person may be averred generally.
(c) Condition Precedent. In pleading the performance or occurrence of conditions precedent, it is sufficient to aver generally that all conditions precedent have been performed or have occurred. A denial of performance or occurrence shall be made specifically and with particularity.

Comment by the Court. Subdivision (c) supersedes RCW 4.36.080 insofar as the statute governs pleading but not to the extent that the statute specifies which party shall have the burden of proof.
(d) Official Document or Act. In pleading an official document or official act, it is sufficient to aver that the document was issued or the act done in compliance with law.
(e) Judgment. In pleading a judgment or decision of a domestic or foreign court, judicial or quasi-judicial tribunal, or of a board or officer, it is sufficient to aver the judgment or decision without setting forth matter showing jurisdiction to render it.

Comment by the Court. Subdivision (e) supersedes RCW 4.36.070 insofar as the statute governs pleading but not to the extent that it specifies which party shall have the burden of proof.
(f) Time and Place. For the purpose of testing the sufficiency of a pleading, averments of time and place are material and shall be considered like all other averments of material matter.
(g) Special Damage. When items of special damage are claimed, they shall be specifically stated.
(h) Pleading Existence of City or Town. In pleading the existence of any city or town in this state, it shall be sufficient to state in such pleading that the same is an existing city or town, incorporated or organized under the laws of Washington.
Comment by the Court. Subdivision (h) is identical to and supersedes RCW 4.36.100.
(i) Pleading Ordinance. In pleading any ordinance of a city or town in this state it shall be sufficient to state the title of such ordinance and the date of its passage, whereupon the court shall take judicial notice of the existence of such ordinance and the tenor and effect thereof.

Comment by the Court. Subdivision (i) follows and supersedes RCW 4.36.110.
(j) Pleading Private Statutes. In pleading a private statute, or a right derived therefrom, it shall be sufficient to refer to such statute by its title, and the day of its passage, and the court shall thereupon take judicial notice thereof.

Comment by the Court. Subdivision (j) is identical to and supersedes RCW 4.36.090.
(k) Foreign Law. [Reserved_-See RCW 5.24.010 through 5.24.070.]
(l) Burden of Proof. Nothing in this rule shall be construed to shift or alter the burden of proof. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 9.]

## Rule 10 Form of pleadings and other papers.

(a) Caption. Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number if known to the person signing it, and an identification as to the nature of the pleading or other paper.
(1) Names of Parties. In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.
(2) Unknown Names. When the plaintiff is ignorant of the name of the defendant, it shall be so stated in his pleading, and such defendant may be designated in any pleading or proceeding by any name, and when his true name shall be discovered, the pleading or proceeding may be amended accordingly.
(3) Unknown Heirs. When the heirs of any deceased person are proper parties defendant to any action relating to real property in this state, and when the names and residences of such heirs are unknown, such heirs may be proceeded against under the name and title of the "unknown heirs" of the deceased. In any action brought to determine any adverse claim, estate, lien, or interest in real property, or to quiet title to real property, unknown parties shall be designated as "also all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the complaint herein."
Comment by the Court. Subdivision (a) is similar to former FRCP 10(a) and former RPPP 10(a) except for insertion of headings. See, also, RCW 4.28.140. RCW 4.28.130 is superseded.
(b) Paragraphs; Separate Statements. All averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. Each claim founded upon a separate transaction or occurrence, and each defense other than denials, shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth.
(c) Adoption by Reference; Exhibits. Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.
(d) Paper Size. All pleadings, motions, and other papers shall be plainly written or printed, and the use of letter-size paper ( $81 / 2 \times 11$ inches) is optional.
Comment by the Court. Use of letter size paper for jury instructions is mandatory. See CR Rule 51(c).
(e) Format Recommendations. It is recommended that all pleadings and other papers include or provide for the following:
(1) Service and Filing. Space should be left at the top of the first page to provide on the right half space for the clerk's filing stamp, and space at the left half for acknowledging the receipt of copies.
(2) Title. All pleadings under the space under the docket number should contain a title indicating their purpose and party presenting them. For example:

| Use | Do Not Use |
| :--- | :--- |
| Complaint for Divorce | Complaint |
| Defendant's Motion for <br> Support, Etc. |  |
| Order for Support | Motion |
| Plaintiff's Trial Brief | Trial Brief |

(3) Bottom Notation: At the left side of the bottom of each page of all pleadings and other papers an abbreviated name of the pleading or other paper should be repeated, followed by the page number. At the right side of the bottom of the first page of each pleading or other paper the name, mailing address and telephone number of the attorney or firm preparing the paper should be printed or typed.
(4) Typed Names. The name of all persons signing a pleading or other paper should be typed under his signature.
(5) Headings and Subheadings. Headings and subheadings should be used for all paragraphs which shall be numbered with Roman and/or Arabic numerals.
(6) Numbered Paper. Use numbered paper. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967. Prior: 10(a) through 10(c), RPPP Rule 10; 10(e), RPPP Rule 8.04(1) 1st and 2nd sentences.]

Comment by the Court. Rule 10 supersedes RCW 4.36.230. See, also, comment at the end of Rule 8 for additional statutes superseded by Rule 10 and other rules.

Rule 11 Signing of pleadings. Every pleading of a party represented by an attorney shall be dated and signed by at least one attorney of record in his individual name, whose address shall be stated. A party who is not represented by an attorney shall sign and date his pleading and state his address. Petitions for dissolution of marriage, separation, declarations concerning the validity of a marriage, custody, and modification of decrees issued as a result of any of the foregoing petitions shall be verified. Other pleadings need not, but may be, verified or accompanied by affidavit. The signature of a party or of an attorney constitutes a certificate by him that he has read the pleading; that to the best of his knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. If a pleading is not signed or is signed with intent to defeat the purpose of this rule, it may be stricken as sham and false and the action may proceed as though the pleading had not been served. For a wilful violation of this rule an attorney may be subjected to appropriate action as for contempt. Similar action may be taken if scandalous or indecent matter is inserted. [Adopted May 5, 1967, effective July 1, 1967; amended, adopted, Dec. 7, 1973, effective January 1, 1974. Prior: RPPP Rule 11.]

Comment by the Court. The rule supersedes RCW 4.36.010, 4.36.020 and 4.36.030.

## Rule 12 Defenses and objections.

(a) When Presented. A defendant shall serve his answer within the following periods:
(1) within 20 days, exclusive of the day of service, after the service of the summons and complaint upon him pursuant to Rule 4;
(2) within 20 days, exclusive of the day of service, after the service of the summons without the complaint upon him pursuant to Rule 4(d), if he fails to appear within 10 days after such service of summons;
(3) within 10 days after the service of the complaint upon him or his attorney where the defendant has appeared after service of summons and the complaint has been served in accordance with Rule 4(d);
(4) within 60 days from the date of the first publication of the summons if the summons is served by publication in accordance with Rule 4(d)(3);
(5) within 60 days after the service of the summons upon him if the summons is served upon him personally out of the state in accordance with RCW 4.28 .180 and 4.28 .185 or on the Secretary of State as provided by RCW 46.64.040;
(6) within the period fixed by any other applicable statutes or rules.

A party served with a pleading stating a cross-claim against him shall serve an answer thereto within 20 days after the service upon him. The plaintiff shall serve his reply to a counterclaim in the answer within 20 days after service of the answer or, if a reply is ordered by the court, within 20 days after service of the order, unless the order otherwise directs. The service of a motion permitted under this rule alters these periods of time as follows, unless a different time is fixed by order of the court;
(A) if the court denies the motion or postpones its disposition until the trial on the merits, the responsive pleading shall be served within 10 days after notice of the court's action.
(B) if the court grants a motion for a more definite statement, the responsive pleading shall be served within 10 days after the service of the more definite statement. Comment by the Court. Subdivision (a) follows RPPP 12(a) except that references to statutes have been deleted and cross references to comparable new rules have been inserted.
(b) How Presented. Every defense, in law or fact, to a claim for relief in any pleading, whether a claim, counterclaim, cross-claim, or third-party claim, shall be asserted in the responsive pleading thereto if one is required, except that the following defenses may at the option of the pleader be made by motion: (1) lack of jurisdiction over the subject matter, (2) lack of jurisdiction over the person, (3) improper venue, (4) insufficiency of process, (5) insufficiency of service of process, (6) failure to state a claim upon which relief can be granted, (7) failure to join a party under Rule 19. A motion making any of these defenses shall be made before pleading if a further pleading is permitted. No defense or objection is waived by being joined with one or more other defenses or objections in a responsive pleading or motion. If a pleading sets forth a claim for relief to which the adverse party is not required to serve a responsive pleading, he may assert at the trial any defense in law or fact to
that claim for relief. If, on a motion asserting the defense numbered (6) to dismiss for failure of the pleading to state a claim upon which relief can be granted, matters outside the pleading are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56.
(c) Motion for Judgment on the Pleadings. After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56.
(d) Preliminary Hearings. The defenses specifically enumerated (1)-(7) in subdivision (b) of this rule, whether made in a pleading or by motion, and the motion for judgment mentioned in subdivision (c) of this rule shall be heard and determined before trial on application of any party, unless the court orders that the hearing and determination thereof be deferred until the trial.

Comment by the Court. Subdivision (d) follows FRCP 12(d).
(e) Motion for More Definite Statement. If a pleading to which a responsive pleading is permitted is so vague or ambiguous that a party cannot reasonably be required to frame a responsive pleading, or if more particularity in that pleading will further the efficient economical disposition of the action, he may move for a more definite statement before interposing his responsive pleading. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the court is not obeyed within 10 days after the notice of the order or within such order time as the court may fix, the court may strike the pleading to which the motion was directed or make such order as it deems just.

Comment by the Court. Subdivision (e) supersedes RCW 4.36.060.
(f) Motion to Strike. Upon motion made by a party before responding to a pleading or, if no responsive pleading is permitted by these rules, upon motion made by a party within 20 days after the service of the pleading upon him or upon the court's own initiative at any time, the court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.
(g) Consolidation of Defenses in Motion. A party who makes a motion under this rule may join with it any other motions herein provided for and then available to him. If a party makes a motion under this rule but omits therefrom any defense or objection then available to him which this rule permits to be raised by motion, he shall not thereafter make a motion based on the defense or objection so omitted, except a motion as provided in subdivision (h)(2) hereof on any of the grounds there stated.
(h) Waiver or Preservation of Certain Defenses.
(1) A defense of lack of jurisdiction over the person, improper venue, insufficiency of process, or insufficiency of service of process is waived (A) if omitted from a motion in the circumstances described in subdivision (g), or (B) if it is neither made by motion under this rule nor included in a responsive pleading or an amendment thereof permitted by Rule 15(a) to be made as a matter of course.
(2) A defense of failure to state a claim upon which relief can be granted, a defense of failure to join a party indispensable under Rule 19, and an objection of failure to state a legal defense to a claim may be made in any pleading permitted or ordered under Rule 7(a), or by motion for judgment on the pleadings, or at the trial on the merits.
(3) Whenever it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the subject matter, the court shall dismiss the action. [Adopted May 5, 1967, effective July 1, 1967; subd. (a)(5) amended, adopted Nov. 29, 1971, effective Jan. 1, 1972. Prior: RPPP Rule 12.]

## Rule 13 Counterclaim and cross-claim.

(a) Compulsory Counterclaims. A pleading shall state as a counterclaim any claim which at the time of serving the pleading the pleader has against any opposing party, if it arises out of the transaction or occurrence that is the subject matter of the opposing party's claim and does not require for its adjudication the presence of third parties of whom the court cannot acquire jurisdiction. But the pleader need not state the claim if (1) at the time the action was commenced the claim was the subject of another pending action, or (2) the opposing party brought suit upon his claim by attachment or other process by which the court did not acquire jurisdiction to render a personal judgment on that claim, and the pleader is not stating any counterclaim under this Rule 13.
(b) Permissive Counterclaims. A pleading may state as a counterclaim any claim against an opposing party not arising out of the transaction or occurrence that is the subject matter of the opposing party's claim.
(c) Counterclaim Exceeding Opposing Claim. A counterclaim may or may not diminish or defeat the recovery sought by the opposing party. It may claim relief exceeding in amount or different in kind from that sought in the pleading of the opposing party.
(d) Counterclaim Against the State. These rules shall not be construed to enlarge beyond the limits now fixed by law the right to assert counterclaims, or to claim credits against the state or an officer or agency thereof.
(e) Counterclaim Maturing or Acquired After Pleading. A claim which either matured or was acquired by the pleader after serving his pleading may, with the permission of the court, be presented as a counterclaim by supplemental pleading.
(f) Omitted Counterclaim. When a pleader fails to set up a counterclaim through oversight, inadvertence, or
excusable neglect, or when justice requires, he may by leave of court set up the counterclaim by amendment.
(g) Cross-Claim Against Co-Party. A pleading may state as a cross-claim any claim by one party against a co-party arising out of the transaction or occurrence that is the subject matter either of the original action or of a counterclaim therein or relating to any property that is the subject matter of the original action. Such cross-claim may include a claim that the party against whom it is asserted is or may be liable to the crossclaimant for all or part of a claim asserted in the action against the cross-claimant.
(h) Joinder of Additional Parties. Persons other than those made parties to the original action may be made parties to a counterclaim or cross-claim in accordance with the provisions of Rules 19 and 20.
(i) Separate Trials; Separate Judgment. If the court orders separate trials as provided in Rule 42(b), judgment on a counterclaim or cross-claim may be rendered in accordance with the terms of Rule 54(b), even if the claims of the opposing party have been dismissed or otherwise disposed of.
(j) Setoff Against Assignee. The defendant in a civil action upon a contract express or implied, other than upon a negotiable promissory note or bill of exchange, negotiated in good faith and without notice before due, which has been assigned to the plaintiff, may set off a demand of a like nature existing against the person to whom he was originally liable, or any assignee prior to the plaintiff, of such contract, provided such demand existed at the time of the assignment thereof, and belonging to the defendant in good faith, before notice of such assignment, and was such a demand as might have been set off against such person to whom he was originally liable, or such assignee while the contract belonged to him.

Comment by tbe Court. Subdivision (j) is a revision of RCW 4.32.1 10. RCW 4.32.110 is superseded.
(k) Other Setoff Rules. [Reserved_-See RCW 4.32.120 through 4.32.150 and RCW 4.56.050 through 4.56.075.] [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 13.]

Comment by the Court. In addition to RCW 4.32 .110 mentioned above, Rule 13 supersedes RCW 4.32.100. For statutes superseded by Rule 13 and other rules, see comment at the end of Rule 8. Rule 13 modifies or supersedes the following statutes in part: RCW 4.56.060, 4.56.070 and 4.56.075.

## Rule 14 Third-party practice.

(a) When Defendant May Bring in Third Party. At any time after commencement of the action a defending party, as a third-party plaintiff, may cause a summons and complaint to be served upon a person not a party to the action who is or may be liable to him for all or part of the plaintiff's claim against him. The third-party plaintiff need not obtain leave to make the service if he files the third-party complaint not later than 10 days after he serves his original answer. Otherwise he must obtain leave on motion upon notice to all parties to the action. The person served with the summons and third-party complaint, hereinafter called the third-party defendant,
shall make his defenses to the third-party plaintiff's claim as provided in Rule 12 and his counterclaims against the third-party plaintiff and cross-claims against other third-party defendants as provided in Rule 13. The third-party defendant may assert against the plaintiff any defenses which the third-party plaintiff has to the plaintiff's claim. The third-party defendant may also assert claim against the plaintiff arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff. The plaintiff may assert any claim against the third-party defendant arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff, and the third-party defendant thereupon shall assert his defenses as provided in Rule 12 and his counterclaims and cross-claims as provided in Rule 13. Any party may move to strike the third-party claim, or for its severance or separate trial. A thirdparty defendant may proceed under this rule against any person not a party to the action who is or may be liable to him for all or part of the claim made in the action against the third-party defendant.
(b) When Plaintiff May Bring in Third Party. When a counterclaim is asserted against a plaintiff, he may cause a third party to be brought in under circumstances which under this rule would entitle a defendant to do so.
(c) Tort Cases. This rule shall not be applied in tort cases, to permit the joinder of a liability or indemnity insurance company, unless such company is by statute or contract directly liable to the person injured or damaged. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 14.]

## Rule 15 Amended and supplemental pleadings.

(a) Amendments. A party may amend his pleading once as a matter of course at any time before a responsive pleading is served, or, if the pleading is one to which no responsive pleading is permitted and the action has not been placed upon the trial calendar, he may so amend it at any time within 20 days after it is served. Otherwise, a party may amend his pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within 10 days after service of the amended pleading, whichever period may be the longer, unless the court otherwise orders.
(b) Amendments to Conform to the Evidence. When issues not raised by the pleadings are tried by express or implied consent of the parties, they shall be treated in all respects as if they had been raised in the pleadings. Such amendment of the pleadings as may be necessary to cause them to conform to the evidence and to raise these issues may be made upon motion of any party at any time, even after judgment; but failure so to amend does not affect the result of the trial of these issues. If evidence is objected to at the trial on the ground that it is not within the issues made by the pleadings, the court may allow the pleadings to be amended and shall do so
freely when the presentation of the merits of the action will be subserved thereby and the objecting party fails to satisfy the court that the admission of such evidence would prejudice him in maintaining his action or defense upon the merits. The court may grant a continuance to enable the objecting party to meet such evidence.
(c) Relation Back of Amendments. Whenever the claim or defense asserted in the amended pleading arose out of the conduct, transaction, or occurrence set forth or attempted to be set forth in the original pleading, the amendment relates back to the date of the original pleading. An amendment changing the party against whom a claim is asserted relates back if the foregoing provision is satisfied and, within the period provided by law for commencing the action against him, the party to be brought in by amendment (1) has received such notice of the institution of the action that he will not be prejudiced in maintaining his defense on the merits, and (2) knew or should have known that, but for a mistake concerning the identity of the proper party, the action would have been brought against him.
(d) Supplemental Pleadings. Upon motion of a party the court may, upon reasonable notice and upon such terms as are just, permit him to serve a supplemental pleading setting forth transactions or occurrences or events which have happened since the date of the pleading sought to be supplemented. Permission may be granted even though the original pleading is defective in its statement of a claim for relief or defense. If the court deems it advisable that the adverse party plead to the supplemental pleading, it shall so order, specifying the time therefor.
(e) Interlineations. No amendments shall be made to any pleading by erasing or adding words to the original on file, without first obtaining leave of court. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by tbe Court. Subdivision (e) follows and supersedes RPPP 15.04W. Rule 15 supersedes RCW 4.32.160, 4.32.240 (and by Rules 6 and 60), 4.36.190, and 4.36.250.

## Rule 16 Pre-trial procedure and formulating issues.

(a) Hearing Matters Considered. By order, or on the motion of any party, the court may in its discretion direct the attorneys for the parties to appear before it for a conference to consider:
(1) The simplification of the issues;
(2) The necessity or desirability of amendments to the pleadings;
(3) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;
(4) The limitation of the number of expert witnesses;
(5) Such other matters as may aid in the disposition of the action.
(b) Pre-Trial Order. The court shall make an order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties as to any of the matters considered, and which limits the issues for trial to those not disposed of by admissions or agreements of counsel; and such order when entered controls the subsequent course
of the action, unless modified at the trial to prevent manifest injustice. The court in its discretion may establish by rule a pre-trial calendar on which actions may be placed for consideration as above provided and may either confine the calendar to jury actions or to nonjury actions or extend it to all actions. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (b) is identical to the last paragraph of FRCP 16 except for the addition of the subheading.

## IV. PARTIES

Rule
17 Parties plaintiff and defendant; capacity.
(-) Designation of parties.
(a) Real party in interest.
(b) Capacity to sue or be sued.
(c) Infants, or incompetent persons.
(d) Actions on assigned choses in action.
(e) Public corporations.
(f) Tort actions against state.

18 Joinder of claims and remedies.
(a) Joinder of claims.
(b) Joinder of remedies, fraudulent conveyances.

19 Joinder of persons needed for just adjudication.
(a) Persons to be joined if feasible.
(b) Determination by court whenever joinder not feasible.
(c) Pleading reasons for nonjoinder.
(d) Exception of class actions.
(e) Husband and wife must join-Exceptions.

20 Permissive joinder of parties.
(a) Permissive joinder.
(b) Separate trials.
(c) When husband and wife may join.
(d) Service on joint defendants-Procedure after service.
(e) Procedure to bind joint debtor.

21 Misjoinder and non-joinder of parties.
22 Interpleader.
(a) Rule.
(b) Statutes.

23 Class actions.
(a) Prerequisites to a class action.
(b) Class actions maintainable.
(c) Determination by order whether class action to be maintained, notice, judgment, actions conducted partially as class actions.
(d) Orders in conduct of actions.
(e) Dismissal or compromise.
23.1 Derivative actions by shareholders.
23.2 Actions relating to unincorporated associations.

24 Intervention.
(a) Intervention of right.
(b) Permissive intervention.
(c) Procedure.

25 Substitution of parties.
(a) Death.
(b) Incompetency.
(c) Transfer of interest.
(d) Public offices, death or separation from office.

Rule 17 Parties plaintiff and defendant; capacity.
(-) Designation of Parties. The party commencing the action shall be known as the plaintiff, and the opposite party as the defendant.

Comment by the Court. Subdivision (-) is identical to and supersedes RCW 4.04.030.
(a) Real Party in Interest. Every action shall be prosecuted in the name of the real party in interest. An executor, administrator, guardian, bailee, trustee of an express trust, a party with whom or in whose name a contract has been made for the benefit of another, or a party authorized by statute may sue in his own name
without joining with him the party for whose benefit the action is brought. No action shall be dismissed on the ground that it is not prosecuted in the name of the real party in interest until a reasonable time has been allowed after objection for ratification of commencement of the action by, or joinder or substitution of, the real party in interest; and such ratification, joinder, or substitution shall have the same effect as if the action had been commenced in the name of the real party in interest.
(b) Capacity to Sue or Be Sued. [Reserved]

Comment by the Court. For pleading capacity see Rule 9(a).
(c) Infants, or Incompetent Persons.
(1) Scope. Generally this rule does not affect statutes and rules concerning the capacity of infants and incompetents to sue or be sued.
(2) Guardian Ad Litem for Infant. [Reserved-_See RCW 4.08.050.]
(3) Guardian Ad Litem for Incompetents. [Re-served-See RCW 4.08.060.]
(d) Actions on Assigned Choses in Action. [Re-served-See RCW 4.08.080.]
(e) Public Corporations.
(1) Actions By. [Reserved_-See RCW 4.08.110.]
(2) Actions Against. [Reserved-See RCW 4.08.120.]
(f) Tort Actions Against State. [Reserved-See RCW 4.92.] [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 17.]

## Rule 18 Joinder of claims and remedies.

(a) Joinder of Claims. A party asserting a claim to relief as an original claim, counterclaim, cross-claim, or third-party claim, may join, either as independent or as alternate claims, as many claims, legal, equitable, or maritime, as he has against an opposing party.
(b) Joinder of Remedies; Fraudulent Conveyances. Whenever a claim is one heretofore cognizable only after another claim has been prosecuted to a conclusion, the two claims may be joined in a single action; but the court shall grant relief in that action only in accordance with the relative substantive rights of the parties. In particular, a plaintiff may state a claim for money and a claim to have set aside a conveyance fraudulent as to him, without first having obtained a judgment establishing the claim for money. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 18.]

Comment by the Court. Rule 18 supersedes RCW 4.36.150.

## Rule 19 Joinder of persons needed for just adjudica-

 tion.(a) Persons to Be Joined If Feasible. A person who is subject to service of process and whose joinder will not deprive the court or jurisdiction over the subject matter of the action shall be joined as a party in the action if (1) in his absence complete relief cannot be accorded among those already parties, or (2) he claims an interest relating to the subject of the action and is so situated that the disposition of the action in his absence may (A)
as a practical matter impair or impede his ability to protect that interest or (B) leave any of the persons already parties subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations by reason of his claimed interest. If he has not been so joined, the court shall order that he be made a party. If he should join as a plaintiff but refuses to do so, he may be made a defendant, or, in a proper case, an involuntary plaintiff. If the joined party objects to venue and his joinder would render the venue of the action improper, he shall be dismissed from the action.
(b) Determination by Court Whenever Joinder Not Feasible. If a person joinable under (1) or (2) of subdivision (a) hereof cannot be made a party, the court shall determine whether in equity and good conscience the action should proceed among the parties before it, or should be dismissed, the absent person being thus regarded as indispensable. The factors to be considered by the court include: (1) to what extent a judgment rendered in the person's absence might be prejudicial to him or those already parties; (2) the extent to which, by protective provisions in the judgment, by the shaping of relief, or other measures, the prejudice can be lessened or avoided; (3) whether a judgment rendered in the person's absence will be adequate; (4) whether the plaintiff will have an adequate remedy if the action is dismissed for nonjoinder.
(c) Pleading Reasons for Nonjoinder. A pleading asserting a claim for relief shall state the names, if known to the pleader, of any persons joinable under (1) or (2) of subdivision (a) hereof who are not joined, and the reasons why they are not joined.
(d) Exception of Class Actions. This rule is subject to the provisions of Rule 23.
(e) Husband and Wife Must Join--Exceptions. When a married woman is a party, her husband must be joined with her, except:
(1) When the action concerns her separate property, or her right or claim to the homestead property, she may sue alone.
(2) When the action is between herself and her husband, she may sue or be sued alone.
(3) When she is living separate and apart from her husband, she may sue or be sued alone. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 19.]

Comment by tbe Court. Subdivision (e) is identical to and supersedes RCW 4.08.030. Together with Rule 20 and Rule 21, Rule 19 supersedes RCW 4.08.1 30 .

## Rule 20 Permissive joinder of parties.

(a) Permissive Joinder. All persons may join in one action as plaintiffs if they assert any right to relief jointly, severally, or in the alternative in respect of or arising out of the same transaction, occurrence, or series of transactions or occurrences and if any question of law or fact common to all of these persons will arise in the action. All persons may be joined in one action as defendants if there is asserted against them jointly, severally, or in the alternative, any right to relief in respect of or arising out
of the same transaction, occurrence, or series of transactions or occurrences and if any question of law or fact common to all defendants will arise in the action. A plaintiff or defendant need not be interested in obtaining or defending against all the relief demanded. Judgment may be given for one or more of the plaintiffs according to their respective rights to relief, and against one or more defendants according to their respective liabilities. Comment by the Court. Subdivision (a) follows FRCP 20(a) and supersedes RCW 4.08.090.
(b) Separate Trials. The court may make such orders as will prevent a party from being embarrassed, delayed, or put to expense by the inclusion of a party against whom he asserts no claim and who asserts no claim against him, and may order separate trials or make other orders to prevent delay or prejudice.

Comment by the Court. Subdivision (b) is identical to FRCP 20(b).
(c) When Husband and Wife May Join. Husband and wife may join in all causes of action arising from injuries to the person or character of either or both of them, or from injuries to the property of either or both of them, or arising out of any contract in favor of either or both of them. If a husband and wife be sued together, the wife may defend for her own right, and if the husband neglects to defend, she may defend for his right also. She may defend in all cases in which she is interested, whether she is sued with her husband or not.

Comment of the Court. Subdivision (c) follows and supersedes RCW 4.08.040.
(d) Service on Joint Defendants-—Procedure After Service. When the action is against two or more defendants and the summons is served on one or more but not on all of them, the plaintiff may proceed as follows:
(1) If the action is against the defendants jointly indebted upon a contract, he may proceed against the defendants served unless the court otherwise directs; and if he recovers judgment it may be entered against all the defendants thus jointly indebted so far only as it may be enforced against the joint property of all and the separate property of the defendants served.
(2) If the action is against defendants severally liable, he may proceed against the defendants served in the same manner as if they were the only defendants.
(3) Though all the defendants may have been served with the summons, judgment may be taken against any of them severally, when the plaintiff would be entitled to judgment against such defendants if the action had been against them alone.
Comment by the Court. Subdivision (d) is identical to and supersedes RCW 4.28.190.
(e) Procedure to Bind Joint Debtor. [Reserved——See RCW 4.68.] [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 20.]

Comment by the Court. Together with Rules 19 and 21, Rule 20 supersedes RCW 4.08.130.

Rule 21 Misjoinder and non-joinder of parties. Misjoinder of parties is not ground for dismissal of an action. Parties may be dropped or added by order of the court on motion of any party or of its own initiative at any stage of the action and on such terms as are just.

Any claim against a party may be severed and proceeded with separately. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 21.]

Comment by the Court. Rule 21 is identical to FRCP 21.

## Rule 22 Interpleader.

(a) Rule. Persons having claims against the plaintiff may be joined as defendants and required to interplead when their claims are such that the plaintiff is or may be exposed to double or multiple liability. It is not ground for objection to the joinder that the claims of the several claimants or the titles on which their claims depend do not have a common origin or are not identical but are adverse to and independent of one another, or that the plaintiff avers that he is not liable in whole or in part to any or all of the claimants. A defendant exposed to similar liability may obtain such interpleader by way of cross-claim or counterclaim. The provisions of this rule supplement and do not in any way limit the joinder of parties permitted under other rules and statutes.
(b) Statutes. The remedy herein provided is in addition to and in no way supersedes or limits the remedy provided by RCW 4.08.150 to 4.08.180, inclusive. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Rule 22 follows and supersedes RPPP 22.

## Rule 23 Class actions.

(a) Prerequisites to a Class Action. One or more members of a class may sue or be sued as representative parties on behalf of all only if (1) the class is so numerous that joinder of all members is impracticable, (2) there are questions of law or fact common to the class, (3) the claims or defenses of the representative parties are typical of the claims or defenses of the class, and (4) the representative parties will fairly and adequately protect the interests of the class.
(b) Class Actions Maintainable. An action may be maintained as a class action if the prerequisites of subdivision (a) are satisfied, and in addition:
(1) The prosecution of separate actions by or against individual members of the class would create a risk of
(A) inconsistent or varying adjudications with respect to individual members of the class which would establish incompatible stands of conduct for the party opposing the class, or
(B) adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests; or
(2) The party opposing the class has acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole; or
(3) The court finds that the questions of law or fact common to the members of the class predominate over any questions affecting only individual members, and that a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

The matters pertinent to the findings include: (A) the interest of members of the class in individually controlling the prosecution or defense of separate actions; (B) the extent and nature of any litigation concerning the controversy already commenced by or against members of the class; ( C ) the desirability or undesirability of concentrating the litigation of the claims in the particular forum; (D) the difficulties likely to be encountered in the management of a class action.
(c) Determination by Order Whether Class Action to Be Maintained; Notice; Judgment; Actions Conducted Partially as Class Actions.
(1) As soon as practicable after the commencement of an action brought as a class action, the court shall determine by order whether it is to be so maintained. An order under this subdivision may be conditional, and may be altered or amended before the decision on the merits.
(2) In any class action maintained under paragraph (b)(3), the court shall direct to the members of the class the best notice practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice shall advise each member that (A) the court will exclude him from the class if he so requests by a specified date; (B) the judgment, whether favorable or not, will include all members who do not request exclusion; and (C) any member who does not request exclusion may, if he desires, enter an appearance through his counsel.
(3) The judgment in an action maintained as a class action under paragraph (b)(1) or (b)(2), whether or not favorable to the class, shall include and describe those whom the court finds to be members of the class. The judgment in an action maintained as a class action under paragraph (b)(3), whether or not favorable to the class, shall include and specify or describe those to whom the notice provided in paragraph (c)(2) was directed, and who have not requested exclusion, and whom the court finds to be members of the class.
(4) When appropriate, (A) an action may be brought or maintained as a class action with respect to particular issues, or (B) a class may be divided into subclasses and each subclass treated as a class, and the provisions of this rule shall then be construed and applied accordingly.
(d) Orders in Conduct of Actions. In the conduct of actions to which this rule applies, the court may make appropriate orders: (1) determining the course of proceedings or prescribing measures to prevent undue repetition or complication in the presentation of evidence or argument; (2) requiring, for the protection of the members of the class or otherwise for the fair conduct of the action, that notice be given in such manner as the court may direct to some or all of the members of any step in the action, or of the proposed extent of the judgment, or of the opportunity of members to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action; (3) imposing conditions on the representative parties or on intervenors; (4) requiring that the pleadings be amended to eliminate therefrom allegations as to representation of absent persons, and
that the action proceed accordingly; (5) dealing with similar procedural matters. The orders may be combined with an order under Rule 16, and may be altered or amended as may be desirable from time to time.
(e) Dismissal or Compromise. A class action shall not be dismissed or compromised without the approval of the court, and notice of the proposed dismissal or compromise shall be given to all members of the class in such manner as the court directs. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 23.]

Rule 23.1 Derivative actions by shareholders. In a derivative action brought by one or more shareholders or members to enforce a right of a corporation or of an unincorporated association, the corporation or association having failed to enforce a right which may properly be asserted by it, the complaint shall be verified and shall allege (a) that the plaintiff was a shareholder or member at the time of the transaction of which he complains or that his share or membership thereafter devolved on him by operation of law, and (b) that the action is not a collusive one to confer jurisdiction on a court of this state which it would not otherwise have. The complaint shall also allege with particularity the efforts, if any, made by the plaintiff to obtain the action he desires from the directors or comparable authority and, if necessary, from the shareholders or members, and the reasons for his failure to obtain the action or for not making the effort. The derivative action may not be maintained if it appears that the plaintiff does not fairly and adequately represent the interests of the shareholders or members similarly situated in enforcing the right of the corporation or association. The action shall not be dismissed or compromised without the approval of the court, and notice of the proposed dismissal or compromise shall be given to shareholders or members in such manner as the court directs. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 23(b) part.]

Rule 23.2 Actions relating to unincorporated associations. An action brought by or against the members of an unincorporated association as a class by naming certain members as representative parties may be maintained only if it appears that the representative parties will fairly and adequately protect the interests of the association and its members. In the conduct of the action the court may make appropriate orders corresponding with those described in Rule 23(d), and the procedure for dismissal or compromise of the action shall correspond with that provided in Rule 23(e). [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 23(b) part.]

## Rule 24 Intervention.

(a) Intervention of Right. Upon timely application anyone shall be permitted to intervene in an action: (1) when a statute confers an unconditional right to intervene; or (2) when the applicant claims an interest relating to the property or transaction which is the subject of the action and he is so situated that the disposition of the action may as a practical matter impair or impede
his ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.
(b) Permissive Intervention. Upon timely application, anyone may be permitted to intervene in an action:
(1) when a statute confers a conditional right to intervene; or
(2) when an applicant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order administered by a federal or state governmental officer or agency or upon any regulation, order, requirements, or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely application may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.
(c) Procedure. A person desiring to intervene shall serve a motion to intervene upon all the parties as provided in Rule 5. The motion shall state the grounds therefor and shall be accompanied by a pleading setting forth the claim or defense for which intervention is sought. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 24.]
Comment by the Court. Subdivision (c) is amended to restore and reflect adoption of FRCP 5. Rule 24 supersedes RCW 4.08.190 and 4.08.020.

## Rule 25 Substitution of parties.

(a) Death.
(1) Procedure. If a party dies and the claim is not thereby extinguished, the court may order substitution of the proper parties. The motion for substitution may be made by the successors or representatives of the deceased party or by any party and, together with the notice of hearing, shall be served on the parties as provided by Rule 5 for service of notices, and upon persons not parties in the manner provided by statute or by rule for the service of a summons. If substitution is not made within the time authorized by law, the action may be dismissed as to the deceased party.
(2) Partial Abatement. In the event of the death of one or more of the plaintiffs or of one or more of the defendants in an action in which the right sought to be enforced survives only to the surviving plaintiffs or only against the surviving defendants, the action does not abate. The death shall be suggested upon the record and the action shall proceed in favor of or against the surviving parties.
(b) Incompetency. If a party becomes incompetent, the court upon motion served as provided in subdivision (a) of this rule may allow the action to be continued by or against his representative.
(c) Transfer of Interest. In case of any transfer of interest, the action may be continued by or against the original party unless the court upon motion directs the person to whom the interest is transferred to be substituted in the action or joined with the original party.

Service of the motion shall be made as provided in subdivision (a) of this rule.
(d) Public Offices; Death or Separation from Office. [Reserved] [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 25.]

## V. DEPOSITIONS AND DISCOVERY

## Rule

26 General provisions governing discovery.
(a) Discovery methods.
(b) Scope of discovery.
(c) Protective orders.
(d) Sequence and timing of discovery.
(e) Supplementation of responses.

27 Perpetuation of testimony.
(a) Perpetuation before action.
(b) Perpetuation pending appeal.
(c) Perpetuation by action.

28 Persons before whom depositions may be taken.
(-) Within the state.
(a) Within the United States.
(b) In foreign countries.
(c) Disqualification for interest.

29 Stipulations regarding discovery procedure.
30 Depositions upon oral examination.
(a) When depositions may be taken.
(b) Notice of examination: General requirements; special notice; non-stenographic recording; production of documents and things; deposition of organization.
(c) Examination and cross-examination; record of examination; oath; objections.
(d) Motion to terminate or limit examination.
(e) Submission to witness; changes; signing.
(f) Certification and filing by officer; exhibits; copies; notice of fling.
(g) Failure to attend or to serve subpoena; expenses.

31 Depositions upon written questions.
(a) Serving questions; notice.
(b) Officer to take responses and prepare record.
(c) Notice of filing.

32 Use of depositions in court proceedings.
(a) Use of depositions.
(b) Objections to admissibility.
(c) Effect of taking or using depositions.
(d) Effect of errors and irregularities in depositions.

33 Interrogatories to parties.
(a) Availability; procedures for use.
(b) Scope; use at trial.
(c) Option to produce business records.

34 Production of documents and things and entry upon land for inspection and other purposes.
(a) Scope.
(b) Procedure.
(c) Persons not parties.

35 Physical and mental examination of persons.
(a) Order for examination.
(b) Report of examining physician.

36 Requests for admission.
(a) Request for admission.
(b) Effect of admission.

37 Failure to make discovery: Sanctions.
(a) Motion for order compelling discovery.
(b) Failure to comply with order.
(c) Expenses on failure to admit.
(d) Failure of party to attend at own deposition or serve answers to interrogatories or respond to request for inspection.

## Rule 26 General provisions governing discovery.

(a) Discovery Methods. Parties may obtain discovery by one or more of the following methods: depositions
upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property, for inspection and other purposes; physical and mental examinations; and requests for admission. Unless the court orders otherwise under subdivision (c) of this rule, the frequency of use of these methods is not limited.
(b) Scope of Discovery. Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:
(1) In General. Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party, including the existence, description, nature, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.
(2) Insurance Agreements. A party may obtain discovery of the existence and contents of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment. Information concerning the insurance agreement is not by reason of disclosure admissible in evidence at trial. For purposes of this paragraph, an application for insurance shall not be treated as part of an insurance agreement.
(3) Trial Preparation: Materials. Subject to the provisions of subdivision (b)(4) of this rule, a party may obtain discovery of documents and tangible things otherwise discoverable under subdivision (b)(1) of this rule and prepared in anticipation of litigation or for trial by or for another party or by or for that other party's representative (including his attorney, consultant, surety, indemnitor, insurer, or agent) only upon a showing that the party seeking discovery has substantial need of the materials in the preparation of his case and that he is unable without undue hardship to obtain the substantial equivalent of the materials by other means. In ordering discovery of such materials when the required showing has been made, the court shall protect against disclosure of the mental impressions, conclusions, opinions, or legal theories of an attorney or other representative of a party concerning the litigation.

A party may obtain without the required showing a statement concerning the action or its subject matter previously made by that party. Upon request, a person not a party may obtain without the required showing a statement concerning the action or its subject matter previously made by that person. If the request is refused, the person may move for a court order. The provisions of Rule 37(a)(4) apply to the award of expenses incurred in relation to the motion. For purposes of this paragraph, a statement previously made is (A) a written statement
signed or otherwise adopted or approved by the person making it, or (B) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.
(4) Trial Preparation: Experts. Discovery of facts known and opinions held by experts, otherwise discoverable under the provisions of subdivison (b)(1) of this rule and acquired or developed in anticipation of litigation or for trial, may be obtained only as follows:
(A)(i) A party may through interrogatories require any other party to identify each person whom the other party expects to call as an expert witness at trial, to state the subject matter on which the expert is expected to testify, and to state the substance of the facts and opinion to which the expert is expected to testify and a summary of the grounds for each opinion. (ii) Upon motion, the court may order further discovery by other means, subject to such restrictions as to scope and such provisions, pursuant to subdivision (b)(4)(C) of this rule, concerning fees and expenses as the court may deem appropriate.
(B) A party may discover facts known or opinions held by an expert who is not expected to be called as a witness at trial, only as provided in Rule 35(b) or upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means.
(C) Unless manifest injustice would result, (i) the court shall require that the party seeking discovery pay the expert a reasonable fee for time spent in responding to discovery under subdivisions (b)(4)(A)(ii) and (b)(4)(B) of this rule; and (ii) with respect to discovery obtained under subdivisions (b)(4)(A)(ii) of this rule the court may require, and with respect to discovery obtained under subdivision (b)(4)(B) of this rule the court shall require, the party seeking discovery to pay the other party a fair portion of the fees and expenses reasonably incurred by the latter party in obtaining facts and opinions from the expert.
(c) Protective Orders. Upon motion by a party or by the person from whom discovery is sought, and for good cause shown, the court in which the action is pending or alternatively, on matters relating to a deposition, the court in the county where the deposition is to be taken may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following: (1) that the discovery not be had; (2) that the discovery may be had only on specified terms and conditions, including a designation of the time or place; (3) that the discovery may be had only by a method of discovery other than that selected by the party seeking discovery; (4) that certain matters not be inquired into, or that the scope of the discovery be limited to certain matters; (5) that discovery be conducted with no one present except persons designated by the court; (6) that a deposition after being sealed be opened only by order of the court; (7) that a trade secret or other
confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way; (8) that the parties simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the court.

If the motion for a protective order is denied in whole or in part, the court may, on such terms and conditions as are just, order that any party or person provide or permit discovery. The provisions of Rule 37(a)(4) apply to the award of expenses incurred in relation to the motion.
(d) Sequence and Timing of Discovery. Unless the court upon motion, for the convenience of parties and witnesses and in the interests of justice, orders otherwise, methods of discovery may be used in any sequence and the fact that a party is conducting discovery, whether by deposition or otherwise, shall not operate to delay any other party's discovery.
(e) Supplementation of Responses. A party who has responded to a request for discovery with a response that was complete when made is under no duty to supplement his response to include information thereafter acquired, except as follows:
(1) A party is under a duty seasonably to supplement his response with respect to any question directly addressed to (A) the identity and location of persons having knowledge of discoverable matters, and (B) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he is expected to testify, and the substance of his testimony.
(2) A party is under a duty seasonably to amend a prior response if he obtains information upon the basis of which (A) he knows that the response was incorrect when made, or ( $B$ ) he knows that the response though correct when made is no longer true and the circumstances are such that a failure to amend the response is in substance a knowing concealment.
(3) A duty to supplement responses may be imposed by order if the court, agreement of the parties, or at any time prior to trial through new requests for supplementation of prior responses.
(4) Failure to seasonably supplement in accordance with this rule will subject the party to such terms and conditions as the trial court may deem appropriate. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 26.]

## Rule 27 Perpetuation of testimony.

(a) Perpetuation Before Action.
(1) Petition. A person who desires to perpetuate his own testimony or that of another person regarding any matter that may be cognizable in any superior court may file a verified petition in the superior court in the county of the residence of any expected adverse party. The petition shall be entitled in the name of the petitioner and shall show:
(A) that the petitioner expects to be a party to an action cognizable in a superior court but is presently unable to bring it or cause it to be brought,
(B) the subject matter of the expected action and his interest therein,
(C) the facts which he desires to establish by the proposed testimony and his reasons for desiring to perpetuate it,
(D) the names or a description of the persons he expects will be adverse parties and their addresses so far as known, and
(E) the names and addresses of the persons to be examined and the substance of the testimony which he expects to elicit from each, and shall ask for an order authorizing the petitioner to take the depositions of the persons to be examined named in the petition, for the purpose of perpetuating their testimony.
(2) Notice and Service. The petitioner shall thereafter serve a notice upon each person named in the petition as an expected adverse party, together with a copy of the petition, stating that the petitioner will apply to the court, at a time and place named therein, for the order described in the petition. At least 20 days before the date of hearing the notice shall be served in the manner provided by law for service of summons; but if such service cannot with due diligence be made upon any expected adverse party named in the petition, the court may make such order as is just for service by publication or otherwise, and shall appoint, for persons not served personally in the manner provided by law, an attorney who shall represent them and, in case they are not otherwise represented, shall cross-examine the deponent. If any expected adverse party is a minor or incompetent, the court shall make such order as deemed appropriate for the protection of the minor or incompetent as provided in RCW 4.08.050 and 4.08.060.
(3) Order and Examination. If the court is satisfied that the perpetuation of the testimony may prevent a failure or delay of justice, it shall make an order designating or describing the persons whose depositions may be taken and specif ying the subject matter of the examination and whether the depositions shall be taken upon oral examination or written interrogatories. The depositions may then be taken in accordance with these rules; and the court may make orders of the character provided for by Rules 34 and 35 . For the purpose of applying these rules to depositions for perpetuating testimony, each reference therein to the court in which the action is pending shall be deemed to refer to the court in which the petition for such deposition was filed.
(4) Use of Deposition. If a deposition to perpetuate testimony is taken under these rules or if, although not so taken, it would be admissible in evidence in the courts of the state in which it is taken, it may be used in any action involving the same subject matter subsequently brought in a superior court of this state.
(b) Perpetuation Pending Appeal. If an appeal has been taken from a judgment of a superior court or before the taking of an appeal if the time therefor has not expired, the superior court in which the judgment was rendered may allow the taking of the depositions of witnesses to perpetuate their testimony for use in the event of further proceedings in the superior court. In such case the party who desires to perpetuate the testimony may make a motion in the superior court for leave to take the depositions, upon the same notice and service thereof as if the
action was pending in the superior court. The motion shall show (1) the names and addresses of the persons to be examined and the substance of the testimony which he expects to elicit from each; (2) the reasons for perpetuating their testimony. If the court finds that the perpetuation of the testimony is proper to avoid a failure or delay of justice, it may make an order allowing the depositions to be taken and may make orders of the character provided for by Rules 34 and 35, and thereupon the depositions may be taken and used in the same manner and under the same conditions as are prescribed in these rules for depositions taken in actions pending in the superior court.
(c) Perpetuation by Action. This rule does not limit the power of a court to entertain an action to perpetuate testimony. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 27.]

Rule 28 Persons before whom depositions may be taken.
$(-)$ Within the State. Depositions within the state may be taken before the following officers:
(1) Court Commissioners. [Reserved——See RCW 2.24.040 (9) and (10).]
(2) Superior Courts. [Reserved——See RCW 2.28.010(7).]
(3) Judicial Officers. [Reserved——See RCW 2.28.060.]
(4) Judges of Supreme and Superior Courts. [Re-served-See RCW 2.28.080(3).]
(5) Inferior Judicial Officers. [Reserved——See RCW 2.28.090.]
(6) Notaries Public. [Reserved——See RCW 42.28.040(3).]
(7) Special Commissions. [Reserved——See RCW 11.20.030.]
(a) Within the United States. Within the United States or within a territory or insular possession subject to the dominion of the United States, depositions shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held, or before a person appointed by the court in which the action is pending. A person so appointed has power to administer oaths and take testimony.
(b) In Foreign Countries. In a foreign country, depositions may be taken (1) on notice before a person authorized to administer oaths in the place in which the examination is held, either by the law thereof or by the law of the United States, or (2) before a person commissioned by the court, and a person so commissioned shall have the power by virtue of his commission to administer any necessary oath and take testimony, or (3) pursuant to a letter rogatory. A commission or a letter rogatory shall be issued on application and notice, and on terms that are just and appropriate. It is not requisite to the issuance of a commission or a letter rogatory that the taking of the deposition in any other manner is impracticable or inconvenient; and both a commission and a letter rogatory may be issued in proper cases. A notice
or commission may designate the person before whom the deposition is to be taken either by name or descriptive title. A letter rogatory may be addressed "To the Appropriate Authority in [here name the country]." Evidence obtained in response to a letter rogatory need not be excluded merely for the reason that it is not a verbatim transcript or that the testimony was not taken under oath or for any similar departure from the requirements for depositions taken within the United States under these rules.
(c) Disqualification for Interest. No deposition shall be taken before a person who is a relative or employee or attorney or counsel of any of the parties, or is a relative or employee of such attorney or counsel, or is financially interested in the action. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 28.]

Rule 29 Stipulations regarding discovery procedure. Unless the court orders otherwise, the parties may by written stipulation (1) provide that depositions may be taken before any person, at any time or place, upon any notice, and in any manner and when so taken may be used like other depositions, and (2) modify the procedures provided by these rules for other methods of discovery. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: R PPP Rule 29.]

## Rule 30 Depositions upon oral examination.

(a) When Depositions May be Taken. After the summons and a copy of the complaint are served, or the complaint is filed, whichever shall first occur, any party may take the testimony of any person, including a party, by deposition upon oral examination. Leave of court, granted with or without notice, must be obtained only if the plaintiff seeks to take a deposition prior to the expiration of 30 days after service of the summons and complaint upon any defendant or service made under Rule 4(e), except that leave is not required (1) if a defendant has served a notice of taking deposition or otherwise sought discovery, or (2) if special notice is given as provided in subdivision (b)(2) of this rule. The attendance of witnesses may be compelled by subpoena as provided in Rule 45 . The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes.
(b) Notice of Examination: General Requirements; Special Notice; Non-stenographic Recording; Production of Documents and Things; Deposition of Organization.
(1) A party desiring to take the deposition of any person upon oral examination shall give reasonable notice in writing of not less than 5 days (exclusive of the day of service, Saturdays, Sundays and court holidays) to every other party to the action. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined, if known, and, if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced as set forth in the subpoena shall be attached to or included in the notice.
(2) Leave of court is not required for the taking of a deposition by plaintiff if the notice (A) states that the person to be examined is about to go out of the state and will be unavailable for examination unless his deposition is taken before expiration of the 30 -day period, and (B) sets forth facts to support the statement. The plaintiff's attorney shall sign the notice, and his signature constitutes a certification by him that to the best of his knowledge, information, and belief the statement and supporting facts are true. The sanctions provided by Rule 11 are applicable to the certification.

If a party shows that when he was served with notice under this subdivision (b)(2) he was unable through the exercise of diligence to obtain counsel to represent him at the taking of the deposition, the deposition may not be used against him.
(3) The court may for cause shown enlarge or shorten the time for taking the deposition.
(4) The court may upon motion order that the testimony at a deposition be recorded by other than stenographic means. In which event the order shall designate the manner of recording, preserving, and filing the deposition, and may include other provisions to assure that the recorded testimony will be accurate and trustworthy. If the order is made, a party may nevertheless arrange to have a stenographic transcription made at his own expense.
(5) The notice to a party deponent may be accompanied by a request made in compliance with Rule 34 for the production of documents and tangible things at the taking of the deposition. The procedure of Rule 34 shall apply to the request.
(6) A party may in his notice and in a subpoena name as the deponent a public or private corporation or a partnership or association or governmental agency and designate with reasonable particularity the matters on which examination is requested. In that event the organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters known on which he will testify. A subpoena shall advise a non-party organization of its duty to make such a designation. The persons so designated shall testify as to the matters known or reasonably available to the organization. This subdivision (b)(6) does not preclude taking a deposition by any other procedure authorized in these rules.
(c) Examination and Cross-Examination; Record of Examination; Oath; Objections. Examination and crossexamination of witnesses may proceed as permitted at the trial under the provisions of Rule 43(b). The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with subdivision (b)(4) of this rule. If requested by one of the parties, the testimony shall be transcribed.

All objections made at the time of the examination to the qualifications of the officer taking the deposition, or
to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.
(d) Motion to Terminate or Limit Examination. At any time during the taking of the deposition, on motion of a party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the court in which the action is pending or the court in the county where the deposition is being taken may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as provided in Rule 26(c). If the order made terminates the examination, it shall be resumed thereafter only upon the order of the court in which the action is pending. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order. The provisions of Rule 37(a)(4) apply to the award of expenses incurred in relation to the motion.
(e) Submission to Witness; Changes; Signing. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 15 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

## (f) Certification and Filing by Officer; Exhibits; Copies; Notice of Filing.

(1) The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition in an envelope endorsed with the title of the action and marked "Deposition of [here insert name of witness] " and shall promptly file it with the court in which the action is pending or send it by registered mail to the clerk thereof for filing. Documents and things produced for inspection during the examination of the witness, shall, upon the request of a party, be marked for identification and annexed to and
returned with the deposition, and may be inspected and copied by any party, except that ( A ) the person producing the materials may substitute copies to be marked for identification, if he affords to all parties fair opportunity to verify the copies by comparison with the originals, and (B) if the person producing the materials requests their return, the officer shall mark them, give each party an opportunity to inspect and copy them, and return them to the person producing them, and the materials may then be used in the same manner as if annexed to and returned with the deposition. Any party may move for an order that the original be annexed to and returned with the deposition to the court, pending final disposition of the case.
(2) Upon payment of reasonable charges therefor, the officer shall furnish a copy of the deposition to any party or the deponent.
(3) The officer filing the deposition shall give prompt notice of its filing to all parties.
(g) Failure to Attend or to Serve Subpoena; Expenses.
(1) If the party giving the notice of the taking of a deposition fails to attend and proceed therewith and another party attends in person or by attorney pursuant to the notice, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by him and his attorney in attending, including reasonable attorney's fees.
(2) If the party giving the notice of the taking of a deposition of a witness fails to serve a subpoena upon him and the witness because of such failure does not attend, and if another party attends in person or by attorney because he expects the deposition of that witness to be taken, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by him and his attorney in attending, including reasonable attorney's fees. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 30.]

## Rule 31 Depositions upon written questions.

(a) Serving Questions; Notice. After the summons and a copy of the complaint are served, or the complaint is filed, whichever shall first occur, any party may take the testimony of any person, including a party, by deposition upon written questions. The attendance of witnesses may be compelled by the use of subpoena as provided in Rule 45. The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes.

A party desiring to take a deposition upon written questions shall serve them upon every other party with a notice stating (1) the name and address of the person who is to answer them, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs, and (2) the name or descriptive title and address of the officer before whom the deposition is to be taken. A deposition upon written questions may be taken of a public or private corporation or a partnership or association or governmental agency in accordance with the provisions of Rule 30(b)(6).

Within 15 days after the notice and written questions are served, a party may serve cross questions upon all other parties. Within 10 days after being served with cross questions, a party may serve redirect questions upon all other parties. Within 10 days after being served with redirect questions, a party may serve recross questions upon all other parties. The court may for cause shown enlarge or shorten the time.
(b) Officer to Take Responses and Prepare Record. A copy of the notice and copies of all questions served shall be delivered by the party taking the deposition to the officer designated in the notice, who shall proceed promptly, in the manner provided by Rule 30(c), (e), and ( f ), to take the testimony of the witness in response to the questions and to prepare, certify, and file or mail the deposition, attaching thereto the copy of the notice and the questions received by him.
(c) Notice of Filing. When the deposition is filed, the officer filing it shall promptly give notice thereof to all parties. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 31.]

## Rule 32 Use of depositions in court proceedings.

(a) Use of Depositions. At the trial or upon the hearing of a motion or an interlocutory proceeding, any part or all of a deposition, so far as admissible under the rules of evidence applied as though the witness were then present and testifying, may be used against any party who was present or represented at the taking of the deposition or who had reasonable notice thereof, in accordance with any of the following provisions:
(1) Any deposition may be used by any party for the purpose of contradicting or impeaching the testimony of deponent as a witness.
(2) The deposition of a party or of anyone who at the time of taking the deposition was an officer, director, or managing agent, or a person designated under Rule $30(\mathrm{~b})(6)$ or $31(\mathrm{a})$ to testify on behalf of a public or private corporation, partnership or association or governmental agency which is a party may be used by an adverse party for any purpose.
(3) The deposition of a witness, whether or not a party, may be used by any party for any purpose if the court finds: (A) that the witness is dead; or (B) that the witness resides out of the county and more than 20 miles from the place of trial, unless it appears that the absence of the witness was procured by the party offering the deposition; or (C) that the witness is unable to attend or testify because of age, illness, infirmity, or imprisonment; or (D) that the party offering the deposition has been unable to procure the attendance of the witness by subpoena; or (E) upon application and notice, that such exceptional circumstances exist as to make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witnesses orally in open court, to allow the deposition to be used.
(4) If only part of a deposition is offered in evidence by a party, an adverse party may require him to introduce any other part which ought in fairness to be considered with the part introduced, and any party may introduce any other parts.

Substitution of parties pursuant to Rule 25 does not affect the right to use depositions previously taken; and, when an action in any court of the United States or of any State has been dismissed and another action involving the same issues and subject matter is afterward brought between the same parties or their representatives or successors in interest, all depositions lawfully taken and duly filed in the former action may be used in the latter as if originally taken therefor.
(b) Objections to Admissibility. Subject to the provisions of Rule 28(b) and subdivision (d)(3) of this rule, objection may be made at the trial or hearing to receiving in evidence any deposition or part thereof for any reason which would require the exclusion of the evidence if the witness were then present and testifying.
(c) Effect of Taking or Using Depositions. A party does not make a person his own witness for any purpose by taking his deposition. The introduction in evidence of the deposition or any part thereof for any purpose other than that of contradicting or impeaching the deponent makes the deponent the witness of the party introducing the deposition, but this shall not apply to the use by an adverse party of a deposition under subdivision (a)(2) of this rule. At the trial or hearing any party may rebut any relevant evidence contained in a deposition whether introduced by him or by any other party.
(d) Effect of Errors and Irregularities in Depositions.
(1) As to Notice. All errors and irregularities in the notice for taking a deposition are waived unless written objection is promptly served upon the party giving the notice.
(2) As to Disqualification of Officer. Objection to taking a deposition because of disqualification of the officer before whom it is to be taken is waived unless made before the taking of the deposition begins or as soon thereafter as the disqualification becomes known or could be discovered with reasonable diligence.
(3) As to Taking of Deposition.
(A) Objections to the competency of a witness or to the competency, relevancy, or materiality of testimony are not waived by failure to make them before or during the taking of the deposition, unless the ground of the objection is one which might have been obviated or removed if presented at that time.
(B) Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of parties, and errors of any kind which might be obviated, removed, or cured if promptly presented, are waived unless seasonable objection thereto is made at the taking of the deposition.
(C) Objections to the form of written questions submitted under Rule 31 are waived unless served in writing upon the party propounding them within the time allowed for serving the succeeding cross or other questions and within 5 days after service of the last questions authorized.
(4) As to Completion and Return of Deposition. Errors and irregularities in the manner in which the testimony is transcribed or the deposition is prepared, signed,
certified, sealed, endorsed, transmitted, filed, or otherwise dealt with by the officer under Rules 30 and 31 are waived unless a motion to suppress the deposition or some part thereof is made with reasonable promptness after such defect is, or with due diligence might have been, ascertained. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 32.]

## Rule 33 Interrogatories to parties.

(a) Availability; Procedures for Use. Any party may serve upon any other party written interrogatories to be answered by the party served or, if the party served is a public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Interrogatories may, without leave of court, be served upon the plaintiff after the summons and a copy of the complaint are served upon the defendant, or the complaint is filed, whichever shall first occur, and upon any other party with or after service of the summons and complaint upon that party.

Interrogatories shall be so arranged that after each separate question there shall appear a blank space reasonably calculated to enable the answering party to have his answer typed in. Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. The answers are to be signed by the person making them, and the objections signed by the attorney making them. The party upon whom the interrogatories have been served shall serve a copy of the answers, and objections if any, within 20 days after the service of the interrogatories, except that a defendant may serve answers or objections within 40 days after service of the summons and complaint upon that defendant. The parties may stipulate or the party submitting the interrogatories may move for an order under Rule 37(a) with respect to any objection to or other failure to answer an interrogatory.
(b) Scope; Use at Trial. Interrogatories may relate to any matters which can be inquired into under Rule 26(b), and the answers may be used to the extent permitted by the rules of evidence.

An interrogatory otherwise proper is not necessarily objectionable merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact, but the court may order that such an interrogatory need not be answered until after designated discovery has been completed or until a pretrial conference or other later time.
(c) Option to Produce Business Records. Where the answer to an interrogatory may be derived or ascertained from the business records of the party upon whom the interrogatory has been served or from an examination, audit or inspection of such business records, or from a compilation, abstract or summary based thereon, and the burden of deriving or ascertaining the answer is substantially the same for the party serving the interrogatory as for the party served, it is sufficient answer to such interrogatory to specify the records from which the answer may be derived or ascertained and to afford to
the party serving the interrogatory reasonable opportunity to examine, audit or inspect such records and to make copies, compilations, abstracts or summaries. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: R PPP Rule 33.]

Rule 34 Production of documents and things and entry upon land for inspection and other purposes.
(a) Scope. Any party may serve on any other party a request (1) to produce and permit the party making the request, or someone acting on his behalf, to inspect and copy, any designated documents (including writings, drawings, graphs, charts, photographs, phonorecords, and other data compilations from which information can be obtained, translated, if necessary, by the respondent through detection devices into reasonably usable form), or to inspect and copy, test, or sample any tangible things which constitute or contain matters within the scope of Rule 26(b) and which are in the possession, custody or control of the party upon whom the request is served; or (2) to permit entry upon designated land or other property in the possession or control of the party upon whom the request is served for the purpose of inspection and measuring, surveying, photographing, testing, or sampling the property or any designated object or operation thereon, within the scope of Rule 26(b).
(b) Procedure. The request may, without leave of court, be served upon the plaintiff after the summons and a copy of the complaint are served upon the defendant, or the complaint is filed, whichever shall first occur, and upon any other party with or after service of summons and complaint upon that party. The request shall set forth the items to be inspected either by individual item or by category, and describe each item and category with reasonable particularity. The request shall specify a reasonable time, place and manner of making the inspection and performing the related acts.

The party upon whom the request is served shall serve a written response within 20 days after the service of the request, except that a defendant may serve a response within 40 days after service of the summons and complaint upon that defendant. The parties may stipulate or the court may allow a shorter or longer time. The response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for objection shall be stated. If objection is made to part of an item or category, the part shall be specified. The party submitting the request may move for an order under Rule 37(a) with respect to any objection to or other failure to respond to the request or any part thereof, or any failure to permit inspection as requested.
(c) Persons not Parties. This rule does not preclude an independent action against a person not a party for production of documents and things and permission to enter upon land. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 34.]

Rule 35 Physical and mental examination of persons.
(a) Order for Examination. When the mental or physical condition (including the blood group) of a party, or of a person in the custody or under the legal control of a party, is in controversy, the court in which the action is pending may order the party to submit to a physical or mental examination by a physician or to produce for examination the person in his custody or legal control. The order may be made only on motion for good cause shown and upon notice to the person to be examined and to all parties and shall specify the time, place, manner, conditions, and scope of the examination and the person or persons by whom it is to be made.
(b) Report of Examining Physician.
(1) If requested by the party against whom an order is made under Rule 35(a) or the person examined, the party causing the examination to be made shall deliver to him a copy of a detailed written report of the examining physician setting out his finding, including results of all tests made, diagnosis and conclusions, together with like reports of all earlier examinations of the same condition. After delivery the party causing the examination shall be entitled upon request to receive from the party against whom the order is made a like report of any examination, previously or thereafter made, of the same condition, unless, in the case of a report of examination of a person not a party, the party shows that he is unable to obtain it. The court on motion may make an order against a party requiring delivery of a report on such terms as are just, and if a physician fails or refuses to make a report the court may exclude his testimony if offered at the trial.
(2) By requesting and obtaining a report of the examination so ordered or by taking the deposition of the examiner, the party examined waives any privilege he may have in that action or any other involving the same controversy regarding the testimony of every other person who has examined or may thereafter examine him in respect of the same mental or physical condition.
(3) This subdivision applies to examinations made by agreement of the parties, unless the agreement expressly provides otherwise. This subdivision does not preclude discovery of a report of an examining physician or the taking of a deposition of the physician in accordance with the provisions of any other rule. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 35.]

## Rule 36 Requests for admission.

(a) Request for Admission. A party may serve upon any other party a written request for the admission, for purposes of the pending action only, of the truth of any matters within the scope of Rule 26(b) set forth in the request that relate to statements or opinions of fact or of the application of law to fact, including the genuineness of any documents described in the request. Copies of documents shall be served with the request unless they have been or are otherwise furnished or made available for inspection and copying. The request may, without leave of court, be served upon the plaintiff after the summons and a copy of the complaint are served upon
the defendant, or the complaint is filed, whichever shall first occur, and upon any other party with or after service of the summons and complaint upon that party.

Each matter of which an admission is requested shall be separately set forth. The matter is admitted unless, within 20 days after service of the request, or within such shorter or longer time as the court may allow the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by his attorney, but, unless the court shortens the time, a defendant shall not be required to serve answers or objections before the expiration of 40 days after service of the summons and complaint upon him. If objection is made, the reasons therefor shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify his answer or deny only a part of the matter of which an admission is requested, he shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a reason for failure to admit or deny unless he states that he has made reasonable inquiry and that the information known or readily obtainable by him is insufficient to enable him to admit or deny. A party who considers that a matter of which an admission has been requested presents a genuine issue for trial may not, on that ground alone, object to the request; he may, subject to the provisions of Rule 37(c), deny the matter or set forth reasons why he cannot admit or deny it.

The party who has requested the admissions may move to determine the sufficiency of the answers or objections. Unless the court determines that an objection is justified, it shall order that an answer be served. If the court determines that an answer does not comply with the requirements of this rule, it may order either that the matter is admitted or that an amended answer be served. The court may, in lieu of these orders, determine that final disposition of the request be made at a pretrial conference or at a designated time prior to trial. The provisions of Rule 37(a)(4) apply to the award of expenses incurred in relation to the motion.
(b) Effect of Admission. Any matter admitted under this rule is conclusively established unless the court on motion permits withdrawal or amendment of the admission. Subject to the provisions of Rule 16 governing amendment of a pretrial order, the court may permit withdrawal or amendment when the presentation of the merits of the action will be subserved thereby and the party who obtained the admission fails to satisfy the court that withdrawal or amendment will prejudice him in maintaining his action or defense on the merits. Any admission made by a party under this rule is for the purpose of the pending action only and is not an admission by him for any other purpose nor may it be used against him in any other proceeding. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 36.]

Rule 37 Failure to make discovery: Sanctions.
(a) Motion for Order Compelling Discovery. A party, upon reasonable notice to other parties and all persons affected thereby, may apply to the court in the county where the deposition was taken, or in the county where the action is pending, for an order compelling discovery as follows:
(1) Appropriate Court. An application for an order to a party may be made to the court in which the action is pending, or on matters relating to a deposition, to the court in the county where the deposition is being taken. An application for an order to a deponent who is not a party shall be made to the court in the county where the deposition is being taken.
(2) Motion. If a deponent fails to answer a question propounded or submitted under Rules 30 or 31 , or a corporation or other entity fails to make a designation under Rule $30(\mathrm{~b})(6)$ or $31(\mathrm{a})$, or a party fails to answer an interrogatory submitted under Rule 33 , or if a party, in response to a request for inspection submitted under Rule 34 , fails to respond that inspection will be permitted as requested or fails to permit inspection as requested, the discovering party may move for an order compelling an answer or a designation, or an order compelling inspection in accordance with the request. When taking a deposition on oral examination, the proponent of the question may complete or adjourn the examination before he applies for an order.

If the court denies the motion in whole or in part, it may make such protective order as it would have been empowered to make on a motion made pursuant to Rule 26(c).
(3) Evasive or Incomplete Answer. For purposes of this subdivision an evasive or incomplete answer is to be treated as a failure to answer.
(4) Award of Expenses of Motion. If the motion is granted, the court shall, after opportunity for hearing, require the party or deponent whose conduct necessitated the motion or the party or attorney advising such conduct or both of them to pay to the moving party the reasonable expenses incurred in obtaining the order, including attorney's fees, unless the court finds that the opposition to the motion was substantially justified or that other circumstances make an award of expenses unjust.

If the motion is denied, the court shall, after opportunity for hearing, require the moving party or the attorney advising the motion or both of them to pay to the party or deponent who opposed the motion the reasonable expenses incurred in opposing the motion, including attorney's fees, unless the court finds that the making of the motion was substantially justified or that other circumstances make an award of expenses unjust.
If the motion is granted in part and denied in part, the court may apportion the reasonable expenses incurred in relation to the motion among the parties and persons in a just manner.

## (b) Failure to Comply with Order.

(1) Sanctions by Court in District Where Deposition is Taken. If a deponent fails to be sworn or to answer a question after being directed to do so by the court in the
county in which the deposition is being taken, the failure may be considered a contempt of that court.
(2) Sanctions by Court in Which Action is Pending. If a party or an officer, director, or managing agent of a party or a person designated under Rule $30(b)(6)$ or 31 (a) to testify on behalf of a party fails to obey an order to provide or permit discovery, including an order made under subdivision (a) of this rule or Rule 35 , the court in which the action is pending may make such orders in regard to the failure as are just, and among others the following:
(A) An order that the matters regarding which the order was made or any other designated facts shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order;
(B) An order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence;
(C) An order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the action or proceedings or any part thereof, or rendering a judgment by default against the disobedient party;
(D) In lieu of any of the foregoing orders or in addition thereto, an order treating as a contempt of court the failure to obey any orders except an order to submit to physical or mental examination;
(E) Where a party has failed to comply with an order under Rule 35(a) requiring him to produce another for examination such orders as are listed in paragraphs (A), (B), and (C) of this subdivision, unless the party failing to comply shows that he is unable to produce such person for examination.

In lieu of any of the foregoing orders or in addition thereto, the court shall require the party failing to obey the order or the attorney advising him or both to pay the reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.
(c) Expenses on Failure to Admit. If a party fails to admit the genuineness of any document or the truth of any matter as requested under Rule 36, and if the party requesting the admissions thereafter proves the genuineness of the document or the truth of the matter, he may apply to the court for an order requiring the other party to pay him the reasonable expenses incurred in making that proof, including reasonable attorney's fees. The court shall make the order unless it finds that (1) the request was held objectionable pursuant to Rule 36(a), or (2) the admission sought was of no substantial importance, or (3) the party failing to admit had reasonable ground to believe the fact was not true or the document was not genuine, or (4) there was other good reason for the failure to admit.
(d) Failure of Party to Attend at Own Deposition or Serve Answers to Interrogatories or Respond to Request for Inspection. If a party or an officer, director, or managing agent of a party or a person designated under

Rule 30(b)(6) or 31 (a) to testify on behalf of a party fails (1) to appear before the officer who is to take his deposition, after being served with a proper notice, or (2) to serve answers or objections to interrogatories, or (3) to serve a written response to a request for inspection submitted under Rule 34 , after proper service of the request, the court in which the action is pending on motion may make such orders in regard to the failure as are just, and among others it may take any action authorized under paragraphs (A), (B), and (C) of subdivision (b)(2) of this rule. In lieu of any order or in addition thereto, the court shall require the party failing to act or the attorney advising him or both to pay the reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.

The failure to act described in this subdivision may not be excused on the ground that the discovery sought is objectionable unless the party failing to act has applied for a protective order as provided by Rule 26(c). [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972. Prior: RPPP Rule 37.]

## VI. TRIALS

Rule
38 Jury trial of right.
(-) Defined.
(a) Right of jury trial preserved.
(b) Demand for jury.
(c) Specification of issues.
(d) Waiver of jury.
(e) Return of jury fee-When forfeited.

39 Trial by jury or by the court.
(-) Issues-How tried.
(a) By jury.
(b) By the court.
(c) Advisory jury and trial by consent.

40 Assignment of cases.
(a) Notice of trial-Note of issue.
(b) Methods.
(c) Preferences.
(d) Trials.
(e) Continuances.
(f) Change of judge.

41 Dismissal of actions.
(a) Voluntary dismissal.
(b) Involuntary dismissal; effect.
(c) Dismissal of counterclaim, cross-claim, or third-party claim.
(d) Costs of previously dismissed action.
(e) Notice of settlements.

42 Consolidation; separate trials.
(a) Consolidation.
(b) Separate trials.

43 Evidence.
(a) Testimony.
(b) Scope of examination and cross-examination.
(c) Record of excluded evidence [offer of proof].
(d) Oaths of witnesses.
(e) Evidence on motions.
(f) Adverse party as witness.
(g) Attorney as witness.
(h) Report of transcript as evidence.
(i) Testimony at former trial.
(j) Statement of facts in retrial of non-jury cases.

44 Proof of official record.
(a) Authentication.
(b) Lack of record.
(c) Other proof.
44.1 Determination of foreign law.

45 Subpoena.
(a) For attendance of witnesses.
(b) For production of documentary evidence.
(c) Service.
(d) Subpoena for taking depositions; place of examination.
(e) Subpoena for hearing of trial.
(f) Contempt.

46 Exceptions unnecessary.
47 Jurors.
(a) Examination of jurors.
(b) Alternate jurors.
(c) Procedure when juror becomes ill.
(d) Impanelling jury.
(e) Challenge.
(f) Oath of jurors.
(g) View of premises by jury.
(h) Admonitions to jurors.
(i) Care of jury while deliberating.
(j) Note-taking by jurors.

48 Juries of less than twelve.
49 Verdicts.
(-) General verdict.
(a) Special verdict.
(b) General verdict accompanied by answer to interrogatories.
(c) Discharge of jury.
(d) Court recess during deliberation.
(e) Proceedings when jury have agreed.
(f) Manner of giving verdict.
(g) Ten jurors in civil cases.
(h) Jury may be polled.
(i) Correction of informal verdict.
(j) Jury to assess amount of recovery.
(k) Receiving verdict and discharging jury.

50 Motion for a directed verdict and for judgment notwithstanding the verdict.
(a) Motion for directed verdict; when made; effect.
(b) Motion for judgment notwithstanding the verdict.
(c) Alternative motions for judgment notwithstanding verdict or for a new trial——Effect of appeal.
51 Instructions to jury and deliberation.
(a) Proposed.
(b) Submission.
(c) Form.
(d) Published instructions.
(e) Disregarding requests.
(f) Objections to instruction.
(g) Instructing the jury and argument.
(h) Deliberation.
(i) Further instructions.
(j) Comments upon evidence.

52 Decisions, findings and conclusions.
(a) Requirements.
(b) Amendment of findings.
(c) Presentation.
(d) Judgment without findings, etc.
(e) Time limit for decision.

53 Masters [Reserved].
53.1 Referees.
(a) Referees-Definitions and powers.
(b) Reference by consent ——Right to jury trial.
(c) Reference without consent.
(d) To whom reference may be ordered.
(e) Qualifications of referees.
(f) Challenges to referees.
(g) Trial procedure-Powers of referee.
(h) Referee's report-Contents-Evidence, filing of, frivolous.
(i) Proceedings on filing of report.
(j) Judgment on referee's report.
(k) Fees of referees.
53.2 Court commissioners.
(a) Appointment of court commissioners-_QualificationsTerm of office.
(b) Oath.
(c) Salary.
(d) Powers of commissioners-Fees.
(e) Revision by court.

## Rule 38 Jury trial of right.

(-) Defined. A trial is the judicial examination of the issues between the parties, whether they are issues of law or of fact.

Comment by tbe Court. This subdivision is identical to and supersedes RCW 4.44.010.
(a) Right of Jury Trial Preserved. The right of trial by jury as declared in Article 1 § 21 of the Constitution or as given by a statute shall be preserved to the parties inviolate.

Comment by the Court. Subdivision (a) follows FRCP 38(a) except that reference is changed to the state constitution and reference to United States statutes is deleted.
(b) Demand for Jury. At or prior to the time the case is called to be set for trial, any party may demand a trial by jury of any issue triable of right by a jury by serving upon the other parties a demand therefor in writing, by filing the demand with the clerk, and by paying the jury fee required by law. If before the case is called to be set for trial no party serves or files a demand that the case be tried by a jury of twelve, it shall be tried by a jury of six members with the concurrence of five being required to reach a verdict.

## Comment by the Court. Subdivision (b) supersedes RCW 4.44.100.

(c) Specification of Issues. In his demand a party may specify the issues which he wishes so tried; otherwise he shall be deemed to have demanded trial by jury for all the issues so triable. If he has demanded trial by jury for only some of the issues, any other party within 10 days after service of the demand or such lesser time as the court may order, may serve a demand for trial by jury of any other or all of the issues of fact in the action.
Comment by the Court. Subdivision (c) is identical to FRCP 38(c).
(d) Waiver of Jury. The failure of a party to serve a demand as required by this rule, to file it as required by this rule, and to pay the jury fee required by law in accordance with this rule, constitutes a waiver by him of trial by jury. A demand for trial by jury made as herein provided may not be withdrawn without the consent of the parties.
Comment by the Court. Subdivision (d) is similar to FRCP 38(d). This subdivision supersedes the second sentence of RCW 4.44.100.
(e) Return of Jury Fee——When Forfeited. Whenever a case has been set for trial with a jury and the jury fee deposit has been made and such case is settled out of court prior to the time that it is called to be heard upon trial, such jury deposit shall not be returned to the party depositing the same unless the court is notified of the settlement of the case not less than 3 court days before the trial date. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967; amended, adopted Sept. 27, 1971, effective Nov. 9, 1971; subd. (b) amended, adopted Nov. 29, 1971, effective Jan. 1, 1972; subd. (e) amended, adopted July 20, 1973, effective July 20, 1973.]

[^16]
## Rule 39 Trial by jury or by the court.

(-) Issues - How Tried. [Reserved——See RCW 4.40.010 through 4.40.070.]
(a) By Jury.
(1) Rule. When trial by jury has been demanded as provided in Rule 38, the action shall be designated upon the docket as a jury action. The trial of all issues so demanded shall be by jury, unless (A) the parties or their attorneys of record, by written stipulation filed with the court or by an oral stipulation made in open court and entered in the record, consent to trial by the court sitting without a jury or (B) the court upon motion or of its own initiative finds that a right of trial by jury of some or all of those issues does not exist under the constitution or statutes of the state.
(2) Questions of Fact for Jury. [Reserved-_See RCW 4.44.090.]
Comment by the Court. Paragraph (1) is identical to FRCP 39(a) except for change of reference from United States to the state.
(b) By the Court.
(1) Rule. Issues not demanded for trial by jury as provided in Rule 38 shall be tried by the court; but, notwithstanding the failure of a party to demand a jury in an action in which such a demand might have been made of right, the court in its discretion upon motion may order a trial by a jury or any or all issues.
(2) Questions of Law to Be Decided by Court. [Re-served-See RCW 4.44.080.]

Comment by the Court. Paragraph (1) is identical to FRCP 39(b).
(c) Advisory Jury and Trial by Consent. In all actions not triable of right by a jury the court, upon motion or of its own initiative, may try an issue with an advisory jury or it may, with the consent of both parties, order a trial with a jury whose verdict has the same effect as if the trial by jury had been a matter of right. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (c) follows FRCP 39(c) except that references to actions against the United States are deleted.

## Rule 40 Assignment of cases.

(a) Notice of Trial——Note of Issue.
(1) Of Fact. At any time after the issues of fact are completed in any case by the service of complaint and answer or reply when necessary, as herein provided, either party may cause the issues of fact to be brought on for trial, by serving upon the opposite party a notice of trial at least 3 days before any day provided by rules of court for setting causes for trial, which notice shall give the title of the cause as in the pleadings, and notify the opposite party that the issues in such action will be brought on for trial at the time set by the court; and the party giving such notice of trial shall, at least 5 days before the day of setting such causes for trial, file with the clerk of the court a note of issue containing the title of the action, the names of the attorneys and the date when the last pleading was served; and the clerk shall thereupon enter the cause upon the trial docket according to the date of the issue.
(2) Of Law. In case an issue of law raised upon the pleadings is desired to be brought on for argument, either party shall, at least 5 days before the day set apart
by the court under its rules for hearing issues of law, serve upon the opposite party a like notice of trial and furnish the clerk of the court with a note of issue as above provided, which note of issue shall specify that the issue to be tried is an issue of law; and the clerk of the court shall thereupon enter such action upon the motion docket of the court.
(3) Adjournments. When a cause has once been placed upon either docket of the court, if not tried or argued at the time for which notice was given, it need not be noticed for a subsequent session or day, but shall remain upon the docket from session to session or from law day to law day until final disposition or stricken off by the court.
(4) Filing Note by Opposite Party. The party upon whom notice of trial is served may file the note of issue and cause the action to be placed upon the calendar without further notice on his part.
(5) Issue May Be Brought to Trial by Either Party. Either party, after the notice of trial, whether given by himself or the adverse party, may bring the issue to trial, and in the absence of the adverse party, unless the court for good cause otherwise directs, may proceed with his case, and take a dismissal of the action, or a verdict or judgment, as the case may require.
Comment by the Court. Paragraphs (1) through (4) follow RCW 4.44.020. Paragraph (5) is identical to and supersedes RCW 4.44.030.
(b) Methods. Each superior court may provide by local rule for placing of actions upon the trial calendar (1) without request of the parties or (2) upon request of a party and notice to the other parties or (3) in such other manner as the court deems expedient.

Comment by the Court. Subdivision (b) follows FRCP 40, but omits the last sentence which gives preference to certain actions under United States statutes.
(c) Preferences. In setting cases for trial, unless otherwise provided by statute, preference shall be given to criminal over civil cases, and cases where the defendant or a witness is in confinement shall have preference over other cases.

Comment by the Court. Subdivision (c) follows subdivision (2) of RPPP 40.04W.
(d) Trials. When a cause is set and called for trial, it shall be tried or dismissed, unless good cause is shown for a continuance. The court may in a proper case, and upon terms, reset the same.

Comment by the Court. Subdivision (d) follows and supersedes subdivision (1) of RPPP 40.04W.
(e) Continuances. A motion to continue a trial on the ground of the absence of evidence, shall only be made upon affidavit, showing the materiality of the evidence expected to be obtained, and that due diligence has been used to procure it, and also the name and residence of the witness or witnesses. The court may also require the moving party to state upon affidavit the evidence which he expects to obtain; and if the adverse party admits that such evidence would be given, and that it be considered as actually given on the trial, or offered and overruled as improper, the trial shall not be continued. The court, upon its allowance of the motion, may impose terms or conditions upon the moving party.

Comment by the Court. Subdivision (e) follows and supersedes RCW 4.44.040.
(f) Change of Judge. [Reserved-_See RCW 4.12.040 and 4.12.050.] [Adopted May 5, 1967, effective July 1, 1967.]

## Rule 41 Dismissal of actions.

(a) Voluntary Dismissal.
(1) Mandatory. Subject to the provisions of Rule 23(e) and 23.1, any action shall be dismissed by the court:
(A) By Stipulation. When all parties who have appeared so stipulate in writing; or
(B) By Plaintiff Before Resting. Upon motion of the plaintiff at any time before plaintiff rests at the conclusion of his opening case.
(2) Permissive. After plaintiff rests after his opening case, plaintiff may move for a voluntary dismissal without prejudice upon good cause shown and upon such terms and conditions as the court deems proper.
(3) Counterclaim. If a counterclaim has been pleaded by a defendant prior to the service upon him of plaintiff's motion for dismissal, the action shall not be dismissed against the defendant's objection unless the counterclaim can remain pending for independent adjudication by the court.
(4) Effect. Unless otherwise stated in the order of dismissal, the dismissal is without prejudice, except that an order of dismissal operates as an adjudication upon the merits when obtained by a plaintiff who has once dismissed an action based on or including the same claim in any court of the United States or of any state.
Comment by the Court. Subparagraph (1)(A) follows FRCP 41(a)(1)(ii). Subparagraph (1)(B) and paragraph (2) follow and supersede RPPP 41.08W. Paragraphs (3) and (4) follow similar provisions in FRCP 41(a).
(b) Involuntary Dismissal; Effect. For failure of the plaintiff to prosecute or to comply with these rules or any order of the court, a defendant may move for dismissal of an action or of any claim against him.
(1) Want of Prosecution on Motion of Party. Any civil action shall be dismissed, without prejudice, for want of prosecution whenever the plaintiff, counterclaimant, cross-claimant, or third-party plaintiff neglects to note the action for trial or hearing within 1 year after any issue of law or fact has been joined, unless the failure to bring the same on for trial or hearing was caused by the party who makes the motion to dismiss. Such motion to dismiss shall come on for hearing only after 10 days' notice to the adverse party. If the case is noted for trial before the hearing on the motion, the action shall not be dismissed.
(2) Dismissal on Clerk's Motion.
(A) Notice. In all civil cases wherein there has been no action of record during the 12 months just past, the clerk of the superior court shall mail notice to the attorneys of record that such case will be dismissed by the court for want of prosecution unless within 30 days following said mailing, action of record is made or an application in writing is made to the court and good cause shown why it should be continued as a pending case. If such application is not made or good cause is not shown,
the court shall dismiss each such case without prejudice. The cost of filing such order of dismissal with the clerk shall not be assessed against either party.
(B) Mailing Notice. The notice shall be mailed in every eligible case not later than 30 days before June 15th and December 15 th of each year, and all such cases shall be presented to the court by the clerk for action thereon on or before June 30th and December 31st of each year. These deadlines shall not be interpreted as a prohibition against mailing of notice and dismissal thereon as cases may become eligible for dismissal under this rule.
(C) Applicable Date. This dismissal procedure is mandatory as to all cases filed after January 1, 1959, and permissive as to all cases filed before that date. This rule is not a limitation upon any other power that the court may have to dismiss any action upon motion or otherwise.
(3) Defendant's Motion After Plaintiff Rests. After the plaintiff, in an action tried by the court without a jury, has completed the presentation of his evidence, the defendant, without waiving his right to offer evidence in the event the motion is not granted, may move for a dismissal on the ground that upon the facts and the law the plaintiff has shown no right to relief. The court as trier of the facts may then determine them and render judgment against the plaintiff or may decline to render any judgment until the close of all the evidence. If the court renders judgment on the merits against the plaintiff, the court shall make findings as provided in Rule 52(a). Unless the court in its order for dismissal otherwise specifies, a dismissal under this paragraph and any dismissal not provided for in this rule, other than a dismissal for lack of jurisdiction, for improper venue, or for failure to join a party under Rule 19 , operates as an adjudication upon the merits.
Comment by the Court. Paragraph (2) is similar to RPPP 41.04W, which is superseded. Paragraph (3) is similar to FRCP 41 (b).
(c) Dismissal of Counterclaim, Cross-Claim, or ThirdParty Claim. The provisions of this rule apply to the dismissal of any counterclaim, cross-claim, or thirdparty claim. A voluntary dismissal by the claimant alone pursuant to paragraph (1) of subdivision (a) of this rule shall be made before a responsive pleading is served or, if there is none, before the introduction of evidence at the trial or hearing.
Comment by the Court. Subdivision (c) is identical to FRCP 41(c).
(d) Costs of Previously Dismissed Action. If a plaintiff who has once dismissed an action in any court commences an action based upon or including the same claim against the same defendant, the court may make such order for the payment of taxable costs of the action previously dismissed as it may deem proper and may stay the proceedings in the action until the plaintiff has complied with the order.

Comment by the Court. Subdivision (d) is similar to FRCP 41(d).
(e) Notice of Settlements. If a case is settled after it has been assigned for trial, it shall be the duty of the attorneys or of any party appearing pro se to notify the court promptly of the settlement. If the settlement is made within 5 days before the trial date, the notice shall
be made by telephone or in person. All notices of settlement shall be confirmed in writing to the clerk. [Adopted May 5, 1967, effective July 1, 1967; amended, subdivision (e) added June 28, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (e) is added to enable the courts to make fuller use of all court facilities.

## Rule 42 Consolidation; separate trials.

(a) Consolidation. When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

Comment by the Court. Subdivision (a) is identical to FRCP 42(a).
(b) Separate Trials. The court, in furtherance of convenience or to avoid prejudice, or when separate trials will be conducive to expedition and economy, may order a separate trial of any claim, cross-claim, counterclaim, or third-party claim, or of any separate issue or of any number of claims, cross-claims, counterclaims, thirdparty claims, or issues, always preserving inviolate the right of trial by jury. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (b) follows FRCP 42(b) and supersedes RPPP 42(a).

## Rule 43 Evidence.

(a) Testimony.
(1) Generally. In all trials the testimony of witnesses shall be taken orally in open court, unless otherwise directed by the court or provided by rule or statute.
(2) Multiple Examinations. When two or more attorneys are upon the same side trying a case, the attorney conducting the examination of a witness shall continue until the witness is excused from the stand; and, all objections and offers of proof made during the examination of such witness shall be made or announced by the attorney who is conducting the examination or crossexamination.

Comment by the Court. Paragraph (2) follows and supersedes RPPP 43.08W.
(b) Scope of Examination and Cross-Examination. A party may interrogate any unwilling or hostile witness by leading questions. A party may call an adverse party or an officer, director, or managing agent of a public or private corporation or of a partnership or association which is an adverse party, and interrogate him by leading questions and contradict and impeach him in all respects as if he had been called by the adverse party.

Comment by the Court. Subdivision (b) is identical to FRCP 43(b) except that the last two clauses have been deleted.
(c) Record of Excluded Evidence [Offer of Proof]. In an action tried by a jury, if an objection to a question propounded to a witness is sustained by the court, the examining attorney may make a specific offer of what he expects to prove by the answer of the witness. The court may require the offer to be made out of the hearing of the jury. The court, in the absence of the jury, may add
such other or further statement as clearly shows the character of the evidence, the form in which it was offered, the objection made, and the ruling thereon. In actions tried without a jury the same procedure may be followed, except that the court upon request shall take and report the evidence in full, unless it clearly appears that the evidence is not admissible on any ground or that the witness is privileged.
Comment by the Court. Subdivision (c) is identical to FRCP 43(c), except that the words "in the absence of the jury" have been added in the third sentence.
(d) Oaths of Witnesses.
(1) Administration. The oaths of all witnesses in the superior court
(A) shall be administered by the judge;
(B) shall be administered to each witness individually; and
(C) the witness shall stand while the oath is administered.
(2) Applicability. This rule shall not apply to civil ex parte proceedings or default divorce cases and in such cases the manner of swearing witnesses shall be as each superior court may prescribe.
(3) Affirmation in Lieu of Oath. Whenever under these rules an oath is required to be taken, a solemn affirmation may be accepted in lieu thereof.

Comment by tbe Court. Paragraphs (1) and (2) follow and supersede RPPP 77.04W. Paragraph (3) is identical to FRCP 43(d).
(e) Evidence on Motions.
(1) Generally. When a motion is based on facts not appearing of record the court may hear the matter on affidavits presented by the respective parties, but the court may direct that the matter be heard wholly or partly on oral testimony or depositions.
(2) For Injunctions, etc. On application for injunction or motion to dissolve an injunction or discharge an attachment, or to appoint or discharge a receiver, the notice thereof shall designate the kind of evidence to be introduced on the hearing. If the application is to be heard on affidavits, copies thereof must be served by the moving party upon the adverse party at least 3 days before the hearing. Oral testimony shall not be taken on such hearing unless permission of the court is first obtained and notice of such permission served upon the adverse party at least 3 days before the hearing. This rule shall not be construed as pertaining to applications for restraining orders or for appointment of temporary receivers.
Comment by the Court. Paragraph (1) is identical to FRCP 43(e). See also Rules 6(d) and 12(d). Paragraph (2) follows and supersedes RPPP 66.08W.

## (f) Adverse Party as Witness.

(1) Party or Managing Agent as Adverse Witness. A party, or anyone who at the time of the notice is an officer, director, or other managing agent (herein collectively referred to as "managing agent") of a public or private corporation, partnership or association which is a party to an action or proceeding may be examined at the instance of any adverse party. Attendance of such deponent or witness may be compelled solely by notice (in lieu of a subpoena) given in the manner prescribed in Rule 30(a) to opposing counsel of record. Notices for
the attendance of a party or of a managing agent at the trial shall be given not less than 10 days before trial (exclusive of the day of service, Saturdays, Sundays, and court holidays). For good cause shown in the manner prescribed in Rule 30(b), the court may make orders for the protection of the party or managing agent to be examined.
(2) Effect of Discovery, etc. A party who has filed interrogatories to be answered by the adverse party or who has taken the deposition of an adverse party or of the managing agent of an adverse party shall not be precluded for that reason from examining such adverse party or managing agent at the trial. The testimony of an adverse party or managing agent at the trial or on deposition or interrogatories shall not bind his adversary but may be rebutted.
(3) Refusal to Attend and Testify, Penalties. If a party or a managing agent refuses to attend and testify before the officer designated to take his deposition or at the trial after notice served as prescribed in Rule 30(a), the complaint, answer, or reply of the party may be stricken and judgment taken against the party, and the contumacious party or managing agent may also be proceeded against as in other cases of contempt. This rule shall not be construed:
(A) to compel any person to answer any question where such answer might tend to incriminate him;
(B) nor to prevent a party from using a subpoena to compel the attendance of any party or managing agent to give testimony by deposition or at the trial; nor
(C) to limit the applicability of any other sanctions or penalties provided in Rule 37 or otherwise for failure to attend and give testimony.
Comment by the Court. Subdivision (f) follows and supersedes RPPP 43.04W.
(g) Attorney as Witness. If any attorney offers himself as a witness on behalf of his client and gives evidence on the merits, he shall not argue the case to the jury, unless by permission of the court.
Comment by the Court. Subdivision (g) follows and supersedes RPPP 43.12W.
(h) Report or Transcript as Evidence. Whenever the testimony of a witness at a trial or hearing which was reported is admissible in evidence at a later trial, it may be proved by the transcript thereof duly certified by the person who reported the testimony.

Comment by the Court. Subdivision (h) follows FRCP 80(c).
(i) Testimony at Former Trial. [Amendment effective Jan. 1, 1977.] If the judge finds a witness at a former trial or proceeding to be unavailable as a witness within the conditions set forth in Rule 32(a)(3) governing the use of depositions, the testimony of such witness on the former occasion shall be admitted for use as testimony in a trial or proceeding involving substantially the same matter when (1) the testimony is offered against a party who offered it in his own behalf on the former occasion, or against the successor in interest of such party, or (2) the testimony is offered against a party against whom, or against whose predecessor in interest, it was offered on the former occasion.
Comment by the Court. Subdivision (i) is identical to and supersedes RPPP 43.16W.
(j) Statement of Facts in Retrial of Non-Jury Cases. [Amendment effective Jan. 1, 1977.] In the event a cause has been remanded by the court for a new trial or the taking of further testimony, and such cause shall have been tried without a jury, and the testimony in such cause shall have been taken in full and used as the report of proceedings upon review, either party upon the retrial of such cause or the taking of further testimony therein shall have the right, provided the court shall so order after an application on 10 days' notice to the opposing party or parties, to submit said report of proceedings as the testimony in said cause upon its second hearing, to the same effect as if the witnesses called by him in the earlier hearing had been called, sworn, and testified in the further hearing; but no party shall be denied the right to submit other or further testimony upon such retrial or further hearing, and the party having the right of cross-examination shall have the privilege of subpoenaing any witness whose testimony is contained in such report of proceedings for further cross-examination. [Amd. Aug. 9, 1976, eff. Jan. 1, 1977; adop. May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (j) follows and supersedes RPPP 80.04W.

## Rule 44 Proof of official record.

(a) Authentication.
(1) Domestic. An official record kept within the United States, or any state, district, commonwealth, territory, or insular possession thereof, or within the Panama Canal Zone, the Trust Territory of the Pacific Islands, or the Ryukyu Islands, or an entry therein, when admissible for any purpose, may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody of the record, or by his deputy, and accompanied by a certificate that such officer has the custody. The certificate may be made by a judge of a court of record of the district or political subdivision in which the record is kept, authenticated by the seal of the court, or may be made by any public officer having a seal of office or official custody of the seal of the political subdivision and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office or the seal of the political subdivision.
(2) Foreign. A foreign official record, or an entry therein, when admissible for any purpose, may be evidenced by an officiai publication thereof; or a copy thereof, attested by a person authorized to make the attestation, and accompanied by a final certification as to the genuineness of the signature and official position (A) of the attesting person, or (B) of any foreign official whose certificate of genuineness of signature and official position relates to the attestation or is in a chain of certificates of genuineness of signature and official position relating to the attestation. A final certification may be made by a secretary of embassy or legation, consul general, consul, vice consul, or consular agent of the United States, or a diplomatic or consular official of the foreign country assigned or accredited to the United States. If reasonable opportunity has been given to all parties to
investigate the authenticity and accuracy of the documents, the court may, for good cause shown, either admit an attested copy without final certification or permit the foreign official record to be evidenced by an attested summary with or without a final certification.
(b) Lack of Record. A written statement that after diligent search no record or entry of a specified tenor is found to exist in the records, designated by the statement, authenticated as provided in paragraph (a)(1) of this rule in the case of a domestic record, or complying with the requirements of paragraph (a)(2) of this rule for a summary in the case of a foreign record, is admissible as evidence that the records contain no such record or entry.
(c) Other Proof. This rule does not prevent the proof of official records or of entry or lack of entry therein by any other method authorized by law. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967. Prior: RPPP Rule 44.]

Rule 44.1 Determination of foreign law. [Reserved——See RCW 5.24.010 thru 5.24.070.]

## Rule 45 Subpoena.

(a) For Attendance of Witnesses. The subpoena shall be issued as follows:
(1) Form. To require attendance before a court of record or at the trial of an issue therein, such subpoena may be issued in the name of the state of Washington and be under the seal of the court before which the attendance is required or in which the issue is pending: Provided, That such subpoena may be issued with like effect by the attorney of record of the party to the action in whose behalf the witness is required to appear, and the form of such subpoena in each case may be the same as when issued by the court except that it shall only be subscribed by the signature of such attorney.
(2) Issuance for Trial. To require attendance before a court of record or at the trial of an issue of fact, the subpoena may be issued by the clerk in response to a praecipe or by an attorney of record.
(3) Issuance for Deposition. To require attendance out of such court before a judge, justice of the peace, commissioner, referee or other officer authorized to administer oaths or to take testimony in any matter under the laws of this state, it shall be issued by an attorney of record or by such judge, justice of the peace, commissioner, referee or other officer before whom the attendance is required.

Comment by the Court. This subdivision supersedes RCW 5.56-
.020 (1) and (2).
(b) For Production of Documentary Evidence. A subpoena may also command the person to whom it is directed to produce the books, papers, documents, or tangible things designated therein; but the court, upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may (1) quash or modify the subpoena if it is unreasonable and oppressive or (2) condition denial of the motion upon the advancement by the person in whose behalf the
subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things. Comment by the Court. Subdivision (b) is identical to FRCP 45(b), and supersedes RCW 5.56.030.
(c) Service. A subpoena may be served by any suitable person over 18 years of age, by exhibiting and reading it to the witness, or by giving him a copy thereof, or by leaving such copy at the place of his abode. When service is made by any other person than an officer authorized to serve process, proof of service shall be made by affidavit.
Comment by the Court. Subdivision (c) is identical to RCW 5.56.040 , which is superseded.

## (d) Subpoena for Taking Depositions; Place of Exami-

 nation.(1) Authorization. Proof of service of a notice to take a deposition as provided in Rules 30(b) and 31(a) constitutes a sufficient authorization for the issuance by the attorney of record or the officer taking the deposition of subpoenas for the persons named or described therein. The subpoena may command the person to whom it is directed to produce and permit inspection and copying of designated books, papers, documents, or tangible things which constitute or contain matters within the scope of the examination permitted by Rule 26(b), but in that event the subpoena will be subject to the provisions of Rule 26(c) and subdivision (b) of this rule.

The person to whom the subpoena is directed may, within 10 days after the service thereof or on or before the time specified in the subpoena for compliance if such time is less than 10 days after service, serve upon the attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials except pursuant to an order of the court from which the subpoena was issued. The party serving the subpoena may, if objection has been made, move upon notice to the deponent for an order at any time before or during the taking of the deposition.
(2) Place of Examination. A resident of the state may be required to attend an examination only in the county wherein he resides or is employed or transacts his business in person, or at such other convenient place as is fixed by an order of the court. A nonresident of the state may be required to attend only in the county wherein he is served with a subpoena, or within 40 miles from the place of service or at such other convenient place as is fixed by an order of the court.
(3) Foreign Depositions for Local Actions. When the place of examination is in another state, territory, or country, the party desiring to take the deposition may secure the issuance of a subpoena or equivalent process in accordance with the laws of such state, territory or country to require the deponent to attend the examination.
(4) Local Depositions for Foreign Actions. When any officer or person is authorized to take depositions in this state by the law of another state, territory or country, with or without a commission, a subpoena to require attendance before such officer or person may be issued by
any judge or justice of the peace of this state for attendance at any places within his jurisdiction.

Comment by the Court. Subdivision (d) supersedes RCW 5.56.020(3).
(e) Subpoena for Hearing or Trial. [Reserved——See RCW 5.56.010.]
(f) Contempt. Failure by any person without adequate excuse to obey a subpoena served upon him may be deemed a contempt of the court from which the subpoena issued. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972.]
Comment by the Court. Subdivision (f) is identical to FRCP 45(f) and complements RCW 5.56.061, et seq. See also RCW 2.28 .020 and 2.28.070.

Rule 46 Exceptions unnecessary. Formal exceptions to rulings or orders of the court are unnecessary; but for all purposes for which an exception has heretofore been necessary it is sufficient that a party, at the time the ruling or order of the court is made or sought, makes known to the court the action which he desires the court to take or his objection to the action of the court and his grounds therefor; and, if a party has no opportunity to object to a ruling or order at the time it is made, the absence of an objection does not thereafter prejudice him. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. The rule is identical to FRCP 46 and supersedes RPPP 46.04W.

## Rule 47 Jurors.

(a) Examination of Jurors. The court may examine the prospective jurors to the extent it deems appropriate, and shall permit the parties or their attorneys to ask reasonable questions.

Comment by the Court. Subdivision (a) is intended to preserve the present Washington practice.
(b) Alternate Jurors. The court may direct that not more than 6 jurors in addition to the regular jury be called and impanelled to sit as alternate jurors. Alternate jurors in the order in which they are called shall replace jurors who, prior to the time the jury retires to consider its verdict, become or are found to be unable or disqualified to perform their duties. Alternate jurors shall be drawn in the same manner, shall have the same qualifications, shall be subject to the same examination and challenges, shall take the same oath, and shall have the same functions, powers, facilities and privileges as the regular jurors. An alternate juror who does not replace a regular juror shall be discharged after the jury retires to consider its verdict. Each side is entitled to 1 peremptory challenge in addition to those otherwise allowed by law if 1 or 2 alternate jurors are to be impanelled, 2 peremptory challenges if 3 or 4 alternate jurors are to be impanelled, and 3 peremptory challenges if 5 or 6 alternate jurors are to be impanelled. The additional peremptory challenges may be used against an alternate juror only, and the other peremptory challenges allowed by law shall not be used against an alternate juror.
(c) Procedure When Juror Becomes III. [ReservedSee RCW 4.44.290.]
(d) Impanelling Jury. [Reserved——See RCW 4.44.120.]
(e) Challenge.
(1) Kind and Number. [Reserved——See RCW 4.44.130.]
(2) Peremptory Challenges Defined. [ReservedSee RCW 4.44.140.]
(3) Challenges for Cause. [Reserved——See RCW 4.44.150.]
(4) General Causes of Challenge. [Reserved_-See RCW 4.44.160.]
(5) Particular Causes of Challenge. [Reserved——See RCW 4.44.170.]
(6) Implied Bias Defined. [Reserved——See RCW 4.44.180.]
(7) Challenge for Actual Bias. [Reserved-_See RCW 4.44.190.]
(8) Exemption not Cause of Challenge. [Re-served-_See RCW 4.44.200.]
(9) Peremptory Challenges. [Reserved——See RCW 4.44.210.]
(10) Order of Taking Challenges. [Reserved——See RCW 4.44.220.]
(11) Objections to Challenges. [Reserved-See RCW 4.44.230.]
(12) Trial of Challenge. [Reserved——See RCW 4.44.240.]
(13) Challenge, Objection and Denial May Be Oral. [Reserved——See RCW 4.44.250.]
(f) Oath of Jurors. [Reserved——See RCW 4.44.260.]
(g) View of Premises by Jury. [Reserved——See RCW 4.44.270.]
(h) Admonitions to Jurors. [Reserved——See RCW 4.44.280.]
(i) Care of Jury While Deliberating. [Reserved—_See RCW 4.44.300.]
(j) Note-taking by Jurors. With the permission of the trial judge, jurors may take written notes regarding the evidence presented to them and keep these notes with them when they retire for their deliberation. Such notes should be treated as confidential between the jurors making them and their fellow jurors, and shall be destroyed immediately after the verdict is rendered. [Adopted May 5, 1967, effective July 1, 1967; subd. (j) adopted April 9, 1974, effective July 1, 1974.]

Rule 48 Juries of less than twelve. The parties may stipulate that the jury shall consist of any number less than 12 or that a verdict or a finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. This rule is identical to FRCP 48. See Washington Constitution Article I \$ 21.

## Rule 49 Verdicts.

(-) General Verdict. A general verdict is that by which the jury pronounces generally upon all or any of the issues either in favor of the plaintiff or defendant.
Comment by the Court. Subdivision (-) is identical to and supersedes the second sentence of RCW 4.44.410.
(a) Special Verdict. The court may require a jury to return only a special verdict in the form of a special written finding upon each issue of fact. In that event the court may submit to the jury written questions susceptible of categorical or other brief answer or may submit written forms of the several special findings which might properly be made under the pleadings and evidence; or it may use such other method of submitting the issues and requiring the written findings thereon as it deems most appropriate. The court shall give to the jury such explanation and instruction concerning the matter thus submitted as may be necessary to enable the jury to make its findings upon each issue. If in so doing the court omits any issue of fact raised by the pleadings or by the evidence, each party waives his rights to a trial by jury of the issue so omitted unless before the jury retires he demands its submission to the jury. As to an issue omitted without such demand the court may make a finding; or, if it fails to do so, it shall be deemed to have made a finding in accord with the judgment on the special verdict.

Comment by the Court. Subdivision (a) is identical to FRCP 49(a) and supersedes the third sentence of RCW 4.44.410.
(b) General Verdict Accompanied by Answer to Interrogatories. The court may submit to the jury, together with appropriate forms for a general verdict, written interrogatories upon one or more issues of fact the decision of which is necessary to a verdict. The court shall give such explanation or instruction as may be necessary to enable the jury both to make answers to the interrogatories and to render a general verdict, and the court shall direct the jury both to make written answers and to render a general verdict. When the general verdict and the answers or harmonious, the appropriate judgment upon the verdict and answers shall be entered pursuant to Rule 58. When the answers are consistent with each other but one or more is inconsistent with the general verdict, judgment may be entered pursuant to Rule 58 in accordance with the answers, notwithstanding the general verdict, or the court may return the jury for further consideration of its answers and verdict or may order a new trial. When the answers are inconsistent with each other and one or more is likewise inconsistent with the general verdict, judgment shall not be entered, but the court shall return the jury for further consideration of its answers and verdict or shall order a new trial.
Comment by the Court. Subdivision (b) is identical to FRCP 49(b).
(c) Discharge of Jury.
(1) Without Verdict. [Reserved——See RCW 4.44.330.]
(2) Effect of Discharge. [Reserved——See RCW 4.44.340.]
(d) Court Recess During Deliberation. [Reserved-_ See RCW 4.44.350.]
(e) Proceedings When Jury Have Agreed. [Reserved——See RCW 4.44.360.]
(f) Manner of Giving Verdict. [Reserved——See RCW 4.44.370.]
(g) Ten Jurors in Civil Cases. [Reserved——See RCW 4.44.380.]
(h) Jury May Be Polled. [Reserved——See RCW 4.44.390.]
(i) Correction of Informal Verdict. [Reserved——See RCW 4.44.400.]
(j) Jury to Assess Amount of Recovery. [Reserved-_ See RCW 4.44.450.]
(k) Receiving Verdict and Discharging Jury. [Re-served-_See RCW 4.44.460.] [Adopted May 5, 1967, effective July 1, 1967. Prior: Rule 49(a) and (b), RPPP.]

Rule 50 Motion for a directed verdict and for judgment notwithstanding the verdict.
(a) Motion for Directed Verdict; When Made; Effect. A party who moves for a directed verdict at the close of the evidence offered by an opponent may offer evidence in the event that the motion is not granted, without having reserved the right so to do and to the same extent as if the motion had not been made. A motion for a directed verdict which is not granted is not a waiver of trial by jury even though all parties to the action have moved for directed verdicts. A motion for a directed verdict shall state the specific ground therefor.
Comment by tbe Court. Subdivision (a) is similar to FRCP 50(a) and supersedes RPPP 50 . Subdivision (a) does not supersede RCW 4.56.150.
(b) Motion for Judgment Notwithstanding the Verdict. Not later than 5 days after the entry of verdict or after the jury is discharged if no verdict is returned, whether or not he has moved for a directed verdict and whether or not a verdict was returned, a party may move for judgment notwithstanding the verdict. A motion in the alternative for a new trial may be joined with this motion.
(c) Alternative Motions for Judgment Notwithstanding Verdict or for a New Trial——Effect of Appeal. [Amendment effective Jan. 1, 1977.] Whenever a motion for a judgment notwithstanding the verdict and, in the alternative, for a new trial shall be filed and submitted in any superior court in any civil cause tried before a jury, and such superior court shall enter an order granting such motion for judgment notwithstanding the verdict, such court shall at the same time, in the alternative, pass upon and decide in the same order such motion for a new trial; such ruling upon said motion for a new trial not to become effective unless and until the order granting the motion for judgment notwithstanding the verdict shall thereafter be reversed, vacated, or set aside in the manner provided by law. An appeal to the Supreme Court or Court of Appeals from a judgment granted on a motion for judgment notwithstanding the verdict shall, of itself, without the necessity of a cross-appeal, bring up for review the ruling of the trial court on the motion for a new trial; and the appellate court shall, if it reverses the judgment entered notwithstanding the verdict, review and determine the validity of the ruling on the motion for a new trial. [Amd. Aug. 9, 1976, eff. Jan. 1, 1977; adop. May 5, 1967, amd. June 28, 1967, eff. July

1, 1967. Prior: 50(a), RPPP Rule 50; 50(c) and (d), RPPP Rule 59.08W.]

## Rule 51 Instructions to jury and deliberation.

(a) Proposed. Unless otherwise requested by the trial judge on timely notice to counsel, proposed instructions shall be submitted when the case is called for trial. Proposed instructions upon questions of law developed by the evidence, which could not reasonably be anticipated, may be submitted at any time before the court has instructed the jury.
Comment by the Court. Subdivision (a) follows paragraph (1) and supersedes paragraphs (1) and (2) of RPPP 51.04W.
(b) Submission. Submission of proposed instructions shall be by delivering the original and 3 or more copies as required by the trial judge, by filing 1 copy with the clerk, identified as the party's proposed instructions, and by serving 1 copy upon each opposing counsel.
Comment by tbe Court. Subdivision (b) follows and supersedes paragraph (1) of RPPP 51.04 W .
(c) Form. Each proposed instruction shall be typewritten or printed on a separate sheet of lettersize (8 1/2 x 11 inches) paper. Except for 1 copy of each, the instructions delivered to the trial court shall not be numbered or identified as to the proposed party. One copy delivered to the trial court, and the copy filed with the clerk, and copies served on each opposing counsel shall be numbered and identified as to proposing party, and may contain supporting annotations.

Comment by the Court. Except for requiring instructions to be on lettersize paper, subdivision (c) follows and supersedes paragraph
(3) of RPPP 51.04 W .
(d) Published Instructions.
(1) Request. Any instruction appearing in the Washington Pattern Instructions (WPI) may be requested by counsel who must submit the proper number of copies of the requested instruction, identified by number as in (c) of this rule, in the form he wishes it read to the jury. If the instruction in WPI allows or provides for a choice of wording by the use of brackets or otherwise, the written requested instruction shall use the choice of wording which is being requested.
(2) Record on Review. [Amendment effective Jan. 1, 1977.] Where the refusal to give a requested instruction is an asserted error on review, a copy of the requested instruction shall be placed in the record on review.
(3) Local Option. Any superior court may adopt a local rule to substitute for CR 51(d)(1) and to allow instructions appearing in the Washington Pattern Instructions (WPI) to be requested by reference to the published number. If the instruction in WPI allows or provides for a choice of wording by the use of brackets or otherwise, the local rule must require that the written request which designates the number of the instruction shall also designate the choice of wording which is being requested.
(e) Disregarding Requests. The trial court may disregard any proposed instruction not submitted in accordance with this rule.
Comment by the Court. Subdivision (e) follows and supersedes paragraph (4) of RPPP 51.04 W .
(f) Objections to Instruction. Before instructing the jury, the court shall supply counsel with copies of its proposed instructions which shall be numbered. Counsel shall then be afforded an opportunity in the absence of the jury to make objections to the giving of any instruction and to the refusal to give a requested instruction. The objector shall state distinctly the matter to which he objects and the grounds of his objection, specifying the number, paragraph or particular part of the instruction to be given or refused and to which objection is made.
Comment by the Court. Subdivision (f) follows and supersedes RPPP 51.08 W and 51.16 W .
(g) Instructing the Jury and Argument. After counsel have completed their objections and the court has made any modifications deemed appropriate, the court shall then provide each counsel with a copy of the instructions in their final form. The court shall then read the instructions to the jury. The plaintiff or party having the burden of proof may then address the jury upon the evidence, and the law as contained in the court's instructions; after which the adverse party may address the jury; followed by the rebuttal of the party first addressing the jury.
Comment by the Court. Subdivision (g) follows and supersedes
RPPP 51.08W.
(h) Deliberation. After argument, the jury shall retire to consider their verdict. In addition to the written instructions given, the jury shall take with them all exhibits received in evidence, except depositions. Copies may be substituted for any parts of public records or private documents as ought not, in the opinion of the court, to be taken from the person having them in possession. Pleadings shall not go to the jury room.
Comment by the Court. Subdivision (h) follows and supersedes RPPP 51.12W and 51.08W.
(i) Further Instructions. After retirement for deliberation, if the jury desires to be informed on any point of law, the judge may require the officer having them in charge to conduct them into court. Upon the jury being brought into court, the information requested, if given, shall be given in the presence of, or after notice to the parties or their counsel. Any additional instruction upon any point of law shall be given in writing.
Comment by the Court. Subdivision (i) follows and supersedes RCW 4.44.320.
(j) Comments Upon Evidence. Judges shall not instruct with respect to matters of fact, nor comment thereon. [Amd. Aug. 9, 1976, eff. Jan. 1, 1977; amd. Mar. 12, 1968, eff. Mar. 29, 1968; amd. Oct. 12, 1967, eff. Nov. 3, 1967; readop. May 5, 1967, amd. June 28, 1967, eff. July 1, 1967; adop. Mar. 31, 1967, eff. Apr. 7, 1967.]
Comment by the Court. Subdivision (j) follows Article 4 § 16 of the Washington Constitution.
New Civil Rule 51—Supersedes: RPPP 51.04W, 51.12W and 51.16W; and RCW 4.44.320.

## Rule 52 Decisions, findings and conclusions.

(a) Requirements.
(1) Generally. In all actions tried upon the facts without a jury or with an advisory jury, the court shall find the facts specially and state separately its conclusions of law. Judgment shall be entered pursuant to Rule 58 and
may be entered at the same time as the entry of the findings of fact and the conclusions of law.
(2) Specifically Required. Without in any way limiting the requirements of paragraph (1), findings and conclusions are required:
(A) Temporary Injunctions. In granting or refusing temporary injunctions.
(B) Domestic Relations. In connection with all final decisions in adoption, custody, and divorce proceedings, whether heard ex parte or not.
(C) Other. In connection with any other decision where findings and conclusions are specifically required by statute, by another rule, or by a local rule of the superior court.
(3) Proposed. Requests for proposed findings of fact are not necessary for review.
(4) Form. If a written opinion or memorandum of decision is filed, it will be sufficient if formal findings of fact and conclusions of law are included.
(5) When Unnecessary. Findings of fact and conclusions of law are not necessary:
(A) Stipulation. Where all parties stipulate in writing that there will be no appeal.
(B) Decision on Motions. On decisions of motions under Rules 12 or 56 or any other motion, except as provided in Rules 41 (b)(3) and 55(b)(2).
(C) Temporary Restraining Orders. On the issuance of temporary restraining orders issued ex parte. Comment by the Court. Subdivision (a) follows FRCP 52(a) as amended.
(b) Amendment of Findings. Upon motion of a party made not later than 5 days after entry of judgment the court may amend its findings or make additional findings and may amend the judgment accordingly. The motion may be made with a motion for a new trial pursuant to Rule 59. When findings of fact are made in actions tried by the court without a jury, the question of the sufficiency of the evidence to support the findings may thereafter be raised whether or not the party raising the question has made in the court an objection to such findings or has made a motion to amend them or a motion for judgment.
(c) Presentation. Unless an emergency is shown to exist, the court shall not sign findings of fact or conclusions of law until the defeated party or parties have received 5 days' notice of the time and place of the submission, and have been served with copies of the proposed findings and conclusions.
(d) Judgment Without Findings, etc. A judgment entered in a case tried to the court where findings are required, without findings of fact having been made, is subject to a motion to vacate within the time for the taking of an appeal. After vacation, the judgment shall not be re-entered until findings are entered pursuant to this rule.
(e) Time Limit for Decision. [Reserved——See RCW 2.08.240.] [Adopted May 5, 1967, effective July 1, 1967. Prior: 52(a)(1), RPPP Rule 52.04W; 52(c) and (d), RPPP Rule 52.08W.]

Rule 53 Masters. [Reserved]
Rule 53.1 Referees.
(a) Referees--Definitions and Powers. [Re-served-_See RCW 2.24.060.]
(b) Reference by Consent——Right to Jury Trial. [Re-served-See RCW 4.48.010.]
(c) Reference Without Consent. [Reserved——See RCW 4.48.020.]
(d) To Whom Reference May Be Ordered. [Re-served-See RCW 4.48.030.]
(e) Qualifications of Referees. [Reserved-_See RCW 4.48.040.]
(f) Challenges to Referees. [Reserved——See RCW 4.48.050.]
(g) Trial Procedure--Powers of Referee. [Re-served-See RCW 4.48.060.]
(h) Referee's Report——Contents——Evidence, Filing of, Frivolous. [Reserved_-See RCW 4.48.070.]
(i) Proceedings on Filing of Report. [Reserved——See RCW 4.48.080.]
(j) Judgment on Referee's Report. [Reserved——See RCW 4.48.090.]
(k) Fees of Referees. [Reserved——See RCW 4.48.100.]

Rule 53.2 Court commissioners.
(a) Appointment of Court Commissioners-—Qualifi-cations--Term of Office. [Reserved-See RCW 2.24.010.]
(b) Oath. [Reserved-_See RCW 2.24.020.]
(c) Salary. [Reserved——See RCW 2.24.030.]
(d) Powers of Commissioners--Fees. [ReservedSee RCW 2.24.040 as amended 1963.]
(e) Revision by Court. [Reserved——See RCW 2.24.050.]

## VII. JUDGMENT

Rule
54 Judgments and costs.
(a) Definitions.
(b) Judgment upon multiple claims or involving multiple parties.
(c) Demand for judgment.
(d) Costs.
(e) Preparation of order or judgment.
( $($ ) Presentation.
55 Default and judgment.
(a) Entry of default.
(b) Entry of default judgment.
(c) Setting aside default.
(d) Plaintiffs, counterclaimants, cross-claimants.
(e) Judgment against state.
(f) How made after elapse of year.

56 Summary judgment.
(a) For claimant.
(b) For defending party.
(c) Motion and proceedings.
(d) Case not fully adjudicated on motion.
(e) Form of affidavits; further testimony.
(f) When affidavits are unavailable.
(g) Affidavits made in bad faith.

57 Declaratory judgments.
58 Entry of judgment.
(a) When.
(b) Effective time.
(c) Notice of entry.
(d) [Reserved]
(e) Judgment by confession.
(f) Assignment of judgment.
(g) Interest on judgments.
(h) Satisfaction of judgments.
(i) Lien of judgment.
(j) Commencement of lien on real estate.
(k) Cessation of lien-Extension prohibited.
(1) Revival of judgments.

59 New trial and amendment of judgments.
(a) Grounds for reconsideration or new trial.
(b) Time for motion.
(c) Time for serving affidavits.
(d) On initiative of court.
(e) Hearing on motion.
(f) Statement of reasons.
(g) Reopening judgment.
(h) Motion to alter or amend judgment.
(i) Alternative motions, etc.
(j) Limit on motions.

60 Relief from judgment or order.
(a) Clerical mistakes.
(b) Mistakes; inadvertence; excusable neglect; newly discovered evidence; fraud; etc.
(c) Other remedies.
(d) Writs abolished-Procedure.
(e) Procedure on Vacation of judgment.

61 Harmless error [Reserved].
62 Stay of proceedings to enforce a judgment.
(a) Automatic stays.
(b) Stay on motion for new trial or for judgment.
(c) Injunction pending appeal.
(d) Stay upon appeal.
(e) Stay in favor of state.
(f) Other stays.
(g) Power of supreme court not limited.
(h) Multiple claims or multiple parties.

63 Judges.
(a) Powers.
(b) Disability of a judge.

## Rule 54 Judgments and costs.

(a) Definitions.
(1) Judgment. A judgment is the final determination of the rights of the parties in the action and includes any decree and order from which an appeal lies. A judgment shall be in writing and signed by the judge and filed forthwith as provided in Rule 58.
(2) Order. Every direction of a court or judge, made or entered in writing, not included in a judgment, is denominated an order.
Comment by the Court. Paragraph (1) combines RCW 4.56.010 and FRCP 54(a) and supersedes RCW 4.56.010.
(b) Judgment Upon Multiple Claims or Involving Multiple Parties. When more than one claim for relief is presented in an action, whether as a claim, counterclaim, cross-claim, or third-party claim, or when multiple parties are involved, the court may direct the entry of a final judgment as to one or more but fewer than all of
the claims or parties only upon an express determination in the judgment, that there is no just reason for delay and upon an express direction for the entry of judgment. In the absence of such determination and direction, any order or other form of decision, however designated, which adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties shall not terminate the action as to any of the claims or parties, and the order or other form of decision is subject to revision at any time before the entry of judgment adjudicating all the claims and the rights and liabilities of all the parties.

Comment by the Court. Except for the addition of the words "in the judgment," subdivision (b) is identical to FRCP 54(b) and supersedes RPPP 42(c), and also supersedes RCW 4.56 .030 and 4.56.040. For judgments on setoffs, see RCW 4.32.120 through 4.32.150 and RCW 4.56.050 through 4.56.075. It should be noted that RCW 4.56.050 applies to RCW 4.32.130; RCW 4.56.060 and 4.56.070 apply to RCW 4.32.110 (in part superseded), 4.32$.120,4.32 .130$ and 4.32.140; and RCW 4.56.075 applies to RCW 4.32.130 and 4.32.140.
(c) Demand for Judgment. A judgment by default shall not be different in kind from or exceed in amount that prayed for in the demand for judgment. Except as to a party against whom a judgment is entered by default, every final judgment shall grant the relief to which the party in whose favor it is rendered is entitled, even if the party has not demanded such relief in his pleadings.
Comment by the Court. Subdivision (c) is identical to FRCP 54(c).
(d) Costs. Costs shall be fixed and allowed as provided in RCW ch. 4.84 or by any other applicable statute.
(e) Preparation of Order or Judgment. The attorney of record for the prevailing party shall prepare and present a proposed form of order or judgment not later than 15 days after the entry of the verdict or decision, or at any other time as the court may direct. Where the prevailing party is represented by an attorney of record, no order or judgment may be entered for the prevailing party unless presented or approved by the attorney of record. If both the prevailing party and his attorney of record fail to prepare and present the form of order or judgment within the prescribed time, any other party may do so, without the approval of the attorney of record of the prevailing party upon notice of presentation as provided in paragraph (f)(2).

## (f) Presentation.

(1) Time. Judgments may be presented at the same time as the findings of fact and conclusions of law under Rule 52.
(2) Notice of Presentation. No order or judgment shall be signed or entered until opposing counsel have been given 5 days' notice of presentation and served with a copy of the proposed order or judgment unless:
(A) Emergency. An emergency is shown to exist.
(B) Approval. Opposing counsel has approved in writing the entry of the proposed order or judgment or waived notice of presentation.
(C) After Verdict, etc. If presentation is made after entry of verdict or findings and while opposing counsel is in open court. [Adopted May 5, 1967, effective July 1,
1967. Prior: 54(e), RPPP Rule 54.04W and Rule 77.08W (1st sentence).]

## Rule 55 Default and judgment.

(a) Entry of Default.
(1) Motion. When a party against whom a judgment for affirmative relief is sought has failed to appear, plead, or otherwise defend as provided by these rules and that fact is made to appear by motion and affidavit, a motion for default may be made.
(2) Pleading After Default. Any party may respond to any pleading or otherwise defend at any time before a motion for default and supporting affidavit is filed, whether the party previously had appeared or not. If the party had appeared before the motion is filed, he may respond to the pleading or otherwise defend at any time before the hearing on the motion. If the party had not appeared before the motion is filed he may not respond to the pleading nor otherwise defend without leave of court. Any appearances for any purpose in the action shall be for all purposes under this Rule 55.
(3) Notice. Any party who has appeared in the action for any purpose, shall be served with a written notice of motion for default and the supporting affidavit at least 5 days before the hearing on the motion. Any party who has not appeared before the motion for default and supporting affidavit are filed, is not entitled to a notice of the motion, except as provided in Rule 55(f)(2)(A).

Comment by the Court. Paragraph (1) follows FRCP 55(a). Paragraph (2) supersedes RPPP 55.04 W . Paragraph (3) supersedes RCW 4.28.220.
(b) Entry of Default Judgment. As limited in Rule 54(c), judgment after default may be entered as follows, if proof of service is on file as required by paragraph (b)(4):
(1) When Amount Certain. When the claim against a party, whose default has been entered under subdivision (a), is for a sum certain or for a sum which can by computation be made certain, the court upon motion and affidavit of the amount due shall enter judgment for that amount and costs against the party in default, if he is not an infant or incompetent person. No judgment by default shall be entered against an infart or incompetent person unless represented by a general guardian or guardian ad litem. Findings of fact and conclusions of law are not necessary under this paragraph even though reasonable attorney fees are requested and allowed.
(2) When Amount Uncertain. If, in order to enable the court to enter judgment or to carry it into effect, it is necessary to take an account or to determine the amount of damages or to establish the truth of any averment by evidence or to make an investigation of any other matter, the court may conduct such hearings as are deemed necessary or, when required by statute, shall have such matters resolved by a jury. Findings of fact and conclusions of law are required under this paragraph.
(3) When Service by Publication. In an action where the service of the summons was by publication, the plaintiff, upon the expiration of the time for answering, may, upon proof of service by publication, apply for judgment; and the court must thereupon require proof of
the demand mentioned in the complaint, and must require the plaintiff or his agent to be examined on oath respecting any payments that have been made to the plaintiff, or to any one for his use on account of such demand, and may render judgment for the amount which he is entitled to recover, or for such other relief as he may be entitled to.
(4) Costs and Proof of Service. Costs shall not be awarded and default judgment shall not be rendered unless proof of service is on file with the court.
Comment by the Court. Paragraph (1) follows FRCP 55(b)(1) and supersedes RCW 4.56.160(1). Paragraph (2) follows the third sentence of FRCP 55(b)(2) and supersedes RCW 4.56.160(2). Paragraph (3) follows and supersedes RCW 4.56.160(3).
(c) Setting Aside Default. For good cause shown and upon such terms as the court deems just, the court may set aside an entry of default and, if a judgment by default has been entered, may likewise set it aside in accordance with Rule 60(b).
Comment by the Court. Subdivision (c) follows FRCP 55(c) and supersedes RCW 4.56.170.
(d) Plaintiffs, Counterclaimants, Cross-Claimants. The provisions of this rule apply whether the party entitled to the judgment by default is a plaintiff, a third-party plaintiff, or a party who has pleaded a cross-claim or counterclaim. In all cases a judgment by default is subject to the limitations of Rule 54(c).
Comment by the Court. Subdivision (d) is identical to FRCP 55(d).
(e) Judgment Against State. [Reserved.]
(f) How Made After Elapse of Year.
(1) Notice. When more than one year has elapsed after service of summons with no appearance being made, the court shall not sign an order of default or enter a judgment until a notice of the time and place of the application for the order or judgment is served on the party in default, not less than 10 days prior to the entry. Proof by affidavit of the service of the notice shall be filed before entry of the judgment.
(2) Service. Service of notice of the time and place on the application for the order of default or default judgment shall be made as follows:
(A) by service upon the attorney of record;
(B) if there is no attorney of record, then by service upon the defendant by certified mail with return receipt of said service to be attached to the affidavit in support of the application; or
(C) by a personal service upon the defendant in the same manner provided for service of process.
(D) If service of notice cannot be made under subparagraphs (A) and (C), the notice may be given by publication in a newspaper of general circulation in the county in which the action is pending for one publication, and by mailing a copy to the last known address of each defendant. Both the publication and mailing shall be done 10 days prior to the hearing. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. Subdivision (f) follows and supersedes RPPP 55.08W.

Rule 56 Summary judgment.
(a) For Claimant. A party seeking to recover upon a claim, counterclaim, or cross-claim, or to obtain a declaratory judgment may, at any time after the expiration of the period within which the defendant is required to appear, or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof.
(b) For Defending Party. A party against whom a claim, counterclaim, or cross-claim is asserted or a declaratory judgment is sought may, at any time, move with or without supporting affidavits for a summary judgment in his favor as to all or any part thereof.
(c) Motion and Proceedings. The motion shall be served at least 10 days before the time fixed for the hearing. The adverse party, prior to the day of hearing, may serve opposing affidavits. The judgment sought shall be rendered forthwith if the pleadings, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.
(d) Case Not Fully Adjudicated on Motion. If on motion under the rule judgment is not rendered upon the whole case or for all the relief asked and a trial is necessary, the court at the hearing of the motion, by examining the pleadings and the evidence before it and by interrogating counsel, shall if practicable ascertain what material facts exist without substantial controversy and what material facts are actually and in good faith controverted. It shall thereupon make an order specifying the facts that appear without substantial controversy, including the extent to which the amount of damages or other relief is not in controversy, and directing such further proceedings in the action as are just. Upon the trial of the action, the facts so specified shall be deemed established, and the trial shall be conducted accordingly.
(e) Form of Affidavits; Further Testimony. Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith. The court may permit affidavits to be supplemented or opposed by depositions or by further affidavits.
(f) When Affidavits Are Unavailable. Should it appear from the affidavits of a party opposing the motion that he cannot, for reasons stated, present by affidavit facts essential to justify his opposition, the court may refuse the application for judgment or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had or may make such other order as is just.
(g) Affidavits Made in Bad Faith. Should it appear to the satisfaction of the court at any time that any of the affidavits presented pursuant to this rule are presented in bad faith or solely for the purpose of delay, the court shall forthwith order the party employing them to pay to the other party the amount of the reasonable expenses which the filing of the affidavits caused him to incur, including reasonable attorneys' fees, and any offending party or attorney may be adjudged guilty of contempt. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. Rule 56 is identical to RPPP 56, which is superseded.

Rule 57 Declaratory judgments. The procedure for obtaining a declaratory judgment pursuant to the Uniform Declaratory Judgment Act, RCW 7.24, shall be in accordance with these rules, and the right to trial by jury may be demanded under the circumstances and in the manner provided in Rules 38 and 39. The existence of another adequate remedy does not preclude a judgment for declaratory relief in cases where it is appropriate. The court may order a speedy hearing of an action for a declaratory judgment and may advance it on the calendar. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. This rule is identical to FRCP 57 except that reference is made to the Washington Uniform Declaratory Judgment Act. See also RCW 34.04.070.

## Rule 58 Entry of judgment.

(a) When. Unless the court otherwise directs and subject to the provisions of Rule 54(b), all judgments shall be entered immediately after they are signed by the judge.
(b) Effective Time. Judgments shall be deemed entered for all procedural purposes from the time of delivery to the clerk for filing, unless the judge earlier permits the judgment to be filed with him as authorized by Rule 5(e).
(c) Notice of Entry. [Reserved——See Rule 54(f).]
(d) [Reserved]

Comment by the Court. Subdivisions (a) and (b) together with Rule 59(b) supersede RCW 4.64.010.
(e) Judgment by Confession. [Reserved——See RCW 4.60.]
(f) Assignment of Judgment. [Reserved——See RCW 4.56.090.]
(g) Interest on Judgments. [Reserved——_See RCW 4.56.110.]
(h) Satisfaction of Judgments. [Reserved——See RCW 4.56.100.]
(i) Lien of Judgment. [Reserved_-See RCW 4.56.190.]
(j) Commencement of Lien on Real Estate. [Reserved——See RCW 4.56.200.]
(k) Cessation of Lien--Extension Prohibited. [Reserved——See RCW 4.56.210.]
(l) Revival of Judgments. [Reserved—_See RCW 4.56.225.] [Adopted May 5, 1967, effective July 1, 1967.]

## Rule 59 New trial and amendment of judgments.

(a) Grounds for Reconsideration or New Trial. The verdict or other decision may be vacated and a new trial granted to all or any of the parties and on all or part of the issues when such issues are clearly and fairly separable and distinct, on the motion of the party aggrieved for any one of the following causes materially affecting the substantial rights of such parties:
(1) Irregularity in the proceedings of the court, jury or adverse party, or any order of the court, or abuse of discretion, by which such party was prevented from having a fair trial;
(2) Misconduct of prevailing party or jury; and whenever any one or more of the jurors shall have been induced to assent to any general or special verdict or to a finding on any question or questions submitted to the jury by the court, other and different from his own conclusions, and arrived at by a resort to the determination of chance or lot, such misconduct may be proved by the affidavits of one or more of the jurors;
(3) Accident or surprise which ordinary prudence could not have guarded against;
(4) Newly discovered evidence, material for the party making the application, which he could not with reasonable diligence have discovered and produced at the trial;
(5) Damages so excessive or inadequate as unmistakably to indicate that the verdict must have been the result of passion or prejudice;
(6) Error in the assessment of the amount of recovery whether too large or too small, when the action is upon a contract, or for the injury or detention of property;
(7) That there is no evidence or reasonable inference from the evidence to justify the verdict or the decision, or that it is contrary to law;
(8) Error in law occurring at the trial and objected to at the time by the party making the application;
(9) That substantial justice has not been done.

Comment by the Court. Subdivision (a) follows the first paragraph of RPPP 59.04 W .
(b) Time for Motion. A motion for reconsideration and/or for a new trial may be served and filed after the verdict is received in a case tried by a jury or after the oral or written decision in a case tried to the court. No motion for reconsideration or for a new trial may be served more than 5 days after the entry of the verdict or oral or written decision.

## Comment by the Court. Subdivision (b) supersedes RCW

 4.64.010.(c) Time for Serving Affidavits. When a motion for new trial is based upon affidavits they shall be served with the motion. The opposing party has 5 days after such service within which to serve opposing affidavits, which period may be extended for an additional period not exceeding 20 days either by the court for good cause shown or by the parties by written stipulation. The court may permit reply affidavits.

Comment by the Court. Subdivision (c) follows FRCP 59(c).
(d) On Initiative of Court. Not later than 5 days after entry of judgment, the court of its own initiative may order a hearing on its proposed order for a new trial for any reason for which it might have granted a new trial on motion of a party, and in the order shall specify the grounds thereof.
Comment by the Court. Subdivision (d) follows FRCP 59(d).
(e) Hearing on Motion. When a motion for reconsideration or for a new trial is served and filed, the judge by whom it is to be heard may on his own motion or on application determine:
(1) Time of Hearing. Whether the motion shall be heard before the entry of judgment;
(2) Consolidation of Hearings. Whether the motion shall be heard before or at the same time as the presentation of the findings and conclusions and/or judgment, and the hearing on any other pending motion; and
(3) Nature of Hearing. Whether the motion or motions and presentation shall be heard on oral argument or submitted on briefs, and if on briefs, shall fix the time within which the briefs shall be served and filed.
Comment by the Court. Subdivision (e) supersedes RPPP $8.08 \mathrm{~W}(3)$.
(f) Statement of Reasons. In all cases where the trial court grants a motion for a new trial, it shall, in the order granting the motion, state whether the order is based upon the record or upon facts and circumstances outside the record which cannot be made a part thereof. If the order is based upon the record, the court shall give definite reasons of law and facts for its order. If the order is based upon matters outside the record, the court shall state the facts and circumstances upon which it relied. Comment by the Court. Subdivision (f) supersedes the next to the last paragraph of RPPP 59.04W.
(g) Reopening Judgment. On a motion for a new trial in an action tried without a jury, the court may open the judgment if one has been entered, take additional testimony, amend findings of fact and conclusion of law or make new findings and conclusions, and direct the entry of a new judgment.

Comment by the Court. Subdivision (g) is identical to the last sentence of FRCP 59(a).
(h) Motion to Alter or Amend Judgment. A motion to alter or amend the judgment shall be served not later than 5 days after entry of the judgment.

Comment by the Court. Subdivision (h) follows FRCP 59(e).
(i) Alternative Motions, etc. Alternative motions for judgment notwithstanding the verdict and for a new trial may be made in accordance with Rule 50(c) and (d):
(j) Limit on Motions. If a motion for reconsideration, or for a new trial, or for judgment notwithstanding the verdict, is made and heard before the entry of the judgment, no further motion may be made for a new trial nor pursuant to subdivisions (g), (h), and (i) of this rule, nor under Rule 52(b), without leave of court first obtained for good cause shown. [Adopted May 5, 1967, effective July 1, 1967. Prior: 59(a), 59(b) and 59(f), RPPP Rule 59.04W; 59(e), RPPP Rule 8.08W(3); 59(i), RPPP Rule 59.08W Part.]

## Rule 60 Relief from judgment or order.

(a) Clerical Mistakes. [Amendment effective Jan. 1, 1977.] Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. Such mistakes may also be corrected before review is accepted by an appellate court, and thereafter corrected pursuant to RAP 7.2(e).

Comment by tbe Court. Subdivision (a) follows FRCP 60(a) and supersedes RPPP 60.
(b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud; etc. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons:
(1) Mistakes, inadvertence, surprise, excusable neglect or irregularity in obtaining a judgment or order;
(2) For erroneous proceedings against a minor or person of unsound mind, when the condition of such defendant does not appear in the record, nor the error in the proceedings;
(3) Newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b);
(4) Fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party;
(5) The judgment is void;
(6) The judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application;
(7) If the defendant was served by publication, relief may be granted as prescribed in RCW 4.28.200;
(8) Death of one of the parties before the judgment in the action;
(9) Unavoidable casualty or misfortune preventing the party from prosecuting or defending;
(10) Error in judgment shown by a minor, within 12 months after arriving at full age; or
(11) Any other reason justifying relief from the operation of the judgment.

The motion shall be made within a reasonable time and for reasons (1), (2) or (3) not more than 1 year after the judgment, order, or proceeding was entered or taken. If the party entitled to relief is a minor or a person of unsound mind, the motion shall be made within 1 year after the disability ceases. A motion under this subdivision (b) does not affect the finality of the judgment or suspend its operation.
Comment by the Court. Subdivision (b) follows FRCP 60(b), except that paragraph (2) and paragraphs (7) through (10), and part of paragraph (1), have been added from RCW 4.72.010. The last sentence of FRCP $60(\mathrm{~b})$ has been separated into subdivisions (c) and (d), respectively. Subdivision (b) supersedes RCW 4.32.240, 4.72.010, 4.72.020, 4.72.030, and 4.72.040, to the extent that those sections cover relief from judgments.
(c) Other Remedies. This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding.
(d) Writs Abolished--Procedure. Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review are abolished. The procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action.
Comment by the Court. Subdivision (d) follows the last sentence of FRCP 60(b).
(e) Procedure on Vacation of Judgment.
(1) Motion. Application shall be made by motion filed in the cause stating the grounds upon which relief is asked, and supported by the affidavit of the applicant or his attorney setting forth a concise statement of the facts or errors upon which the motion is based, and if the moving party be a defendant, the facts constituting a defense to the action or proceeding.
(2) Notice. Upon the filing of the motion and affidavit, the court shall enter an order fixing the time and place of the hearing thereof and directing all parties to the action or proceeding who may be affected thereby to appear and show cause why the relief asked for should not be granted.
(3) Service. The motion, affidavit, and the order to show cause shall be served upon all parties affected in the same manner as in the case of summons in a civil action at such time before the date fixed for the hearing as the order shall provide; but in case such service cannot be made, the order shall be published in the manner and for such time as may be ordered by the court, and in such case a copy of the motion, affidavit, and order shall be mailed to such parties at their last known post office address and a copy thereof served upon the attorneys of record of such parties in such action or proceeding such time prior to the hearing as the court may direct.
(4) Statutes. Except as modified by this rule, RCW 4.72.010-. 090 shall remain in full force and effect. [Amd. Aug. 9, 1976, eff. Jan. 1, 1977; amd. Sept. 26, 1972, eff. Sept. 26, 1972; adop. May 5, 1967, eff. July 1, 1967.]

Comment by the Court. Subdivtsion (e) follows and supersedes RPPP 60.04W and RCW 4.72.040. Reference to "petition" in RCW 4.72.050 is superseded. RCW 4.32.240 is superseded.

## Rule 61 Harmless Error. [Reserved.]

## Rule 62 Stay of proceedings to enforce a judgment.

(a) Automatic Stays. [Amendment effective Jan. 1, 1977.] No execution shall issue upon a judgment nor shall proceedings be taken for its enforcement until the expiration of 5 days after its entry. Unless otherwise ordered, an interlocutory or final judgment in an action for an injunction or in a receivership action, shall not be stayed during the period after its entry and until appellate review is accepted or during the pendency of appellate review.
Comment by the Court. Subdivision (a) follows FRCP 62(a).
(b) Stay on Motion for New Trial or for Judgment. In its discretion and on such conditions for the security of
the adverse party as are proper, the court may stay the execution of or any proceedings to enforce a judgment pending the disposition of a motion for a new trial or to alter or amend a judgment made pursuant to Rule 59, or of a motion for relief from a judgment in accordance with a motion for a directed verdict made pursuant to Rule 50, or of a motion for amendment to the findings or for additional findings made pursuant to Rule 52(b).

Comment by the Court. Subdivision (b) follows FRCP 62(b).
(c) Injunction Pending Appeal. RESCINDED.
(d) Stay Upon Appeal. RESCINDED.
(e) Stay in Favor of State. RESCINDED.
(f) Other Stays. This rule does not limit the right of a party to stay otherwise provided by statute or rule.
Comment by the Court. Subdivision (f) follows FRCP 62(f). See also RCW 6.08 .
(g) Power of Supreme Court Not Limited. RESCINDED.
(h) Multiple Claims or Multiple Parties. When a court has ordered a final judgment under the conditions stated in Rule 54(b), the court may stay enforcement of that judgment until the entering of a subsequent judgment or judgments and may prescribe such conditions as are necessary to secure the benefit thereof to the party in whose favor the judgment is entered. [Amd. Aug. 9, 1976, eff. Jan. 1, 1977; subds. (c), (d), (e), and (g) rescinded Jan. 28, 1976, eff. July 1, 1976; adop. May 5, 1967, eff. July 1, 1967.]

Comment by tbe Court. Subdivision (h) follows FRCP 62(h) and supersedes RPPP 42(c).

## Rule 63 Judges.

(a) Powers. See Rule 77.
(b) Disability of a Judge. If by reason of death, sickness, or other disability, a judge before whom an action has been tried is unable to perform the duties to be performed by the court under these rules after a verdict is returned or findings of fact and conclusions of law are filed, then any other judge regularly sitting in or assigned to the court in which the action was tried may perform those duties; but if such other judge is satisfied that he cannot perform those duties because he did not preside at the trial or for any other reason, he may in his discretion grant a new trial. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (b) is identical to FRCP 63.

## VIII. PROVISIONAL AND FINAL REMEDIES

Rule
64 Seizure of person or property.
65 Injunctions.
(a) Preliminary injunction.
(b) Temporary restraining order; notice; hearing; duration.
(c) Security.
(d) Form and scope.
(e) Statutes.
65.1 Security: Proceedings against sureties.

66 Receivership proceedings.
(a) Generally.
(b) Dismissal.
(c) Notice to creditors.
(d) Request for special notices.
(e) Notices and hearings.

67 Deposit in court.
68 Offer of judgment.
69 Execution.
(a) Procedure.
(b) Supplemental proceedings.

70 Judgment for specific acts; vesting title.
71 [Reserved.]
Rule 64 Seizure of person or property. At the commencement of and during the course of an action, all remedies providing for seizure of person or property for the purpose of securing satisfaction of the judgment ultimately to be entered in the action are available under the circumstances and in the manner provided by the law existing at the time the remedy is sought. The remedies thus available include arrest, attachment, garnishment, replevin, sequestration, and other corresponding or equivalent remedies, however designated and regardless of whether the remedy is ancillary to an action or must be obtained by an independent action. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. This rule follows FRCP 64.

## Rule 65 Injunctions.

(a) Preliminary Injunction.
(1) Notice. No preliminary injunction shall be issued without notice to the adverse party.
(2) Consolidation of Hearing With Trial on Merits. Before or after the commencement of the hearing of an application for a preliminary injunction, the court may order the trial of the action on the merits to be advanced and consolidated with the hearing of the application. Even when this consolidation is not ordered, any evidence received upon an application for a preliminary injunction which would be admissible upon the trial on the merits becomes part of the record on the trial and need not be repeated upon the trial. This paragraph shall be so construed and applied as to save to the parties any rights they may have to trial by jury.
(b) Temporary Restraining Order; Notice; Hearing; Duration. A temporary restraining order may be granted without written or oral notice to the adverse party or his attorney only if (1) it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or his attorney can be heard in opposition, and (2) the applicant's attorney certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting his claim that notice should not be required. Every temporary restraining order granted without notice shall be endorsed with the date and hour of issuance; shall be filed forthwith in the clerk's office and entered of record; shall define the injury and state why it is irreparable and why the order was granted without notice; and shall expire by its terms within such time after entry, not to exceed 10 days, as the court fixes, unless within the time so fixed the order,
for good cause shown, is extended for a like period or unless the party against whom the order is directed consents that it may be extended for a longer period. The reasons for the extension shall be entered of record. In case a temporary restraining order is granted without notice, the motion for a preliminary injunction shall be set down for hearing at the earliest possible time and takes precedence of all matters except older matters of the same character; and when the motion comes on for hearing the party who obtained the temporary restraining order shall proceed with the application for a preliminary injunction and, if he does not do so, the court shall dissolve the temporary restraining order. On 2 days' notice to the party who obtained the temporary restraining order without notice or on such shorter notice to that party as the court may prescribe, the adverse party may appear and move its dissolution or modification and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require.
(c) Security. Except where the court in issuing orders pursuant to Laws of 1973, 1st Ex. Sess., Ch. 157 directs otherwise, no restraining order or preliminary injunction shall issue except upon the giving of security by the applicant, in such sum as the court deems proper, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained. No such security shall be required of the United States or of an officer or agency thereof. Pursuant to RCW 4.92.080 no security shall be required of the State of Washington, municipal corporations or political subdivisions of the State of Washington.
The provisions of Rule 65.1 apply to a surety upon a bond or undertaking under this rule.
Comment by the Court. Subdivisions (a), (b), and (c) follow
FRCP 65(a), (b), and (c).
FRCP 65(a), (b), and (c).
(d) Form and Scope. Every order granting an injunction and every restraining order shall set forth the reasons for its issuance; shall be specific in terms; shall describe in reasonable detail, and not by reference to the complaint or other document, the act or acts sought to be restrained; and is binding only upon the parties to the action, their officers, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise.
(e) Statutes. These rules are intended to supplement and not to modify any statute prescribing the basis for obtaining injunctive relief. These rules shall prevail over statutes if there are procedural conflicts. [Adopted May 5, 1967, effective July 1, 1967; Subd. (c) amended, adopted April 9, 1974, effective July 1, 1974.]

Rule 65.1 Security: Proceedings against sureties. Whenever these rules require or permit the giving of security by a party, and security is given in the form of a bond or stipulation or other undertaking with one or more sureties, each surety submits himself to the jurisdiction of the court and irrevocably appoints the clerk of the court as his agent upon whom any papers affecting
his liability on the bond or undertaking may be served. His liability may be enforced on motion without the necessity of an independent action. The motion and such notice of the motion as the court prescribes may be served on the clerk of the court, who shall forthwith mail copies to the sureties if their addresses are known. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. This rule follows FRCP 65.1.

## Rule 66 Receivership proceedings.

(a) Generally. Receivership proceedings shall be in accordance with the practice heretof ore followed in the superior court or as provided by local rules. In all other respects, the action in which the receiver is sought or which is brought by or against a receiver is governed by these rules.

Comment by the Court. Subdivision (a) follows the second and third sentences of FRCP 66.
(b) Dismissal. An action wherein a receiver has been appointed shall not be dismissed except by order of the court.

Comment by the Court. Subdivision (b) follows the first sentence of FRCP 66.
(c) Notice to Creditors. A general receiver appointed to liquidate and wind up affairs shall, under the direction of the court, give notice to the creditors of the corporation, of the copartnership, or of the individual, by publication in a newspaper of general circulation in the county in which the action is pending, once each week for 3 weeks, requiring such creditors to file their claims, duly verified, with the receiver, his attorney, or the clerk of the court, within 30 days from the date of first publication of such notice. If necessary to afford proper notice to such creditors, the court may by order enlarge the time for such publication or direct publication of such notice in other counties. In addition to such publication, the receiver shall give actual notice by mail at their last known addresses to all persons and parties to him known to be or to claim to be creditors.
Comment by the Court. Subdivision (c) is identical to RPPP $66.04 \mathrm{~W}(1)$ which is superseded.
(d) Request for Special Notices. At any time after a receiver is appointed, any person interested in said receivership as a party, creditor, or otherwise, may serve upon the receiver (or upon the attorney for such receiver) and file with the clerk a written request stating that he desires special notice of any and all of the following named matters, steps or proceedings in the administration of said receivership, to-wit:
(1) Filing of petitions for sales, leases, or mortgages of any property in the receivership.
(2) Filing of accounts.
(3) Filing of petitions for removal or discharge of receiver.
(4) Such other matters as are officially requested and approved by the court.

Such request shall state the post-office address of such person, or his attorney.
Comment by the Court. Subdivision (d) follows the first paragraph of RPPP $66.04 \mathrm{~W}(2)$ which is superseded.
(e) Notices and Hearings. Notice of any of the proceedings set out in subdivision (d) of the rule (except petitions for the sale of perishable property, or other personal property, the keeping of which will involve expense or loss) shall be addressed to such person, or his attorney, at his stated post office address, and deposited in the United States Post Office, with the postage thereon prepaid, at least 5 days before the hearing on any of the matters above described; or personal service of such notice may be made on such person or his attorney not less than 5 days before such hearing; and proof of mailing or personal service must be filed with the clerk before the hearing. If upon the hearing it appears to the satisfaction of the court that the notice has been regularly given, the court shall so find in its order of judgment, and such judgment shall be final and conclusive. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. Subdivision (e) follows the second paragraph of RPPP $66.04 \mathrm{~W}(2)$ which is superseded.

Rule 67 Deposit in court. In an action in which any part of the relief sought is a judgment for a sum of money or the disposition of a sum of money or the disposition of any other thing capable of delivery, a party, upon notice to every other party, and by leave of court, may deposit with the court all or any part of such sum or thing. Money paid into court under this rule shall be deposited and withdrawn in accordance with the provisions of RCW 4.44.480 through 4.44.500 or any like statute or rule. [Adopted May 5, 1967, effective July 1, 1967.]

## Comment by the Court. This rule follows FRCP 67.

Rule 68 Offer of judgment. At any time more than 10 days before the trial begins, a party defending against a claim may serve upon the adverse party an offer to allow judgment to be taken against him for the money or property or to the effect specified in his offer, with costs then accrued. If within 10 days after the service of the offer the adverse party serves written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with proof of service thereof and thereupon the court shall enter judgment. An offer not accepted shall be deemed withdrawn and evidence thereof is not admissible except in a proceeding to determine costs. If the judgment finally obtained by the offeree is not more favorable than the offer, the offeree must pay the costs incurred after the making of the offer. The fact that an offer is made but not accepted does not preclude a subsequent offer. When the liability of one party to another has been determined by verdict or order or judgment, but the amount or extent of the liability remains to be determined by further proceedings, the party adjudged liable may make an offer of judgment, which shall have the same effect as an offer made before trial if it is served within a reasonable time not less than 10 days prior to the commencement of hearings to determine the amount or extent of liability. [Adopted May 5, 1967, effective July 1, 1967.]

[^17]
## Rule 69 Execution.

(a) Procedure. The procedure on execution, in proceedings supplementary to and in aid of a judgment, and in proceedings on and in aid of execution shall be in accordance with the practice and procedure of the state as authorized in RCW 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, $6.32,6.36$, and any other applicable statutes.
(b) Supplemental Proceedings. In aid of the judgment or execution, the judgment creditor or his successor in interest when that interest appears of record, may examine any person, including the judgment debtor, in the manner provided in these rules for taking depositions or in the manner provided by RCW 6.32. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. This rule follows FRCP 69(a).
Rule 70 Judgment for specific acts; vesting title. If a judgment directs a party to execute a conveyance of land or to deliver deeds or other documents or to perform any other specific act and the party fails to comply within the time specified, the court may direct the act to be done at the cost of the disobedient party by some other person appointed by the court and the act when so done has like effect as if done by the party. On application of the party entitled to performance, the clerk shall issue a writ of attachment or sequestration against the property of the disobedient party to compel obedience to the judgment. The court may also in proper cases adjudge the party in contempt. If real or personal property is within the state, the court in lieu of directing a conveyance thereof may enter a judgment divesting the title of any party and vesting it in others and such judgment has the effect of a conveyance executed in due form of law. When any order or judgment is for the delivery of possession, the party in whose favor it is entered is entitled to a writ of execution or assistance upon application to the clerk. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 70.]

Comment by the Court. This rule follows FRCP 70. See also RCW 6.28.

## Rule 71 Withdrawal by attorneys.

(a) Withdrawal by Attorney. Service on an attorney who has appeared for a party in a civil proceeding shall be valid to the extent permitted by statute and Rule 5(b) only until the attorney has withdrawn in the manner provided in sections (b), (c) and (d). Nothing in this rule defines the circumstances under which a withdrawal might be denied by the court.
(b) Withdrawal by Order. A court-appointed attorney may not withdraw without an order of the court. The client of the withdrawing attorney must be given notice of the motion to withdraw and the date and place the motion will be heard.
(c) Withdrawal by Notice. Except as provided in sections (b) and (d), an attorney may withdraw by notice in the manner provided in this section.
(1) Notice of Intent to Withdraw. The attorney shall file and serve a Notice of Intent to Withdraw on all other parties in the proceeding. The notice shall specify a date when the attorney intends to withdraw, which date
shall be at least 10 days after the service of the Notice of Intent to Withdraw. The notice shall include a statement that the withdrawal shall be effective without order of court unless an objection to the withdrawal is served upon the withdrawing attorney prior to the date set forth in the notice. If notice is given before trial, the notice shall include the date set for trial. The notice shall include the names and last known addresses of the persons represented by the withdrawing attorney, unless disclosure of the address would violate the Code of Professional Responsibility, in which case the address may be omitted. If the address is omitted, the notice must contain a statement that after the attorney withdraws, and so long as the address of the withdrawing attorney's client remains undisclosed and no new attorney is substituted, the client may be served by leaving papers with the clerk of the court pursuant to Rule 5(b)(1).
(2) Service on Client. Prior to service on other parties, the Notice of Intent to Withdraw shall be served on the persons represented by the withdrawing attorney or sent to them by certified mail, postage prepaid, to their last known mailing addresses. Proof of service or mailing shall be filed, except that the address of the withdrawing attorney's client may be omitted under circumstances defined by subsection (c)(1) of this rule.
(3) Withdrawal Without Objection. The withdrawal shall be effective, without order of court and without the service and filing of any additional papers, on the date designated in the Notice of Intent to Withdraw, unless a written objection to the withdrawal is served by a party on the withdrawing attorney prior to the date specified as the day of withdrawal in the Notice of Intent to Withdraw.
(4) Effect of Objection. If a timely written objection is served, withdrawal may be obtained only by order of the court.
(d) Withdrawal and Substitution. Except as provided in section (b), an attorney may withdraw if a new attorney is substituted by filing and serving a Notice of Withdrawal and Substitution. The notice shall include a statement of the date on which the withdrawal and substitution are effective and shall include the name, address, and signature of the withdrawing attorney and the substituted attorney. [Adop. June 4, 1976, eff. July 1, 1976.]

## IX. APPEALS [RESERVED]

## X. SUPERIOR COURTS AND CLERKS

Rule
77 Superior courts and judicial officers.
(a) Original jurisdiction.
(b) Powers of superior courts.
(c) Powers of judicial officers.
(d) Superior courts always open.
(e) No court on legal holidays-Exceptions.
(f) Sessions.
(g) Adjournments.
(h) Summer recess.
(i) Sessions where more than one judge sits-Effect of decrees, orders, etc.
(j) Trials and hearings; orders in chambers.
(k) Motion day-Local rules.
(1) Submission on briefs.
(m) Stipulations.
(n) Seal of court.

78 Clerks.
(a) Powers and duties of clerks.
(b) Office hours.
(c) Orders by clerk.
(d) Receipt and publication of depositions.
(e) Entry of judgments and costs.
(f) Bonds.

79 Books and records kept by the clerk.
(a) Civil docket.
(b) Civil judgments and orders.
(c) Indices; calendars.
(d) Other books and records of clerk.
(e) Destruction of records.
(f) List of pending decisions.

80 Court reporters.
(a) [Reserved.]
(b) Electronic recording.

Rule 77 Superior courts and judicial officers.
(a) Original Jurisdiction. [Reserved__See RCW 2.08.010.]
(b) Powers of Superior Courts.
(1) Powers of Court in Conduct of Judicial Proceedings. [Reserved—See RCW 2.28.010.]
(2) Punishment for Contempt. [Reserved-See RCW 2.28.020.]
(3) Implied Powers. [Reserved——See RCW 2.28.150.]
(c) Powers of Judicial Officers.
(1) Judges Distinguished from Court. [ReservedSee RCW 2.28.050.]
(2) Judicial Officers Defined_When Disqualified. [Reserved—_See RCW 2.28.030.] See also Rule 40(e) for change of Judge.
(3) Powers of Judicial Officers. [Reserved——See RCW 2.28.060.]
(4) Judicial Officer May Punish for Contempt. [Re-served-See RCW 2.28.070.]
(5) Powers of Judges of Supreme and Superior Courts. [Reserved-See RCW 2.28.080.]
(6) Powers of Inferior Judicial Officers. [Re-served-See RCW 2.28.090.]
(7) Powers of Judge in Counties of His District. [Reserved——See RCW 2.08.190.]
(8) Visiting Judges.
(A) Assignments.
(i) Visiting Judges at Direction of Governor. [Re-served-See RCW 2.08.140.]
(ii) Visiting Judges at Request of judge or judges. [Reserved-See RCW 2.08.140 and 2.08.150.]
(iii) Court Administrator-Make Recommendations. [Reserved——See RCW 2.56.030.]
(iv) Duty of Judges to Comply with Chief Justice's Direction. [Reserved-_See RCW 2.56.040.]
(B) Powers. Whenever a visiting judge has heard or tried any case or matter and has departed from the county, he may require the argument on any post-trial motion to be submitted to him on briefs at such place within the state as he may designate and he may sign findings of fact, conclusions of law, judgments and posttrial orders anywhere within the state. See also RCW 2.08.140 and 2.08.150.
(9) Judges Pro Tempore. [Reserved——See RCW 2.08.180.]
(10) Change of Judge. [Reserved——See RCW 4.12.040 and 4.12.050.]
(11) Court May Fix Amount of Bond in Civil Actions. [Reserved-See RCW 4.44.470.]
(d) Superior Courts Always Open. The superior courts are courts of record, and shall be always open, except on nonjudicial days.
(e) No Court on Legal Holidays-—Exceptions. [Reserved——See RCW 2.28.100.]
(f) Sessions. The superior courts shall hold regular and special sessions at the county seats of the several counties at such times as the judges may determine.
(g) Adjournments.
(1) Power. [Reserved——See RCW 2.28.120.]
(2) Automatic. [Reserved——See RCW 2.28.110.]
(3) Effect. [Reserved——See RCW 2.08.040.]
(h) Summer Recess. No cases shall be tried between the first day of July and the first day of September of each year except by order of the court or by consent of all parties and of the court.
(i) Sessions Where More Than One Judge Sits-Effect of Decrees, Orders, etc. [Reserved——See RCW 2.08.160.]
(j) Trials and Hearings; Orders in Chambers. Except as otherwise authorized by these rules or by statute, all trials upon the merits shall be conducted in open court and so far as convenient in a regular court room. All other acts or proceedings may be done or conducted by a judge in chambers, without the attendance of the clerk or other court officials and at any place either within or without the county; but no hearing, other than one ex parte, shall be conducted outside the county in which the cause or proceedings is pending without the consent of all parties affected thereby.
(k) Motion Day——Local Rules. Unless local conditions make it impracticable, the superior court in each county shall establish regular times and places, at intervals sufficiently frequent for the prompt dispatch of business, at which motions requiring notice and hearing may be heard and disposed of; but the judge at any time or place and on such notice, if any, as he considers reasonable may make orders for the advancement, conduct, and hearing of actions.
(l) Submission on Briefs. To expedite its business, the court may make provision by rule or order for the submission and determination of motions without oral hearing upon brief written statements of reasons in support and opposition.
(m) Stipulations. See Rule 16(c).
(n) Seal of Court. [Reserved-_See RCW 2.08.050.] [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967. Prior: 77(h) and 77(k), RPPP 77.24W and 78.04W.]

## Rule 78 Clerks.

(a) Powers and Duties of Clerks. [Reserved——See RCW 2.32.050.]
(b) Office Hours. The clerk's office with the clerk or a deputy in attendance shall be open during business hours on all days except Saturdays, Sundays, and legal holidays.

Comment by the Court. Subdivision (b) follows the first sentence of FRCP 77(c). See also RCW 1.16.050.
(c) Orders by Clerk. All motions and applications in the clerk's office for issuing mesne process, for issuing final process to enforce and execute judgments, and for other proceedings which do not require allowance or order of the court are grantable of course by the clerk; but his action may be suspended or altered or rescinded by the court upon cause shown.
Comment by the Court. Subdivision (c) follows the second sentence of FRCP 77(c).
(d) Receipt and Publication of Depositions. Upon the receipt of a deposition in any case, the clerk shall forthwith endorse the date of the reception upon the wrapper thereof, and shall enter the same upon the appearance docket. Such deposition shall remain unopened until the court shall order the same to be published, which will be at the request of either party. When publication is ordered, the clerk shall endorse upon the same: "This deposition filed [giving the date on the wrapper] and published this .-..- day .-....-....., 19..." The wrapper shall be preserved by the clerk without unnecessary mutilation.

Comment by the Court. Subdivision (d) is identical to and supersedes RPPP 77.16W(1).
(e) Entry of Judgments and Costs. The clerk shall enter judgment or decree pursuant to the provisions of Rule 58 and the same shall then be entered for the sum found due or the relief awarded, with costs and disbursements, if any, to be taxed. Entry of judgment shall not be delayed for the taxing of costs. If no cost bill is filed by the party to whom costs are awarded within 10 days after the entry of the judgment or decree, the clerk shall proceed to tax the following costs and disbursements, namely:
(1) The statutory attorneys' fee,
(2) The clerk's fee,
(3) The sheriff's fee, and
(4) Other disbursements, the amount whereof plainly appears on the papers in the case, and shall enter the sum thereof in the judgment entry and execution docket. If a cost bill is filed, he shall enter as the amount to be recovered the amount claimed in such cost bill, and no motion to retax costs shall be considered unless the same be filed within 6 days after the filing of the cost bill.

Comment by the Court. Subdivision (e) follows and supersedes
RPPP 77.16W(2).
(f) Bonds. The clerk shall at once upon the filing of a bond (except bond for costs) enter the same at large upon the journal. The clerk shall endorse upon every affidavit or undertaking filed to procure a writ of attachment, the day, hour, and minute of filing thereof. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (f) is identical to and supersedes RPPP 77.16W(3).

## Rule 79 Books and records kept by the clerk.

(a) Civil Docket. [Reserved.]
(b) Civil Judgments and Orders.
(1) Generally. [Reserved.]
(2) Entry of Judgment in Journal. [Reserved-See RCW 4.64.030.]
(3) Judgment Roll. [Reserved——See RCW 4.64.040.]
(4) Identification of Judgment Roll. [ReservedSee RCW 4.64.050.]
(5) Execution Docket. [Reserved——See RCW 4.64.060.
(6) Entry of Verdict in Execution Docket. [Re-served-See RCW 4.64.020.
(7) Entries in Execution Docket. [Reserved-See RCW 4.64.080.]
(8) Transcript of Justice Docket. [Reserved-See RCW 4.64.110.]
(9) Entry of Abstract or Transcript of Judgment. [Reserved-See RCW 4.64.120.]
(10) Abstract of Judgment. [Reserved——See RCW 4.64.090.]
(11) Abstract of Verdict-Cessation of Lien. [Re-served-See RCW 4.64.100.]
(c) Indices; Calendars. [Reserved.]
(d) Other Books and Records of Clerk. [Reserved.]
(e) Destruction of Records. [Reserved——See RCW 36.23.070.]
(f) List of Pending Decisions. The Clerk of each county shall maintain a permanent, public record showing each case submitted to a judge and not yet decided. Said list shall clearly show what, if any, further action is to be taken by any party or counsel and when said action should be taken. Said list shall be called to the attention of every judge in said county on the first Monday of each calendar month. Any case which shall have been submitted to any visiting judge and not yet decided shall be called to the attention of such visiting judge by mail on said dates. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967; subsection (f) adopted Nov. 25, 1968, effective Nov. 25, 1968.]

## Rule 80 Court reporters.

(a) [Reserved.]
(b) Electronic Recording. In any civil or criminal proceedings, electronic or mechanical recording devices may be used to record oral testimony and other oral proceedings in lieu of or supplementary to causing shorthand notes thereof to be taken. In ex parte matters the use of such a device shall rest within the sole discretion of the court. In controverted matters, the use of recording devices shall be at the discretion of the court, unless a party of record or his counsel makes timely objection prior to the commencement of the proceedings. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967.]

## XI. GENERAL PROVISIONS

Rule
81 Applicability in general.
(a) To what proceedings applicable.
(b) Conflicting statutes and rules.

82 Venue.
(a) Nonresident.
(b) Request-Waiver.
(c) Change of venue-Fees.

83 Local rules of superior court.
(a) Adoption.
(b) Format.
(c) Copies.

84 Forms. [Reserved.]
85 Title of rules.
86 Effective dates.

## Rule 81 Applicability in general.

(a) To What Proceedings Applicable. Except where inconsistent with rules or statutes applicable to special proceedings, these rules shall govern all civil proceedings. Where statutes relating to special proceedings provide for procedure under former statutes applicable generally to civil actions, the procedure shall be governed by these rules.
(b) Conflicting Statutes and Rules. Subject to the provisions of subdivision (a) of this rule, these rules supersede all procedural statutes and other rules that may be in conflict. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. Subdivision (b) follows RPPP 86.

## Rule 82 Venue.

(a) Nonresident. An action against a nonresident of this state may be brought:
(1) In any county in which service of process may be had, or
(2) In a county in which the acts, or any of them, were done which gave rise to service under RCW 4.28.180 and 4.28.185, or
(3) In the county in which the plaintiffs, or any of them, reside.
Comment by the Court. Subdivision (a) is identical to and supersedes RPPP 82.04 W (b).
(b) Request-—Waiver. If an action is brought in the wrong county, the action may nevertheless be tried therein unless the defendant, pursuant to the provisions of Rule 12, request that the trial be held in the proper county and files an affidavit of merits.
(c) Change of Venue--Fees. Any fees or costs required to be paid by a party pursuant to RCW 4.12.090 shall be paid to the clerk of the county from which the case is being transferred by check or money order made payable to the clerk of the county to which the case is being transferred. [Adopted May 5, 1967, effective July 1, 1967; amended March 4, 1975, effective July 1, 1975.]

## Rule 83 Local rules of superior court.

(a) Adoption. Each superior court by action of a majority of the judges may from time to time make and amend local rules governing its practice not inconsistent with these rules.

Comment by the Court. Subdivision (a) follows the first sentence of FRCP 83 and supersedes RPPP 83.04W.
(b) Format. All local rules shall conform in numbering system and in format to these rules to facilitate their use.
(c) Filing with Administrator for the Courts. Local rules and amendments become effective only after they are filed with the administrator for the courts in such quantities as he shall require. [Amd. Nov. 26, 1975, eff. Jan. 1, 1976; adop. May 5, 1967, eff. July 1, 1967.]

## Rule 84 Forms. [Reserved.]

Rule 85 Title of rules. These rules shall be known and cited as the Civil Rules for Superior Court. CR is the official abbreviation. [Adopted May 5, 1967, effective July 1, 1967.]

## Rule 86 Effective dates.

Generally_—Pending Actions. These rules and amendments promulgated pursuant to authority granted to the Supreme Court shall govern all proceedings in actions after they take effect, and also all further proceedings in actions pending on their effective dates, except to the extent that in the opinion of the superior court, expressed by its order, the application of rules in a particular action pending when the rules take effect would not be feasible or would work injustice, in which event the procedure existing at the time the action was brought applies. [Adopted May 5, 1967, effective July 1, 1967. CF prior RPPP Rule 86.]

## SUPERIOR COURT SPECIAL PROCEEDINGS RULES (SPR)

(Formerly: Special Proceedings Rules for Superior Court)
Rule
90.04W Attachments-Duties of the sheriff.
91.04W Garnishments-Service, objections, etc.
(a) Methods of service.
(b) Irregularities.
(c) Objections.
(d) Judgment against garnishee.
(e) Proof of service.
(f) Applicability.
93.04W Disposition of reports-Adoptions.
(94.04W Divorce actions. RESCINDED.)
(94.05 Continuation of actions-Chapter 26.08 RCW. RESCINDED.)
(98.04W Estates-Probate-Notices to heirs, etc. Abrogated).
(98.06W Probate proceedings-Inventory. Abrogated).
98.08W Estates-Settlement of claims by executors, administrators and receivers.
98.10W Estates-Receivership_Reports.
98.12W Estates generally-Fees.
98.16W Estates_Guardianship_Settlement of claims of minors.
(a) Representation.
(b) Hearing.
(c) Deposit in court and disbursements.
(d) Control of remaining funds.
(e) Deposit of minor's funds.
98.20W Estates-Guardianships_Authorization of expenditures.

## EXPLANATION BY THE COURT

Format. When adopting the format of the rule numbering and subdivision organization of the Federal Rules it was necessary to remove all miscellaneous rules applicable to special proceedings. This had been partially accomplished because many of these miscellaneous rules had been assigned rule numbers between 87 and 99 . These rule numbers continue to be reserved for this purpose and all the miscellaneous rules relating to special proceedings, except Criminal, are now renumbered in this series. Other than the addition of subheadings, no major revisions have been undertaken in the Special Proceedings Rules.

Statutes. No attempt has been made to cross-reference applicable statutes.

Abbreviation. These "Special Proceedings Rules for Superior Court" may be cited as "SPRs"

Rule 90.04W Attachments-—Duties of the sheriff. Immediately upon the receipt of a writ of attachment, the sheriff shall endorse thereon, in ink, the day, hour, and minute when the same first came into his hands. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. This rule is identical to and supersedes RPPP 77.20W.

Rule 91.04W Garnishments——Service, objections, etc.
(a) Methods of Service. In any case where a writ of garnishment has issued, the party at whose instance the writ was issued shall, on or before the day of the service of the writ on the garnishee, mail, or cause to be mailed, by certified mail, a copy of the writ to the defendant or judgment debtor in said cause at his last known post office address; or, in the alternative, a copy of the writ shall be served upon the defendant or judgment debtor in the same manner as is required for personal service of summons upon a party to an action on or before the day of the service of said writ on the garnishee defendant or within 2 days thereafter.
(b) Irregularities. This requirement shall not be deemed jurisdictional, but if the copy is not mailed or served as herein provided, or any irregularity shall appear with respect to the mailing or service, the court may, in its discretion on motion of the defendant or judgment debtor promptly made and supported by affidavit showing that he has suffered substantial injury from the failure to mail said copy, set aside the said garnishment.
(c) Objections. The judgment debtor shall make any objections to the entry of judgment based upon the answer of a garnishee prior to the expiration of the time within which the garnishment should have been answered.
(d) Judgment Against Garnishee. No judgment based on the answer of the garnishee, or upon failure to answer shall be entered prior to the expiration of the time within which the garnishee is required to answer.
(e) Proof of Service. The date of service of the writ of garnishment on the defendant and on the garnishee shall be determined by proof of service or by such other evidence deemed by the court to be satisfactory.
(f) Applicability. This rule shall apply to garnishments in both the superior courts and justice courts in the State of Washington and shall supplement RCW 7.33. [Amd.

June 4, 1976, eff. July 1, 1976; adop. May 5, 1967, amd. June 28, 1967, eff. July 1, 1967.]

Comment hy the court. Amendments to RPPP 96.04W are made to conform to 1967 Amendments to Garnishment Statutes.

Rule 93.04W Disposition of reports——Adoptions. Any report filed by the next friend of the child in any adoption proceeding insofar as it affects or concerns the adopters shall be open to inspection by the adopter and his attorney. Such report at the close of the entire proceeding shall be sealed and filed by the clerk in the record of the adoption proceeding, or in the discretion of the court shall be destroyed and, in any event, it shall not be disclosed to any person without a special order therefor in writing by the judge, and shall thereafter be sealed as before. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967.]

Comment by the Court. This rule is identical to RPPP 92.04W.
Rule 94.04W Divorce actions. [Adop. May 5, 1967, eff. July 1, 1967. Rescinded Nov. 6, 1974, eff. Jan. 1, 1975.]

Rule 94.05 Continuation of actions-—Chapter 26. 08 RCW. [Adopted June 28, 1973, effective July 16, 1973. Rescinded April 9, 1974, effective April 9, 1974.]

Rule 98.04W Estates--Probate——Notices to heirs, etc. [Adopted May 5, 1967, amended June 28, 1967, effective July 1, 1967. Abrogated June 5, 1969, effective June 13, 1969.]

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

IN THE MATTER OF THE ABROGATION
OF SPECIAL PROCEEDINGS RULE FOR
SUPERIOR COURT (SPR) 98.04W

$$
\text { No. } 25700-\mathrm{A}-120
$$ ORDER

WHEREAS Chapter 70 of the 1969 Session Laws supersedes the provisions of Special Proceedings Rule for Superior Court (SPR) 98.04W; it is hereby

ORDERED that Special Proceedings Rule for Superior Court (SPR) 98.04W is hereby abrogated effective on publication of the notice of abrogation in Washington Decisions.

Dated at Olympia, Washington this 5th day of June, 1969.
Rule 98.06W Probate proceedings- - Inventory. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP Rule 93.06W. Abrogated June 28, 1967, effective July 1, 1967.]

Rule 98.08W Estates--Settlement of claims by executors, administrators and receivers. In all actions or proceedings in which executors, administrators, receivers, or other persons having charge or settlement of any estate, apply to the court for an order allowing a claim to be compromised and settled for less than its face value, the court shall appoint a day not less than 5 days after such application for hearing the same, unless for good cause shown less time should intervene, and direct the giving of such notice as may be deemed proper. [Adopted May 5, 1967, effective July 1, 1967.]
Comment by the Court. This rule is identical to the first paragraph of RPPP 98.08W.

Rule 98.10W Estates——Receivership——Reports. All reports of receivers which involve an accounting shall be filed at least 10 days before the hearing. On filing and presentation of such report the court will appoint a time for hearing the same and will direct such notice to be given as will most likely advise all interested parties of such hearing. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by tbe Court. This rule is identical to the second paragraph of RPPP 98.08W.

Rule 98.12W Estates generally-—Fees. Before compensation shall be allowed to any executor, administrator, guardian, or attorney in connection with any probate matter or proceeding, or to any receiver or his attorney, and before any agreement therefor shall be approved, the amount of compensation claimed shall be definitely and clearly set forth in the application therefor, and all parties interested in the matter shall be given notice of the amount claimed in such manner as shall be fixed by statute, or, in the absence of statute, as shall be directed by the court; unless such application be filed with or made a part of a report or final account of such executor, administrator, guardian, or receiver. [Adopted May 5, 1967, effective July 1, 1967. Prior: RPPP 98.12W.]

Comment by the Court. No change is made in this rule.
Rule 98.16W Estates——Guardianship——Settlement of claims of minors.
(a) Representation. In every case where the court is requested to approve a settlement involving the claim of a person under the age of eighteen, hereinafter referred to as a minor, the court must appoint an independent guardian ad litem to investigate the adequacy of the offered settlement and file a written report. Said guardian ad litem shall be an attorney-at-law and shall serve in said capacity with the authority to withdraw funds on order of the court after ex parte hearing on petition setting forth the grounds therefor, on behalf of the minor by order until the minor attains the age of eighteen or until relieved by the court. The court may dispense with the appointment of the guardian ad litem if a general guardian has been previously appointed or if the court affirmatively finds that the minor is represented by independent counsel.
(b) Hearing. At the time the petition for approval of the settlement is heard, the allowance and taxation of all fees, costs, and other charges incident to the settlement of the minor's claim shall be considered and disposed of by the court.
(c) Deposit in Court and Disbursements. The total judgment shall be paid into the registry of the court. All sums deductible therefrom including costs, attorneys' fees, hospital and medical expenses, and any other expense, shall be paid upon approval of the court.

## (d) Control of Remaining Funds.

(1) Under $\$ 5,000$. If the money or the value of other property remaining is $\$ 5,000$ or less and there is no general guardian of the ward, the court shall require that (A) the money be deposited in a bank or trust company
or be invested in an account in an insured savings and loan association for the benefit of the ward subject to withdrawal only upon the order of the court as a part of the original proceeding, or (B) a general guardian be appointed and the money or other property be paid or delivered to such guardian.
(2) Over $\$ 5,000$. If the money or the value of other property remaining exceeds $\$ 5,000$, and there is no general guardian of the ward, the court in the order or judgment shall require that a general guardian be appointed.
(e) Deposit of Minor's Funds. Checks for funds that go to the minor may be made out be the clerk jointly to the depository bank and independent attorney for the minor, guardian ad litem or general guardian and deposit shall be made in a blocked account for the minor with provision that withdrawals cannot be made without court order. A bank receipt to that effect must be forthwith filed with the court by the attorney. [Adopted May 5, 1967, amended May 26, 1972, effective July 1, 1972.]

Comment by the Court. Except for addition of headings and subheadings and editorial changes the rule is identical to RPPP 93.04W.

Rule 98.20W Estates--Guardianships--Authorization of expenditures. Judges of the superior court in charge of probate, in directing and authorizing a guardian of the estate of the ward to make expenditures from the estate in monthly or other periodic installments, shall limit the term of such order to a period not greater than 12 month. [Adopted May 5, 1967, effective July 1, 1967.]

Comment by the Court. This rule is identical to RPPP 98.20W.

## SUPERIOR COURT CRIMINAL RULES (CrR) (Formerly: Criminal Rules for Superior Court)

## CHAPTER 1 Scope, purpose and construction.

Rule
1.1 Scope.
1.2 Purpose and Construction.
1.3 Effect.
1.4 Prosecuting Attorney-Definition.

## CHAPTER 2 Procedures prior to arrest and other special proceedings. <br> Rule

2.1 The Indictment and the Information.
2.2 Warrant Upon Indictment or Information.
2.3 Search and Seizure.

## CHAPTER 3 Rights of defendants.

Rule
3.1 Right to and Assignment of Counsel.
3.2 Pretrial Release.
3.3 Speedy Trial.
3.4 Presence of the Defendant.
3.5 Confession Procedure.

CHAPTER 4 Procedures prior to trial. Rule
4.1 Arraignment.
4.2 Pleas.
4.3 Joinder of Offenses and Defendants.
4.4 Severance of Offenses and Defendants.
4.5 Omnibus Hearing.
4.6 Depositions.
4.7 Discovery.
4.8 Subpoenas.
4.9 Pretrial Conference.

## CHAPTER 5 Venue.

## Rule

5.1 Commencement of Actions.
5.2 Change of Venue.

## CHAPTER 6 Procedures at trial.

Rule
6.1 Trial by Jury or by the Court.
6.2 Jurors' Orientation.
6.3 Selecting the Jury.
6.4 Challenges.
6.5 Alternate Jurors.
6.6 Jurors' Oath.
6.7 Custody of Jury.
6.8 Note-taking by Jurors.
6.9 View of Premises by Jury.
6.10 Discharge of the Jury.
6.11 Judge-Disability.
6.12 Witnesses.
6.13 Material Witnesses.
6.14 Immunity.
6.15 Instructions and Argument.
6.16 Verdicts and Findings.

## CHAPTER 7 Procedures following conviction.

## Rule

7.1 Sentencing.
7.2 Presentence Investigation.
7.3 Judgment.
7.4 Arrest of Judgment.
7.5 Probation.
7.6 New Trial.
(7.7 Post-conviction Relief. RESCINDED.)

CHAPTER 8 Miscellaneous.
Rule
8.1 Time.
8.2 Motions.
8.3 Dismissal.
8.4 Service and Filing of Papers.
8.5 Calendars.
8.6 Exceptions Unnecessary.
8.7 Objections.
8.8 Discharge.

## CHAPTER 1——SCOPE, PURPOSE AND CONSTRUCTION

Rule
1.1 Scope.
1.2 Purpose and construction.
1.3 Effect.
1.4 Prosecuting attorney-Definition.

Rule 1.1 Scope. These rules govern the procedure in the courts of general jurisdiction of the State of Washington in all criminal proceedings and supersede all procedural statutes and rules that may be in conflict and
shall be interpreted and supplemented in light of the common law and the decisional law of this State. These rules shall not be construed to affect or derogate from the. constitutional rights of any defendant. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 1.2 Purpose and construction. These rules are intended to provide for the just determination of every criminal proceeding. They shall be construed to secure simplicity in procedure, fairness in administration, effective justice, and the elimination of unjustifiable expenses and delay. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 1.3 Effect. Except as otherwise provided elsewhere in these rules, on their effective date:
(a) Any acts done before the effective date in any proceedings then pending or any action taken in any proceeding pending under rules of procedure in effect prior to the effective date of these rules and any constitutional right are not impaired by these rules.
(b) These rules also apply to any proceedings in court then pending or thereafter commenced regardless of when the proceedings were commenced, except to the extent that in the opinion of the court, the former procedure should continue to be made applicable in a particular case in the interest of justice or because of infeasibility of application of the procedures of these rules. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 1.4 Prosecuting attorney-—Definition. Whenever used in these rules, prosecuting attorney shall include deputy prosecuting attorneys, or such other person as may be designated by statute. [Adopted April 18, 1973, effective July 1, 1973.]

## CHAPTER 2--PROCEDURES PRIOR TO ARREST AND OTHER SPECIAL PROCEEDINGS

Rule
2.1 The indictment and the information.
(a) Use of indictment or information.
(b) Nature and contents.
(c) Surplusage.
(d) Amendment of information.
(e) Bill of particulars.
2.2 Warrant upon indictment or information.
(a) When warrant to issue.
(b) Issuance of summons in lieu of warrant.
(c) Requisites of a warrant.
(d) Execution; service.
(e) Return.
(f) Defective warrant or summons.
2.3 Search and seizure.
(a) Authority to issue warrant.
(b) Property which may be seized with a warrant.
(c) Issuance and contents.
(d) Execution and return with inventory.
(e) Motion for return of property.

Rule 2.1 The indictment and the information.
(a) Use of Indictment or Information. The initial pleading by the state shall be an indictment or an information in all criminal proceedings filed by the prosecuting attorney.
(b) Nature and Contents. The indictment or the information shall be a plain, concise and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney. Allegations made in one count may [be] incorporated by reference in another count. It may be alleged that the means by which the defendant committed the offense are unknown or that he committed it by one or more specified means. The indictment or information shall state for each count the official or customary citation of the statute, rule, regulation or other provision of law which the defendant is alleged therein to have violated. Error in the citation or its omission shall not be ground for dismissal of the indictment or information or for reversal of a conviction if the error or omission did not mislead the defendant to his prejudice.
(c) Surplusage. The court on motion of the defendant may strike surplusage from the indictment or information.
(d) Amendment of Information. The court may permit any information to be amended at any time before verdict or finding if substantial rights of the defendant are not prejudiced.
(e) Bill of Particulars. The court may direct the filing of a bill of particulars. A motion for a bill of particulars may be made before arraignment or within 10 days after arraignment or at such later time as the court may permit. A bill of particulars may be amended at any time subject to such conditions as justice requires. [Adopted April 19, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.37.020, 10.37.025, 10.37.026, 10.37.035, 10.37.180; RCW 10.40.080; RCW 10.46.170.

## Rule 2.2 Warrant upon indictment or information.

(a) When Warrant to Issue. When an indictment is found or an information is filed, the court may direct the clerk to issue a warrant for the arrest of the defendant, returnable forthwith, or direct the clerk to issue a summons commanding the defendant to appear at a specified time and place.

## (b) Issuance of Summons in Lieu of Warrant.

(1) When summons must issue. If the indictment or information charges only the commission of a misdemeanor or a gross misdemeanor, the court shall direct the clerk to issue a summons instead of a warrant unless it finds reasonable cause to believe that the defendant will not appear in response to a summons, or that arrest is necessary to prevent serious bodily harm to the accused or another, in which case it may issue a warrant.
(2) Failure to appear on summons. If a person fails to appear in response to a summons, or if service is not effected within a reasonable time, a warrant for arrest may issue.

## (c) Requisites of a Warrant.

(1) Warrant. The warrant shall be in writing and in the name of the State of Washington, shall be signed by the clerk with the title of his office, and shall state the date when issued and the county where issued. It shall specify the name of the defendant, or if his name is unknown, any name or description by which he can be
identified with reasonable certainty. The Warrant shall specify the offense charged against the defendant and shall command that the defendant be arrested and brought forthwith before the court issuing the warrant. If the offense is bailable, the judge issuing the warrant shall set forth thereon conditions for release pursuant to Rule 3.2.
(d) Execution; Service.
(1) Execution of warrant. The warrant shall be directed to all peace officers in the state and shall be executed only by a peace officer.
(2) Service of summons. The summons may be served any place within the state. It shall be served by a peace officer who shall deliver a copy of the same to the defendant personally, or it may be served by mailing the same, postage prepaid, to the defendant at his address.
(e) Return. The officer executing a warrant shall make return thereof to the court before whom the defendant is brought pursuant to these rules. At the request of the prosecuting attorney any unexecuted warrant shall be returned to the judge by whom issued and shall be cancelled by him. The person to whom a summons has been delivered for service shall, on or before the return date, file a return thereof with the judge before whom summons is returnable. For reasonable cause, the judge may order that the warrant be returned to him.

## (f) Defective Warrant or Summons.

(1) Amendment. No person arrested under a warrant or appearing in response to a summons shall be discharged from custody or dismissed because of any irregularity in the warrant or summons, but the warrant or summons may be amended so as to remedy any such irregularity.
(2) Issuance of new warrant or summons. If during the preliminary examination of any person arrested under a warrant or appearing in response to a summons, it appears that the warrant or summons does not properly name or describe the defendant or the offense with which he is charged, or that although not guilty of the offense specified in the warrant or summons, there is reasonable ground to believe that he is guilty of some other offense, the judge shall not discharge or dismiss the defendant but may allow a new indictment or information to be filed and shall thereupon issue a new warrant or summons. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.31.010, 10.31.020.

## Rule 2.3 Search and seizure.

(a) Authority to Issue Warrant. A search warrant authorized by this rule may be issued by the court upon request of a peace officer or a prosecuting attorney.
(b) Property Which May Be Seized With a Warrant. A warrant may be issued under this rule to search for and seize any (1) evidence of a crime; or (2) contraband, the fruits of crime, or things otherwise criminally possessed; or (3) weapons or other things by means of which a crime has been committed or reasonably appears about to be committed.
(c) Issuance and Contents. A warrant shall issue only on an affidavit or affidavits establishing the grounds for issuing the warrant. Such affidavit or affidavits may consist of an officer's sworn telephonic statement to the judge; provided, however, such sworn telephonic testimony must be electronically recorded by the judge on a recording device in the custody of the judge at the time transmitted and the recording shall be retained in the court records and reduced to writing as soon as possible thereafter. If the judge finds that probable cause for the issuance of a warrant exists, he shall issue a warrant or direct an individual whom he authorizes for such purpose to affix his signature to a warrant identifying the property and naming or describing the person, place or thing to be searched. The finding of probable cause shall be based on evidence, which may be hearsay in whole or in part provided there is a substantial basis for believing the source of the hearsay to be credible and for believing that there is factual basis for the information furnished. Before ruling on a request for a warrant the court may require the affiant to appear personally and may examine under oath the affiant and any witnesses he may produce. The judge shall record a summary of any additional evidence on which he relies. The warrant shall be directed to any peace officer. It shall command the officer to search, within a specified period of time not to exceed 10 days, the person, place, or thing named for the property specified. It shall designate a magistrate to whom it shall be returned. The warrant may be served at any time.
(d) Execution and Return With Inventory. The peace officer taking property under the warrant shall give to the person from whom or from whose premises the property is taken a copy of the warrant and a receipt for the property taken. If no such person is present, the officer may post a copy of the search warrant and receipt. The return shall be made promptly and shall be accompanied by a written inventory of any property taken. The inventory shall be made in the presence of the person from whose possession or premises the property is taken, or in the presence of at least one person other than the officer. The judge shall upon request deliver a copy of the inventory to the person from whom or from whose premises the property was taken and to the applicant for the warrant.
(e) Motion for Return of Property. A person aggrieved by an unlawful search and seizure may move the court for the return of the property on the ground that the property was illegally seized and that he is lawfully entitled to possession thereof. If the motion is granted the property shall be returned. If a motion for return of property is made or comes on for hearing after an indictment or information is filed in the court in which the motion is pending, it shall be treated as a motion to suppress. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.79.010, 10.79.030.

## CHAPTER 3——RIGHTS OF DEFENDANTS

Rule
3.1 Right to and assignment of counsel.
(a) Types of proceedings.
(b) Stage of proceedings.
(c) Explaining the availability of a lawyer.
(d) Assignment of counsel.
(e) Withdrawal of attorneys.
(f) Services other than counsel.
3.2 Pretrial release.
(a) Personal recognizance
(b) Relevant factors.
(c) Conditions of release.
(d) Order for release.
(e) Review of conditions.
(f) Amendment of order.
(g) Revocation of release.
(h) Release after verdict.
(i) Evidence.
(j) Forfeiture.
(k) Defendant discharged on recognizance or bail_-Absence-_ Forfeiture.
3.3 Speedy trial.
(a) Responsibility of court.
(b) Time limit.
(c) Priority over civil cases.
(d) Excluded periods.
(e) Continuances.
(f) Dismissal with prejudice.
3.4 Presence of the defendant.
(a) When necessary.
(b) Effect of voluntary absence.
(c) Defendant not present.
3.5 Confession procedure.
(a) Requirement for and time of hearing.
(b) Duty of court of inform defendant
(c) Duty of court to make a record.
(d) Rights of defendant when statement is ruled admissible.

## Rule 3.1 Right to and assignment of counsel.

(a) Types of Proceedings.
(1) The right to counsel shall extend to all criminal proceedings for offenses punishable by loss of liberty regardless of their denomination as felonies, misdemeanors, or otherwise.
(b) Stage of Proceedings.
(1) The right to counsel shall accrue as soon as feasible after the defendant is taken into custody, when he appears before a committing magistrate, or when he is formally charged, whichever occurs earliest.
(2) Counsel shall be provided at every stage of the proceedings, including sentencing, appeal, and postconviction review. Counsel initially appointed shall continue to represent the defendant through all stages of the proceedings unless a new appointment is made by the court following withdrawal of original counsel pursuant to subsection (e) because geographical considerations or other factors make it necessary.
(c) Explaining the Availability of a Lawyer.
(1) When a person is taken into custody he shall immediately be advised of his right to counsel. Such advice shall be made in words easily understood, and it shall be stated expressly that a person who is unable to pay a lawyer is entitled to have one provided without charge.
(2) At the earliest opportunity a person in custody who desires counsel shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning counsel, and any other
means necessary to place him in communication with a lawyer.

## (d) Assignment of Counsel.

(1) Unless waived, counsel shall be provided to any person who is financially unable to obtain one without causing substantial hardship to himself or his family. Counsel shall not be denied to any person merely because his friends or relatives have resources adequate to retain counsel or because he has posted or is capable of posting bond.
(2) The ability to pay part of the cost of counsel shall not preclude assignment. The assignment of counsel may be conditioned upon part payment pursuant to an established method of collection.
(e) Withdrawal of Attorneys. Whenever a criminal cause has been set for trial, no attorney shall be allowed to withdraw from said cause, except upon written consent of the court, for good and sufficient reason shown.
(f) Services Other Than Counsel. Counsel for a defendant who is financially unable to obtain investigative, expert, or other services necessary to an adequate defense in his case may request them by a motion. Upon finding that the services are necessary and that the defendant is financially unable to obtain them, the court shall authorize counsel to obtain the services on behalf of the defendant. The courts, in the interest of justice and on a finding that timely procurement of necessary services could not await prior authorization, shall ratify such services after they have been obtained.

The court shall determine reasonable compensation for the services and direct payment to the organization or person who rendered them upon the filing of a claim for compensation supported by affidavit specif ying the time expended and the services, and expenses incurred on behalf of the defendant, and the compensation received in the same case or for the same services from any other source. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.01.110; RCW 10.40.030; RCW 10.46.050.

## Rule 3.2 Pretrial release.

(a) Personal Recognizance. Any defendant charged with an offense shall at his first court appearance be ordered released on his personal recognizance pending trial unless the court determines that such recognizance will not reasonably assure his appearance, when required. When such a determination is made, the court shall impose the least restrictive of the following conditions that will reasonably assure his appearance or if no single condition gives that assurance, any combination of the following conditions:
(1) place the defendant in the custody of a designated person or organization agreeing to supervise him;
(2) place restrictions on the travel, association, or place of abode of the defendant during the period of release;
(3) require the execution of an unsecured appearance bond in a specified amount;
(4) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;
(5) require the execution of an appearance bond with sufficient solvent sureties, or the deposit of cash in lieu thereof;
(6) require the defendant return to custody during specified hours; or
(7) impose any condition other than detention deemed reasonably necessary to assure appearance as required.
(b) Relevant Factors. In determining which conditions of release will reasonably assure the defendant's appearance, the court shall, on the available information, consider the relevant facts including: the length and character of the defendant's residence in the community; his employment status and history and financial condition; his family ties and relationships; his reputation, character and mental condition; his history of response to legal process; his prior criminal record; the willingness of responsible members of the community to vouch for the defendant's reliability and assist him in appearing in court; the nature of the charge; and any other factors indicating the defendant's ties to the community.
(c) Conditions of Release. Upon a showing that there exists a substantial danger that the defendant will commit a serious crime or that the defendant's physical condition is such to jeopardize his safety or that of others or that he will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice, the court, upon the defendant's release, may impose one or more of the following conditions:
(1) prohibit him from approaching or communicating with particular persons or classes of persons;
(2) prohibit him from going to certain geographical areas or premises;
(3) prohibit him from possessing any dangerous weapons, or engaging in certain described activities or indulging in intoxicating liquors or in certain drugs;
(4) require him to report regularly to and remain under the supervision of an officer of the court or other person or agency;
(5) detain him until his physical condition permits his release.
(d) Order for Release. A court authorizing the release of the defendant under this rule shall issue and appropriate order containing a statement of the conditions imposed, if any, shall inform him of the penalties applicable to violations of the conditions imposed, if any, shall inform him of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest may be issued immediately upon any such violation.
(e) Review of Conditions. Upon determining the conditions of release, the court, upon request, after twentyfour hours from the time of release, may review the conditions previously imposed.
(f) Amendment of Order. The court ordering the release of a defendant on any condition specified in this rule may at any time on change of circumstances or showing of good cause amend its order to impose additional or different conditions for release.
(g) Revocation of Release. Upon the court's own motion or a verified application by the prosecuting attorney alleging with specificity that a defendant has willfully violated a condition of his release, a court shall order the defendant to appear for immediate hearing or issue a warrant directing the arrest of the defendant for immediate hearing. A law enforcement officer having probable cause to believe that a defendant released pending trial for a felony is about to leave the state or that he has violated a condition of such release, imposed pursuant to section (c), under circumstances rendering the securing of a warrant impracticable, may arrest the defendant and take him forthwith before the court.
(h) Release after Verdict or Plea of Guilty. A defendant (1) who is charged with a capital offense, or (2) who has entered a plea of guilty to a felony, or who has been found guilty of a felony and is either awaiting sentence or has filed an appeal, shall be released pursuant to this rule, unless the court finds that the defendant may flee the state or pose a substantial danger to another or to the community. If such a risk of flight or danger exists, the defendant may be ordered detained.
(i) Evidence. Inf ormation stated in, or offered in connection with, any order entered pursuant to this rule need not conform to the rules pertaining to the admissibility of evidence in a court of law.
(j) Forfeiture. Nothing contained in this rule shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.
(k) Defendant Discharged on Recognizance or Bail--Absence--Forfeiture. If the defendant has been discharged on his own recognizance, on bail, or has deposited money instead thereof, and does not appear when his personal appearance is necessary, the court, in addition to the forfeiture of the recognizance, or of the money deposited, may direct the clerk to issue a bench warrant for his arrest. [Amd. Feb. 4, 1976, eff. July 1, 1976; adop. Apr. 18, 1973, eff. July 1, 1973.]
Comment: Supersedes RCW 10.16.190; RCW 10.19.010, 10.19.020, 10.19.025, 10.19.050, 10.19.070, 10.19.080; RCW 10.40.130; RCW 10.46.170; RCW 10.64.035.

## Rule 3.3 Speedy trial.

(a) Responsibility of Court. It shall be the responsibility of the court to insure to each person charged with crime a speedy trial in accordance with the provisions of this rule.
(b) Time Limit. A criminal charge shall be brought to trial within 90 days following the preliminary appearance.
(c) Priority Over Civil Cases. Criminal trials shall take precedence over civil. A defendant unable to obtain pretrial release shall have priority and the charge shall be
brought to trial within 60 days following the preliminary appearance.
(d) Excluded Periods. The following periods shall be excluded in computing the time for trial:
(1) All proceedings relating to the competency of the defendant to stand trial.
(2) Preliminary proceedings and trial on another charge.
(3) Delay granted by the court pursuant to section (e).
(4) Delay in justice court resulting from a stipulated continuance made of record.
(5) The time between the dismissal and the refiling of the same charge.
(e) Continuances. Continuances or other delays may be granted as follows:
(1) On motion of the defendant on a showing of good cause.
(2) On motion of the prosecuting attorney if:
(i) the defendant expressly consents to a continuance or delay and good cause is shown; or
(ii) The state's evidence is presently unavailable, the prosecution has exercised due diligence, and there are reasonable grounds to believe that it will be available within a reasonable time; or
(iii) required in the due administration of justice and the defendant will not be substantially prejudiced in the presentation of his defense.
(3) The court on its own motion may continue the case when required in the due administration of justice and the defendant will not be substantially prejudiced in the presentation of his defense.
(f) Absence of Defendant. If and in event the defendant is absent and thereby unavailable for trial or for any pretrial proceeding at which his presence is required, the time period specified in (b) or (c) shall start to accrue anew upon defendant's being actually present in the county wherein the criminal charge is pending, and his presence appearing upon the record of the court.
(g) Dismissal With Prejudice. A criminal charge not brought to trial as required by this rule shall be dismissed with prejudice. [Amd. May 3, 1976, eff. May 21, 1976; adop. Apr. 18, 1973, eff. July 1, 1973.]
Comment: Supersedes RCW 10.40.020; RCW 10.43.010; RCW 10.46.010.

## Rule 3.4 Presence of the defendant.

(a) When Necessary. The defendant shall be present at the arraignment, at every stage of the trial including the empaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by these rules, or as excused or excluded by the court for good cause shown.
(b) Effect of Voluntary Absence. In prosecutions for offenses not punishable by death, the defendant's voluntary absence after the trial has commenced in his presence shall not prevent continuing the trial to and including the return of the verdict. A corporation may appear by counsel for all purposes. In prosecutions for offenses punishable by fine only, the court, with the
written consent of the defendant, may permit arraignment, plea, trial and imposition of sentence in the defendant's absence.
(c) Defendant Not Present. If in any case the defendant is not present when his personal attendance is necessary, the court may order the clerk to issue a warrant for his arrest, which may be served as a warrant of arrest in other cases. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.01.080; RCW 10.46.120, 10.46.130; RCW 10.64.020, 10.64.030.

## Rule 3.5 Confession procedure.

(a) Requirement For and Time of Hearing. When a statement of the accused is to be offered in evidence, the judge at the time of the omnibus hearing shall hold or set the time for a hearing, if not previously held, for the purpose of determining whether the statement is admissible. A court reporter or a court approved electronic recording device shall record the evidence adduced at this hearing.
(b) Duty of Court to Inform Defendant. It shall be the duty of the court to inform the defendant that: (1) he may, but need not, testify at the hearing on the circumstances surrounding the statement; (2) if he does testify at the hearing, he will be subject to cross examination with respect to the circumstances surrounding the statement and with respect to his credibility; (3) if he does testify at the hearing, he does not by so testif ying waive his right to remain silent during the trial; and (4) if he does testify at the hearing, neither this fact nor his testimony at the hearing shall be mentioned to the jury unless he testifies concerning the statement at trial.
(c) Duty of Court to Make a Record. After the hearing, the court shall set forth in writing: (1) the undisputed facts; (2) the disputed facts; (3) conclusions as to the disputed facts; and (4) conclusion as to whether the statement is admissible and the reasons therefor.
(d) Rights of Defendant When Statement Is Ruled Admissible. If the court rules that the statement is admissible, and it is offered in evidence: (1) the defense may offer evidence or cross-examine the witnesses, with respect to the statement without waiving an objection to the admissibility of the statement; (2) unless the defendant testifies at the trial concerning the statement, no reference shall be made to the fact, if it be so, that the defendant testified at the preliminary hearing on the admissibility of the confession; (3) if the defendant becomes a witness on this issue, he shall be subject to cross-examination to the same extent as would any other witness; and, (4) if the defense raises the issue of voluntariness under subsection (1) above, the jury shall be instructed that they may give such weight and credibility to the confession in view of the surrounding circumstances, as they see fit. [Adopted April 18, 1973, effective July 1, 1973.]

## CHAPTER 4——PROCEDURES PRIOR TO TRIAL

 Rule4.1 Arraignment.
(a) Time.
(b) Counsel.
(c) Waiver of counsel
(d) Name.
(e) Reading.
4.2 Pleas.
(a) Types.
(b) Multiple offenses.
(c) Pleading insanity.
(d) Voluntariness.
(e) Agreements.
(f) Withdrawal of plea
(g) Written statement.
4.3 Joinder of offenses and defendants
(a) Joinder of offenses.
(b) Joinder of defendants.
(c) Failure to join related offenses.
(d) Authority of court to act on own motion.
4.4 Severance of offenses and defendants.
(a) Timeliness of motion; waiver.
(b) Severance of offenses.
(c) Severance of defendants.
(d) Failure to prove ground for joinder of defendants.
(e) Authority of court to act on own motion.
4.5 Omnibus hearing.
(a) When required.
(b) Time.
(c) Checklist
(d) Motions.
(e) Continuance.
(f) Record.
(g) Stipulations.
(h) Memorandum.
4.6 Depositions.
(a) When taken.
(b) Notice of taking.
(c) How taken.
(d) Use.
(e) Objections to admissibility.
4.7 Discovery.
(a) Prosecutor's obligations.
(b) Defendant's obligations.
(c) Additional disclosures upon request and specification.
(d) Material held by others.
(e) Discretionary disclosures.
(f) Matters not subject to disclosure.
(g) Medical and scientific reports.
(h) Regulation of discovery.
4.8 Subpoenas.
4.9 Pretrial conference.

## Rule 4.1 Arraignment.

(a) Time. Promptly after the indictment or information has been filed, the defendant shall be arraigned thereon in open court.
(b) Counsel. If the defendant appears without counsel, the court shall inform him of his right to have counsel before being arraigned. The court shall inquire if he has counsel. If he is not represented and is unable to obtain counsel, counsel shall be assigned to him by the court, unless otherwise provided.
(c) Waiver of Counsel. If the defendant chooses to proceed without counsel, the court shall ascertain whether this waiver is made voluntarily, competently and with knowledge of the consequences. If the court finds the waiver valid, an appropriate finding shall be entered in the minutes. Unless the waiver is valid, the
court shall not proceed with the arraignment until counsel is provided. Waiver of counsel at arraignment shall not preclude the defendant from claiming his right to counsel in subsequent proceedings in the cause, and the defendant shall be so informed. If such claim for counsel is not timely, the court shall appoint counsel but may deny or limit a continuance.
(d) Name. Defendant shall be asked his true name. If he alleges that his true name is one other than that by which he is charged, it must be entered in the minutes of the court, and subsequent proceedings shall be had against him by that name or other names relevant to the proceedings.
(e) Reading. The indictment or information shall be read to defendant. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.40.010, 10.40.030, 10.40.040; RCW 10.46.030 in part, 10.46.040.

## Rule 4.2 Pleas.

(a) Types. A defendant may plead not guilty, not guilty by reason of insanity or guilty.
(b) Multiple Offenses. Where the indictment or information charges two or more offenses in separate counts the defendant shall plead separately to each.
(c) Pleading Insanity. When it is desired to interpose the defense of insanity or mental irresponsibility on behalf of one charged with a crime the defendant, his counsel or other person authorized by law to appear and act for him, shall at the time of pleading to the information or indictment file a plea in writing in addition to the plea or pleas required or permitted by other laws than this setting up (1) his insanity or mental irresponsibility at the time of the commission of the crime charged, and (2) whether the insanity or mental irresponsibility still exists, or (3) whether the defendant has become sane or mentally responsible between the time of the commission of the crime and the time of the trial. The plea may be interposed at any time thereafter, before the submission of the cause to the jury if it be proven that the insanity or mental irresponsibility of the defendant at the time of the crime was not before known to any person authorized to interpose a plea.
(d) Voluntariness. The court shall not accept a plea of guilty, without first determining that it is made voluntarily, competently and with an understanding of the nature of the charge and the consequences of the plea. The court shall not enter a judgment upon a plea of guilty unless it is satisfied that there is a factual basis for the plea.
(e) Agreements. If a plea of guilty is based upon an agreement between the defendant and the prosecuting attorney, such agreement must be made a part of the record at the time the plea is entered. No agreement shall be made which specifies what action the judge shall take on or pursuant to the plea or which attempts to control the exercise of his discretion, and the court shall so advise the defendant.
(f) Withdrawal of Plea. The court shall allow a defendant to withdraw his plea of guilty whenever it appears that the withdrawal is necessary to correct a manifest injustice.
(g) Written Statement. A written statement of the defendant in substantially the form set forth below shall be filed on a plea of guilty:


1. My true name is
2. My age is
3. My lawyer is
4. The court has told me that I am charged with the crime of .-.-.-..-......, the maximum sentence for which is
5. The court has told me that:
(a) I have the right to have counsel (a lawyer), and that if I cannot afford to pay for counsel, one will be provided at no expense to me.
(b) I have the right to a trial by jury.
(c) I have the right to hear and question witnesses who testify against me.
(d) I have the right to have witnesses testify for me.

These witnesses can be made to appear at no expense to me.
(e) The charge must be proven beyond a reasonable doubt.
6. I plead -------- to the crime of as charged in the information, a copy of which I have received.
7. I make this plea freely and voluntarily.
8. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.
9. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.
10. I have been told the Prosecuting Attorney will take the following action and make the following recommendation to the court:
11. I have been told and fully understand that the court does not have to follow the Prosecuting Attorney's recommendation as to sentence. The court is completely free to give me any sentence it sees fit no matter what the Prosecuting Attorney recommends.
12. The court has told me that if I am sentenced to prison the Judge must sentence me to the maximum term required by the law, which in this case is ------------.-. The minimum term of sentence is set by the Board of Prison Terms and Paroles. The Judge and Prosecuting Attorney may recommend a minimum sentence to the Board but the Board does not have to follow their recommendation. I have been further advised that the crime with which I am charged carries a mandatory minimum of -. .- years. (If not applicable,
this sentence shall be stricken and initialed by the defendant and the judge.)
13. The court has asked me to state briefly in my own words what I did that resulted in my being charged with the crime in the information. This is my statement:
14. I have read or have had read to me all of the numbered sections above ( 1 through 14) and have received a copy of "Statement of Defendant on Plea of Guilty." I have no further questions to ask of the court.

The above statement was read by or read to the defendant and signed by the defendant in the presence of his attorney, -.---............. Prosecuting Attorney ---------------, and the undersigned Judge in open court.

Judge
[Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.40.150, 10.40.160, 10.40.175.

## Rule 4.3 Joinder of offenses and defendants.

(a) Joinder of Offenses.

Two or more offenses may be joined in one charge, with each offense stated in a separate count, when the offenses, whether felonies or misdemeanors or both:
(1) are of the same or similar character, even if not part of a single scheme or plan; or
(2) are based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan;
(3) improper joinder of offenses or defendants shall not preclude subsequent prosecution on the same charge for the charge or defendant improperly joined.
(b) Joinder of Defendants.

Two or more defendants may be joined in the same charge:
(1) when each of the defendants is charged with accountability for each offense included;
(2) when each of the defendants is charge with conspiracy and one or more of the defendants is also charge with one or more offenses alleged to be in furtherance of the conspiracy; or
(3) when, even if conspiracy is not charged and all of the defendants are not charged in each count, it is alleged that the several offenses charged:
(i) were part of a common scheme or plan; or
(ii) were so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others.
(c) Failure to Join Related Offenses.
(1) Two or more offenses are related offenses, for purposes of this rule, if they are within the jurisdiction and venue of the same court and are based on the same conduct.
(2) When a defendant has been charged with two or more related offenses, his timely motion to join them for trial should be granted unless the court determines that because the prosecuting attorney does not have sufficient evidence to warrant trying some of the offenses at that time, or for some other reason, the ends of justice would
be defeated if the motion were granted. A defendant's failure to so move constitutes a waiver of any right of joinder as to related offenses with which the defendant knew he was charged.
(3) A defendant who has been tried for one offense may thereafter move to dismiss a charge for a related offense, unless a motion for joinder of these offenses was previously denied or the right of joinder was waived as provided in section (b). The motion to dismiss must be made prior to the second trial, and shall be granted unless the court determines that because the prosecuting attorney was unaware of the facts constituting the related offense or did not have sufficient evidence to warrant trying this offense at the time of the first trial, or for some other reason, the ends of justice would be defeated if the motion were granted.
(4) Entry of a plea of guilty to one offense does not bar the subsequent prosecution of a related offense unless the plea of guilty was entered on the basis of a plea agreement in which the prosecuting attorney agreed to seek or not to oppose dismissal of other related charges or not to prosecute other potential related charges.

## (d) Authority of Court to Act on Own Motion.

The court may order consolidation for trial of two or more indictments or informations if the offenses or defendants could have been joined in a single charge. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 4.4 Severance of offenses and defendants.

(a) Timeliness of Motion; Waiver.
(1) A defendant's motion for severance of offenses or defendants must be made before trial, except that a motion for severance may be made before or at the close of all the evidence if the interests of justice require. Severance is waived if the motion is not made at the appropriate time.
(2) If a defendant's pretrial motion for severance was overruled he may renew the motion on the same ground before or at the close of all the evidence. Severance is waived by failure to renew the motion.
(b) Severance of Offenses.
(1) The court, on application of the prosecuting attorney, or on application of the defendant other than under section (a), shall grant a severance of offenses whenever before trial or during trial with consent of the defendant, the court determines that severance will promote a fair determination of the defendant's guilt or innocence of each offense.
(c) Severance of Defendants.
(1) A defendant's motion for severance on the ground that an out-of-court statement of a co-defendant referring to him is inadmissible against him shall be granted unless:
(i) The prosecuting attorney elects not to offer the statement in the case in chief.
(ii) Deletion of all references to the moving defendant will eliminate any prejudice to him from the admission of the statement.
(2) The court, on application of the prosecuting attorney, or on application of the defendant other than under
subsection (i), should grant a severance of defendants whenever:
(i) if before trial, it is deemed necessary to protect a defendant's rights to a speedy trial, or it is deemed appropriate to promote a fair determination of the guilt or innocence of a defendant; or
(ii) if during trial upon consent of the severed defendant, it is deemed necessary to achieve a fair determination of the guilt or innocence of a defendant.
(3) When such information would assist the court in ruling on a motion for severance of defendants, the court may order the prosecuting attorney to disclose any statement made by the defendants which he intends to introduce in evidence at the trial.
(d) Failure to Prove Ground for Joinder of Defendants.

If, pursuant to section (a), a defendant moves to be severed at the conclusion of the prosecution's case or of all the evidence, and there is not sufficient evidence to support the grounds upon which the moving defendant was joined or previously denied severance, the court shall grant a severance if, in view of this lack of evidence, failure to sever prejudices the moving defendant.
(e) Authority of Court to Act on Own Motion. The court may order a severance of offenses or defendants before trial if a severance could be obtained on motion of a defendant or the prosecution. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.46.100.

## Rule 4.5 Omnibus hearing.

(a) When Required. When a plea of not guilty is entered, the court may set a time for an omnibus hearing.
(b) Time. the time set for the omnibus hearing shall allow sufficient time for counsel to (i) initiate and complete discovery; (ii) conduct further investigation of the case, as needed; and (iii) continue plea discussions.
(c) Checklist. At the omnibus hearing, the trial court on its own initiative, utilizing a checklist substantially in the form of the omnibus application by plaintiff and defendant (see section (h)) shall:
(i) ensure that standards regarding provision of counsel have been complied with;
(ii) ascertain whether the parties have completed discovery and, if not, make orders appropriate to expedite completion;
(iii) make rulings on any motions, other requests then pending, and ascertain whether any additional motions, or requests will be made at the hearing or continued portions thereof;
(iv) ascertain whether there are any procedural or constitutional issues which should be considered;
(v) upon agreement of counsel, or upon a finding that the trial is likely to be protracted or otherwise unusually complicated, set a time for a pretrial conference; and
(vi) permit defendant to change his plea.
(d) Motions. All motions and other requests prior to trial should ordinarily be reserved for and presented orally at the omnibus hearing unless the court otherwise directs. Failure to raise or give notice at the hearing of
any error or issue of which the party concerned has knowledge may constitute waiver of such error or issue. Checklist forms substantially like the memorandum required by section (h) shall be made available by the court and utilized at the hearing to ensure that all requests, errors and issues are then considered.
(e) Continuance. Any and all issues should be raised either by counsel or by the court without prior notice, and if appropriate, informally disposed of. If additional discovery, investigation or preparation, or evidentiary hearing, or formal presentation is necessary for a fair and orderly determination of any issue, the omnibus hearing should be continued from time to time until all matters raised are properly disposed of.
(f) Record. A verbatim record, (electronic, mechanical or otherwise), shall be made of all proceedings at the hearing.
(g) Stipulations. Stipulations by any party shall be binding upon that party at trial unless set aside or modified by the court in the interests of justice.
(h) Memorandum. At the conclusion of the hearing, a summary memorandum shall be made indicating disclosure made, rulings and orders of the court, stipulations, and any other matters determined or pending. Such summary memorandum shall be in substantially the following form:

> Copy Received Date Filed by Clerk


## Date

Notice to
Purpose: To prepare for trial or plea and to determine the extent of discovery to be granted to each party.

## I. <br> MOTION BY DEFENDANT

Comes now the defendant and makes the applications or motions checked off below:

1. To dismiss for failure of the indictment (or information) to state an offense. Granted $\qquad$ Denied $\qquad$
2. To sever defendant's case and for separate trial.
3. To sever counts and for a separate trial.
4. To make more definite and certain.
5. For discovery of all oral, written or recorded statements made by defendant to investigating officers or to third parties and in the possession of the plaintiff.
6. For discovery of the names and addresses of plaintiff's witnesses and their statements.
7. To inspect physical or documentary evidence in plaintiff's possession.
8. To suppress physical evidence in plaintiff's possession because of (1) illegal search, (2) illegal arrest. Hearing set for
9. For a hearing under Rule 3.5.
10. To suppress evidence of the identification of the defendant.
11. To take the deposition of witnesses.
12. To secure the appearance of a witness at trial or hearing.
13. To inquire into the conditions of pretrial release. Affirmed $\qquad$ Modified to $\qquad$
To Require the Prosecution
14. To state-
(a) If there was an informer involved;
(b) Whether he will be called as a witness at the trial; and
(c) To state the name and address of the informer or claim the privilege.
15. To disclose evidence in plaintiff's possession, favorable to defendant on the issue of guilt.
16. To disclose whether it will rely on prior acts or convictions of a similar nature for proof of knowledge or intent.
17. To advise whether any expert witness will be called, and if so, supply
(a) Name of witness, qualifications and subject of testimony;
(b) Report.
18. To supply any reports or tests of physical or mental examinations in the control of the prosecution.
19. To supply any reports of scientific tests, experiments, or comparisons and other reports to experts in the control of the prosecution, pertaining to this case.
20. To permit inspection and copying of any books, papers, documents, photographs or tangible objects which the prosecution
(a) Obtained from or belonging to the defendant, or
(b) Which will be used at the hearing or trial.
21. To supply any information known concerning a prior conviction of persons whom the prosecution intends to call as witnesses at the hearing or trial.
22. To inform the defendant of any information he has indicating entrapment of the defendant.
Dated:
Attorney for Defendant

## II.

## MOTION BY PLAINTIFF

The plaintiff makes the application or motions checked:

1. Defendant to state the general nature of his defense.
2. Defendant to state whether or not he will rely on an alibi and, if so, to furnish a list of his alibi witnesses and their addresses. Granted -..-.-....- Denied
3. Defendant to state whether or not he will rely on a defense of insanity at the time of the offense.
(a) If so, defendant to supply the name(s) of his witness(es) on the issue, both lay and professional.
(b) If so, defendant to permit the prosecution to inspect and copy all medical reports under his control or the control of his attorney.
(c) Defendant will also state whether or not he will submit to a psychiatric examination by a doctor selected by the prosecution.
4. Defendant to furnish results of scientific tests, experiments or comparisons and the names of persons who conducted the tests.
5. Defendant to appear in a lineup.
6. Defendant to speak for voice identification by witnesses.
7. Defendant to be fingerprinted.
8. Defendant to pose for photographs (not involving a reenactment of the crime).
9. Defendant to try on articles of clothing.
10. Defendant to permit taking of specimens of material under fingernails.
11. Defendant to permit taking of samples of blood, hair and other materials of his body which involve no unreasonable intrusion thereof.
12. Defendant to provide samples of his handwriting.
13. Defendant to submit to a physical external inspection of his body.
14. Defendant to state whether there is any claim of incompetency to stand trial.
15. For discovery of the names and addresses of defendant's witnesses and their statements.
16. To inspect physical or documentary evidence in defendant's possession.
17. To take the deposition(s) of witness(es).
18. To secure the appearance of a witness at trial or hearing.
19. Defendant to state whether his prior convictions will be stipulated or need be proved.
20. Defendant to state whether he will stipulate to the continuous chain of custody of evidence from acquisition to trial.
Dated:
Prosecuting Attorney
It is so ordered this $\qquad$ day of

## Judge

[Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.46 .030 in part.

## Rule 4.6 Depositions.

(a) When Taken. Upon a showing that a prospective witness may be unable to attend or prevented from attending a trial or hearing or if a witness refuses to discuss the case with either counsel and that his testimony is material and that it is necessary to take his deposition in order to prevent a failure of justice, the court at any time after the filing of an indictment or information may upon motion of a party and notice to the parties order that his testimony be taken by deposition and that any designated books, papers, documents or tangible objects, not privileged, be produced at the same time and place.
(b) Notice of Taking. The party at whose instance a deposition is to be taken shall give to every other party reasonable written notice of the time and place for taking the deposition. The notice shall state the name and address of each person to be examined. On motion of a
party upon whom the notice is served, the court for cause shown may extend or shorten the time and may change the place of taking.
(c) How Taken. A deposition shall be taken in the manner provided in civil actions. No deposition shall be used in evidence against any defendant who has not had notice of and an opportunity to participate in or be present at the taking thereof.
(d) Use. At the trial or upon any hearing, a part or all of a deposition so far as otherwise admissible under the rules of evidence may be used if it appears: that the witness is dead; or that the witness is unavailable, unless it appears that his unavailability was procured by the party offering the deposition; or that the witness is unable to attend or testify because of sickness or infirmity; or that the party offering the deposition has been unable to procure the attendance of the witness by subpoena. Any deposition may also be used by any party for the purpose of contradicting or impeaching the testimony of the deponent as a witness.
(e) Objections to Admissibility. Objections to receiving in evidence a deposition or part thereof may be made as provided in civil actions. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 4.7 Discovery.

(a) Prosecutor's Obligations.
(1) Except as otherwise provided by protective orders or as to matters not subject to disclosure, the prosecuting attorney shall disclose to the defendant the following material and information within his possession or control no later than the omnibus hearing:
(i) The names and addresses of persons whom the prosecuting attorney intends to call as witnesses at the hearing or trial, together with any written or recorded statements and the substance of any oral statements of such witnesses;
(ii) Any written or recorded statements and the substance of any oral statements made by the defendant, or made by a codefendant if the trial is to be a joint one;
(iii) When authorized by the court, those portions of grand jury minutes containing testimony of the defendant, relevant testimony of persons whom the prosecuting attorney intends to call as witnesses at the hearing or trial, and any relevant testimony that has not been transcribed.
(iv) Any reports or statements of experts made in connection with the particular case, including results of physical or mental examinations and scientific tests, experiments, or comparisons;
(v) Any books, papers, documents, photographs, or tangible objects, which the prosecuting attorney intends to use in the hearing or trial or which were obtained from or belonged to the defendant; and
(vi) Any record or prior criminal convictions known to the prosecuting attorney of the defendant and of persons whom the prosecuting attorney intends to call as witnesses at the hearing or trial.
(2) The prosecuting attorney shall disclose to the defendant:
(i) Any electronic surveillance, including wiretapping, of the defendant's premises or conversations to which the defendant was a party and any record thereof;
(ii) Any expert witnesses whom the prosecuting attorney will call at the hearing or trial, the subject of their testimony, and any reports they have submitted to the prosecuting attorney;
(iii) Any information which the prosecuting attorney has indicating entrapment of the defendant.
(3) Except as is otherwise provided as to protective orders, the prosecuting attorney shall disclose to defendant's counsel any material or information within his knowledge which tends to negate defendant's guilt as to the offense charged.
(4) The prosecuting attorney's obligation under this section is limited to material and information within the knowledge, possession or control of members of his staff.
(b) Defendant's Obligations.
(1) Except as is otherwise provided as to matters not subject to disclosure and protective orders, the defendant shall disclose to the prosecuting attorney the following material and information within his control no later than the omnibus hearing:
(i) The names and addresses of persons whom the defendant intends to call as witnesses at the hearing or trial, together with any written or recorded statements and the substance of any oral statements of such witness.
(2) Notwithstanding the initiation of judicial proceedings, and subject to constitutional limitations, the court on motion of the prosecuting attorney or the defendant, may require or allow the defendant to:
(i) Appear in a lineup;
(ii) Speak for identification by a witness to an offense;
(iii) Be fingerprinted;
(iv) Pose for photographs not involving reenactment of the crime charged;
(v) Try on articles of clothing;
(vi) Permit the taking of samples of or from his blood, hair, and other materials of his body including materials under his fingernails which involve no unreasonable intrusion thereof;
(vii) Provide specimens of his handwriting;
(viii) Submit to a reasonable physical, medical, or psychiatric inspection or examination;
(ix) State whether there is any claim of incompetency to stand trial;
(x) Allow inspection of physical or documentary evidence in defendants' possession;
(xi) To state whether his prior convictions will be stipulated or need to be proved;
(xii) To state whether or not he will rely on an alibi and, if so, furnish a list of alibi witnesses and their addresses;
(xiii) To state whether or not he will rely on a defense of insanity at the time of the offense;
(xiv) To state the general nature of his defense.
(3) Provisions may be made for appearance for the foregoing purposes in an order for pretrial release.
(c) Additional Disclosures Upon Request and Specification. Except as is otherwise provided as to matters not subject to disclosure the prosecuting attorney shall, upon
request of the defendant, disclose any relevant material and information regarding:
(1) specified searches and seizures;
(2) the acquisition of specified statements from the defendant; and
(3) the relationship, if any, of specified persons to the prosecuting authority.
(d) Material Held by Others. Upon defendant's request and designation of material or information in the knowledge, possession or control of other persons which would be discoverable if in the knowledge, possession or control of the prosecuting attorney, the prosecuting attorney shall attempt to cause such material or information to be made available to the defendant. If the prosecuting attorney's efforts are unsuccessful and if such material or persons are subject to the jurisdiction of the court, the court shall issue suitable subpoenas or orders to cause such material to be made available to the defendant.
(e) Discretionary Disclosures.
(1) Upon a showing of materiality to the preparation of the defense, and if the request is reasonable, the court in its discretion may require disclosure to the defendant of the relevant material and information not covered by sections (a), (c) and (d).
(2) The court may condition or deny disclosure authorized by this rule if it finds that there is a substantial risk to any person of physical harm, intimidation, bribery, economic reprisals or unnecessary annoyance or embarrassment, resulting from such disclosure, which outweigh any usefulness of the disclosure to the defendant.

## (f) Matters Not Subject to Disclosure.

(1) Work product. Disclosure shall not be required of legal research or of records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of investigating or prosecuting agencies except as to material discoverable under (a)(1)(iv).
(2) Informants. Disclosure of an informant's identity shall not be required where his identity is a prosecution secret and a failure to disclose will not infringe upon the constitutional rights of the defendant. Disclosure of the identity of witnesses to be produced at a hearing or trial shall not be denied.
(g) Medical and Scientific Reports. Subject to constitutional limitations, the court may require the defendant to disclose any reports or results, or testimony relative thereto, of physical or mental examinations or of scientific tests, experiments or comparisons, or any other reports or statements of experts which the defendant intends to use at a hearing or trial.

## (h) Regulation of Discovery.

(1) Investigations not to be impeded. Except as is otherwise provided with respect to protective orders and matters not subject to disclosure, neither the counsel for the parties nor other prosecution or defense personnel shall advise persons other than the defendant having relevant material or information to refrain from discussing the case with opposing counsel or showing opposing
counsel any relevant material, nor shall they otherwise impede opposing counsel's investigation of the case.
(2) Continuing duty to disclose. If, after compliance with these standards or orders pursuant thereto, a party discovers additional material or information which is subject to disclosure, he shall promptly notify the other party or his counsel of the existence of such additional material, and if the additional material or information is discovered during trial, the court shall also be notified.
(3) Custody of materials. Any materials furnished to an attorney pursuant to these standards shall remain in his exclusive custody and be used only for the purposes of conducting his side of the case, and shall be subject to such other terms and conditions as the court may provide.
(4) Protective orders. Upon a showing of cause, the court may at any time order that specified disclosure be restricted or deferred, or make such other order as is appropriate, provided that all material and information to which a party is entitled must be disclosed in time to permit his counsel to make beneficial use thereof.
(5) Excision. When some parts of certain material are discoverable under this rule, and other parts not discoverable, as much of the material shall be disclosed as is consistent with this rule. Material excised pursuant to judicial order shall be sealed and preserved in the records of the court, to be made available to the appellate court in the event of an appeal.
(6) In camera proceedings. Upon request of any person, the court may permit any showing of cause for denial or regulation of disclosure, or portion of such showing, to be made in camera. A record shall be made of such proceedings. If the court enters an order granting relief following a showing in camera, the entire record of such showing shall be sealed and preserved in the records of the court, to be made available to the appellate court in the event of an appeal.
(7) Sanctions.
(i) If at any time during the course of the proceedings it is brought to the attention of the court that a party has failed to comply with an applicable discovery rule or an order issued pursuant thereto, the court may order such party to permit the discovery of material and information not previously disclosed, grant a continuance, dismiss the action or enter such other order as it deems just under the circumstances.
(ii) Willful violation by counsel of an applicable discovery rule or an order issued pursuant thereto may subject counsel to appropriate sanctions by the court. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.37.030, 10.37.033; RCW 10.46.030 in part.

Rule 4.8 Subpoenas. Subpoenas shall be issued in the same manner as in civil actions. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.46.030 in part; RCW 10.46.050.
Rule 4.9 Pretrial conference. At any time after the filing of the indictment or information the court upon motion of any party or upon its own motion may order one or more conferences to consider such matters as will
promote a fair and expeditious trial. The defendant and his attorney shall be present at any such conference, unless the defendant makes an intelligent written waiver of his right to be present. A memorandum of the matters agreed upon shall be signed by counsel, the defendant personally, and the court, and shall be filed. No admission made by the defendant or his attorney at the conference shall be used against the defendant unless it is included in such signed memorandum. Any admissions contained in the memorandum shall be binding only for the purpose of the case in which the conference is held. No conference shall be held if the defendant is not represented by counsel. Any conference held shall be reported. If possible, the judge who conducts the conference should try the case. [Adopted April 18, 1973, effective July 1, 1973.]

## CHAPTER 5——VENUE

Rule
5.1 Commencement of actions.
(a) Where commenced.
(b) Two or more counties.
(c) Right to change.
5.2 Change of venue.
(a) When ordered - Improper county.
(b) When ordered-On motion of party.
(c) Discharge of jury.

## Rule 5.1 Commencement of actions.

(a) Where Commenced. All actions shall be commenced:
(1) In the county where the offense was committed.
(2) In any county wherein an element of the offense was committed or occurred.
(b) Two or More Counties. When there is reasonable doubt whether an offense has been committed in one of two or more counties, the action may be commenced in any such county.
(c) Right to Change. When a case is filed pursuant to (b) of this rule, the defendant shall have the right to change venue to any other county in which the offense may have been committed. Any objection to venue must be made as soon after the initial pleading is filed as the defendant has knowledge upon which to make it. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.25.010, 10.25.020, 10.25.030, 10.25.040, 10.25.050, 10.25.060, 10.25.110.

## Rule 5.2 Change of venue.

(a) When Ordered——Improper County. The court shall order a change of venue upon motion and showing that the action has not been prosecuted in the proper county.
(b) When Ordered——On Motion of Party. The court may order a change of venue to any county in the state:
(1) Upon written agreement of the prosecuting attorney and the defendant.
(2) Upon motion of the defendant, supported by affidavit that he believes he cannot receive a fair trial in the county where the action is pending.
(c) Discharge of Jury. When the court orders a change of venue it shall discharge the jury, if any, without prejudice to the prosecution, and direct that all the papers and proceedings be certified to the superior court of the proper county and direct the defendant and the witnesses to appear at such court. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.25.080, 10.25.090, 10.25.100; RCW 10.46.180.

## CHAPTER 6--PROCEDURES AT TRIAL

Rule
6.1 Trial by jury or by the court.
(a) Trial by jury.
(b) Jury of less than twelve.
(c) Trial without jury.
6.2 Jurors' orientation.
(a) Juror handbook.
(b) Juror information sheet.
6.3 Selecting the jury.
6.4 Challenges.
(a) Challenges to the entire panel.
(b) Voir dire.
(c) Challenges for cause.
(d) Exceptions to challenge.
(e) Peremptory challenges.
6.5 Alternate jurors.
6.6 Jurors' oath.
6.7 Custody of jury.
6.8 Note-taking by jurors.
6.9 View of premises by jury.
6.10 Discharge of the jury.
6.11 Judge-Disability.
(a) Disability of judge during jury trial.
(b) Disability of judge during nonjury trial.
6.12 Witnesses.
(a) Who may testify.
(b) When excused.
(c) Persons incompetent to testify.
(d) Not excluded on grounds of interest.
(e) Material witnesses.
6.13 Testimony in lieu of witnesses.
(a) Deposition.
(b) Criminalist's report.
6.14 Immunity.
6.15 Instructions and argument.
(a) Proposed instructions.
(b) Statute abrogated.
(c) Objection to instructions.
(d) Instructing the jury and argument of counsel.
(e) Deliberation.
(f) Additional of subsequent instructions.
(g) Several offenses.
6.16 Verdicts and findings.
(a) Verdicts.
(b) Special findings.
(c) Forms.

Comment: RCW 10.46.070 is superseded in part by all of Rule 6.

## Rule 6.1 Trial by jury or by the court.

(a) Trial by Jury. Cases required to be tried by jury shall be so tried unless the defendant files a written waiver of a jury trial, and has consent of the court.

## (b) Jury of Less Than Twelve.

(1) If prior to trial on a noncapital case, all defendants so elect, the case shall be tried by a jury of six, or by the court.
(2) If a juror is unable to continue and if no alternate jurors have been selected or if none is available, all defendants may elect to continue with the remaining jurors; otherwise a mistrial may be granted on motion of any defendant.
(c) Trial Without Jury. In a case tried without a jury the court, shall enter findings of fact and conclusions of law. In giving the decision, the facts found and the conclusions of law shall be separately stated. The court shall enter such findings of fact and conclusions of law only upon five days notice of presentation to the parties. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.49.020.

Rule 6.2 Jurors' orientation. All jurors will be given a general orientation when they report for duty.
(a) Juror Handbook. A copy of the Uniform Washington Juror's Handbook as prepared by the Washington Supreme Court Committee on Jury Instructions shall be provided to all petit jurors by the court in which they are to serve.
(b) Juror Information Sheet. Prior to the commencement of a petit juror's term of service, a juror information sheet shall be furnished to him by the court in which he is to serve. The format of the information sheet shall be consistent with recommendations of the Administrator for the Courts. [Adopted April 18, 1973, effective July 1, 1973; amended, adopted April 9, 1974, effective July 1, 1974.]

Rule 6.3 Selecting the jury. When the action is called for trial, the clerk shall prepare separate ballots containing the names of the jurors summoned who have appeared and not been excused, and deposit them in a box. He shall draw the required number of names for purposes of voir dire examination. Any necessary additions to the panel shall be drawn from the clerk's list of qualified jurors. The clerk shall thereupon prepare separate ballots and deposit them in the trial jury box. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 6.4 Challenges.

(a) Challenges to the Entire Panel. Challenges to the entire panel shall only be sustained for a material departure from the procedures prescribed by law for their selection.
(b) Voir Dire. A voir dire examination shall be conducted for the purpose of discovering any basis for challenge for cause and for the purpose of gaining knowledge to enable an intelligent exercise of peremptory challenges. The judge shall initiate the voir dire examination by identif ying the parties and their respective counsel and by briefly outlining the nature of the case. The judge and counsel may then ask the prospective jurors questions touching their qualifications to serve as jurors in the case, subject to the supervision of the court as appropriate to the facts of the case.

## (c) Challenges for Cause.

(1) If the judge after examination of any juror is of the opinion that grounds for challenge are present, he shall excuse that juror from the trial of the case. If the judge does not excuse the juror, any party may challenge the juror for cause.
(2) RCW 4.44.150 through 4.44.200 shall govern challenges for cause.

## (d) Exceptions to Challenge.

(1) Determination. The challenge may be excepted to by the adverse party for insufficiency and, if so, the court shall determine the sufficiency thereof, assuming the facts alleged therein to be true. The challenge may be denied by the adverse party and, if so, the court shall try the issue and determine the law and the facts.
(2) Trial of challenge. Upon trial of a challenge, the rules of evidence applicable to testimony offered upon the trial of an ordinary issue of fact shall govern. The juror challenged, or any other person otherwise competent, may be examined as a witness by either party. If a challenge be determined to be sufficient, or if found to be true, as the case may be, it shall be allowed, and the juror to whom it was taken excluded; but if not so determined or found otherwise, it shall be disallowed.

## (e) Peremptory Challenges.

(1) Peremptory challenges defined. A peremptory challenge is an objection to a juror for which there is no reason given, but upon which the court shall exclude him. In prosecutions for capital offenses the defense and the state may challenge peremptorily twelve jurors each; in prosecution for offenses punishable by imprisonment in a penitentiary six jurors each; in all other prosecutions, three jurors each. When several defendants are on trial together, each defendant shall be entitled to one challenge in addition to the number of challenges provided above, with discretion in the trial judge to afford the prosecution such additional challenges as circumstances warrant.
(2) Peremptory challenges-how taken. After prospective jurors have been passed for cause, peremptory challenges shall be exercised alternately first by the prosecution then by each defendant until the peremptory challenges are exhausted or the jury accepted. Acceptance of the jury as presently constituted shall not waive any remaining peremptory challenges to jurors subsequently called. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.49.030, 10.49.040, 10.49.050, 10.49.060.

Rule 6.5 Alternate jurors. When the jury is selected the court may direct the selection of one or more additional jurors, in its discretion, to be known as alternate jurors. Each party shall be entitled to one peremptory challenge for each alternate juror to be selected. When several defendants are on trial together, each defendant shall be to one challenge in addition to the challenge provided above, with discretion in the trial judge to afford the prosecution such additional challenges as circumstances warrant. If at any time before submission of the case to the jury a juror is found unable to perform
his duties the court shall order him discharged, and the clerk shall draw the name of an alternate who shall take his place on the jury. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.49.070.
Rule 6.6 Jurors' oath. The jury shall be sworn or affirmed well and truly to try the issue between the state and the defendant, according to the evidence and instructions by the court. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.49.100.
Rule 6.7 Custody of jury. The jury may be allowed to separate if the court finds that good reason exists to believe that such would not jeopardize a fair trial. Any motions or proceedings concerning the separation of the jury shall be made out of the presence of the jury. [Amd. June 25, 1976, eff. Sept. 20, 1976; adop. April 18, 1973, eff. July 1, 1973.]
Comment: Supersedes RCW 10.49.110.
Rule 6.8 Note-taking by jurors. With permission of the trial judge, jurors may take notes regarding the evidence presented to them and keep these notes with them when they retire for their deliberation. Such notes should be treated as confidential between the jurors making them and their fellow jurors, and be destroyed immediately after the verdict is rendered. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 6.9 View of premises by jury. The court may allow the jury to view the place in which any material fact occurred. In such event it shall order the jury to be conducted in a body, in the custody of a proper officer of the court to the place which shall be shown to them by the judge. The defendant shall be present at the view. During the view, no person other than the judge or person authorized by him shall speak to the jury on any subject relating to the trial. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 6.10 Discharge of the jury. The jury may be discharged by the court on consent of both parties or when it appears that there is no reasonable probability of their reaching agreement. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 6.11 Judge——Disability.

(a) Disability of Judge During Jury Trial. If, before the judge submits the case to the jury, he is unable to continue with the trial, any other judge assigned to or regularly sitting in the court, upon familiarizing himself with the record of the trial, may proceed with the trial. Upon defendant's objection to the replacement, a mistrial shall be granted. If, after the judge submits the case to the jury, he is unable to continue, the case shall proceed before another judge.
(b) Disability of Judge During Nonjury Trial. If a judge before whom trial without jury has commenced is unable to proceed with the trial, a mistrial shall be granted. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 6.12 Witnesses.

(a) Who May Testify. Any person may be a witness in any action or proceeding under these rules except as hereinafter provided.
(b) When Excused. A witness subpoenaed to attend in a criminal case is dismissed and excused from further attendance as soon as he has given his testimony-inchief and has been cross-examined thereon, unless either party makes requests in open court that the witness remain in attendance; and witness fees will not be allowed any witness after the day on which his testimony is given, except when the witness has in open court been required to remain in further attendance, and when so required the clerk shall note that fact in his journal.
(c) Persons Incompetent to Testify. The following persons are incompetent to testify: (1) Those who are of unsound mind, or intoxicated at the time of their production for examination; and (2) Children who do not have the capacity of receiving just impressions of the facts about which they are examined or who do not have the capacity of relating them truly. This shall not affect any recognized privileges.
(d) Not Excluded on Grounds of Interest. No person offered as a witness shall be excluded from giving evidence by reason of his interest in the result of the action, as a party thereto or otherwise, but such interest may be shown to affect his credibility.
(e) Material Witnesses. On motion of the prosecuting attorney or the defendant a witness may be compelled to attend a hearing to determine whether his testimony is material. Upon request, the court shall appoint counsel for a witness who is financially unable to obtain one if it appears to the court, after an offer of proof by the moving party, that the testimony of such witness would tend to incriminate him, or it appears that counsel is required to otherwise fully protect the rights of such witness. [Adopted April 18, 1973, effective July 1, 1973; amended, adopted Dec. 10, 1974, effective Jan. 1, 1975.]
Comment: (See RCW 10.01.130).
Rule 6.13 Testimony in lieu of witnesses.
(a) Deposition. Upon a determination that the testimony of a witness is material, and that it appears probable that the witness will not voluntarily appear at the trial, the court may order the taking of his deposition. Pending the taking of the deposition the provisions of Rule 3.2 shall apply.
(b) Test Report by Expert.
(1) Certification Required. Subject to subsection (b)(3) of this rule, the official written report of an expert witness which contains the results of any test of a substance or object which are relevant to an issue in a trial shall be admitted in evidence without further proof or foundation as prima facie evidence of the facts stated in the report if the report bears or has attached a certification stating that the certifier has performed a test on the substance or object in question, the name of the person from whom the substance or object was received, the certificate is attached to a true and complete copy of the
certifier's official report, the report was made by the certifier, and the qualifications of the certifier to make such tests. The certificate shall be signed by the certifier with the title of his office and his business address and telephone number.
(2) Form. The certificate shall be in substantially the following form:

The undersigned certifies under penalty of perjury that:

1. He performed a test on the (substance) (object) in question,
2. The person from whom he received the (substance) (object) in question is
3. The document on which this certificate appears or to which it is attached is a true and complete copy of my official report, and
4. Such document is a report of the results of a test which report and test were made by the undersigned who has the following qualifications and experience:
ignature

## Title

## Business Address \& Phone

(3) Notice Requirements. The court shall exclude such report if:
(i) A copy of the report and certificate has not been served on the defendant or the defendant's attorney at least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, or
(ii) In the case of an unrepresented defendant, a copy of this rule in addition to a copy of the report and certificate has not been served on the defendant at least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, or
(iii) At least 7 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, the defendant has served a written demand upon the prosecutor to produce the expert witness at the trial. [Amd. June 4, 1976, eff. July 1, 1976; amd. Dec. 10, 1974, eff. Jan. 1, 1975; adop. Apr. 18, 1973, eff. July 1, 1973.]

Comment: Supersedes RCW 10.16.140, probably supersedes RCW 10.16.145, 10.16.150; modifies if not supersedes RCW 10.16.160; supersedes in part RCW 10.52.040.

Rule 6.14 Immunity. In any case the court on motion of the prosecuting attorney, may order that a witness shall not be excused from giving testimony or producing any papers, documents or things, on the ground that his testimony may tend to incriminate or subject him to penalty or forfeiture; but he shall not be prosecuted or subjected to criminal penalty or forfeiture for or on account of any transaction, matter, or fact concerning which he has been ordered to testify pursuant to this rule. He may nevertheless be prosecuted for failing to comply with the order to answer, or for perjury or the giving of false evidence. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 6.15 Instructions and argument.

(a) Proposed Instructions. Proposed jury instructions shall be served and filed when a case is called for trial be serving one copy upon counsel for each party, by filing one copy with the clerk, and by delivering the original and one additional copy for each party to the trial judge. Additional instructions, which could not be reasonably anticipated, shall be served and filed at any time before the court has instructed the jury.

Not less than ten days before the date of trial, the court may order counsel to serve and file proposed instructions not less than three days before the trial date.

Each proposed instruction shall be on a separate sheet of paper. The original shall not be numbered nor include citations of authority.

Any superior court may adopt special rules permitting certain instructions to be requested by number from any published book of instructions.
(b) Statute Abrogated. That portion of RCW 10.52.040, reading as follows, is hereby abrogated:
"And provided further, that it shall be the duty of the court to instruct the jury that no inference of guilt shall arise against the accused if the accused shall fail or refuse to testify as a witness in his or her own behalf."
(c) Objection to Instructions. Before instructing the jury, the court shall supply counsel with copies of the proposed numbered instructions, verdict and special finding forms. The court shall afford to counsel an opportunity in the absence of the jury to object to the giving of any instructions and the refusal to give a requested instruction or submission of a verdict or special finding form. The party objecting shall state the reasons for his objection, specif ying the number, paragraph, and particular part of the instruction to be given or refused. The court shall provide counsel for each party with a copy of the instructions in their final form.
(d) Instructing the Jury and Argument of Counsel. The court shall read the instruction to the jury. The prosecution may then address the jury after which the defense may address the jury followed by the prosecution's rebuttal.
(e) Deliberation. After argument, the jury shall retire to consider the verdict. The jury shall take with them the instructions given, all exhibits received in evidence and a verdict form or forms.

## (f) Additional or Subsequent Instructions.

(1) After retirement for deliberation, if the jury desires to be informed on any point of law, the judge may require the officer having them in charge to conduct them into court. Upon the jury being brought into court, the information requested, if given, shall be given in the presence of, or after notice to the parties or their counsel. Any additional instruction upon any point of law shall be given in writing.
(2) After jury deliberations have begun, the court shall not instruct the jury in such a way as to suggest the need for agreement, the consequences of no agreement, or the length of time a jury will be required to deliberate.
(g) Several Offenses. The verdict forms for an offense charged or necessarily included in the offense charged or an attempt to commit either the offense charged or any offense necessarily included therein may be submitted to the jury. [Adopted April 18, 1973, effective July 1, 1973; amended, adopted Aug. 22, 1973, effective Jan. 2, 1974.]

Rule 6.16 Verdicts and findings.
(a) Verdicts.
(1) Several defendants. If there are two or more defendants, the jury at any time during its deliberations may return a verdict or verdicts with respect to a defendant or defendants as to whom it has agreed; if a jury cannot agree with respect to all, the defendant or defendants as to whom it does not agree may be tried again.
(2) Return of verdict. When all members of the jury agree upon a verdict, the foreman shall complete and sign the verdict form and return it to the judge in open court.
(3) Poll of jurors. When a verdict or special finding is returned and before it is recorded, the jury shall be polled at the request of any party or upon the court's own motion. If at the conclusion of the poll, all of the jurors do not concur, the jury may be directed to return for further deliberations or may be discharged by the court.
(b) Special Findings. The court may submit to the jury forms for such special findings which may be required or authorized by law. The court shall give such instruction as may be necessary to enable the jury both to make these special findings or verdicts and to render a general verdict. When a special finding is inconsistent with another special finding or with the general verdict, the court may order the jury to retire for further consideration.
(c) Forms.
(1) Verdict. The verdict of the jury may be in substantially the following form:

We, the jury, find the defendant guilty [or not guilty]
 count number ( $\qquad$

## Signature of Foreman

(2) Special findings. Special findings may be substantially in the following form:

Was the defendant $\qquad$ (name) armed with a deadly weapon at the time of the commission of the crime charged? [in count number ----------] Yes ( ) No ( ).
[Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.61.030, 10.61.035 in part, 10.61.040, 10.61.050.

## CHAPTER 7——PROCEDURES FOLLOWING CONVICTION

Rule
7.1 Sentencing.
(a) Sentencing.
(b) Procedure at time of sentencing.
(c) Withdrawal of plea of guilty.
7.2 Presentence investigation.
(a) When made.
(b) Report.
(c) Disclosure.
7.3 Judgment.
7.4 Arrest of judgment.
(a) Arrest of judgments.
(b) Time for motion.
(c) New charges after arrest of judgments.
(d) Rulings on alternative motions in arrest of judgment or for a new trial.
7.5 Probation.
(a) Probation.
(b) Revocation of probation.
7.6 New trial.
(a) Grounds for new trial.
(b) Time for motion.
(c) Time for affidavits.
(d) Statement of reasons.
(e) Disposition of motion.
7.7 Post-conviction relief.
(a) Petition.
(b) Prompt hearing.
(c) Hearing judge.
(d) Purpose of hearing.
(e) Right to counsel.
(f) Presence of petitioner.
(g) Relief upon proper finding.
(h) Appeal.
(i) Successive motions.
(j) Application for post-conviction relief pursuant to Rule 7.7.

## Rule 7.1 Sentencing.

## (a) Sentencing.

(1) Imposition of sentence. Sentence shall be imposed or an order deferring sentence shall be entered without unreasonable delay. Pending such action the court may release or commit the defendant, pursuant to Rule 3.2. Before disposition the court shall afford counsel an opportunity to' speak and shall ask the defendant if he wishes to make a statement in his own behalf and to present any information in mitigation of punishment.
(b) Procedure at Time of Sentencing. The court shall, at the time of sentencing, unless the judgment and sentence are based on a plea of guilty, advise the defendant:
(1) of his right to appeal;
(2) that unless a notice of appeal is filed within 30 days after the entry of the judgment or order appealed from, the right of appeal is irrevocably waived;
(3) that the court clerk will, if requested by defendant appearing without counsel, file a notice of appeal in his behalf; and
(4) of his right, if unable to pay the costs thereof, to have counsel appointed and portions of the trial record necessary for review of assigned errors transcribed at public expense for an appeal. These proceedings shall be made a part of the record.
(c) Withdrawal of Plea of Guilty. A motion to withdraw a plea of guilty may be made only before sentence
is imposed or imposition of sentence is suspended or deferred; but to correct manifest injustice the court, after sentence may set aside the judgment of conviction and permit the defendant to withdraw his plea. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.64.010, 10.64.040.

## Rule 7.2 Presentence investigation.

(a) When Made. The court shall order the Department of Social and Health Services, Division of Institutions, to make a presentence investigation and report to the court before the imposition of sentence or the granting of probation, except that the court may dispense with a presentence report if:
(1) the maximum penalty is one year or less;
(2) the defendant has two or more prior felony convictions;
(3) the defendant refuses to be interviewed by the probation department or requests that disposition be made without a presentence report;
(4) it is impractical to verify the background of the defendant;
(5) the court finds in writing, with reasons stated, that the report would be of no practical use.
(b) Report. The report of the presentence investigation shall contain any prior criminal record of the defendant and such information about his characteristics, his financial condition and the circumstances affecting his behavior as may be helpful in imposing sentence or in granting probation or in the correctional treatment of the defendant, and such other information as may be required by the court.
(c) Disclosure.
(1) Before imposing sentence the court shall permit the defendant to read the report of the presentence investigation unless in the opinion of the court the report contains information which if disclosed would be harmful to the defendant or other persons; and the court shall afford the defendant or his counsel an opportunity for comment or rebuttal.
(2) If the court is of the view that there is information in the presentence report, disclosure of which would be harmful to the defendant or to other persons, the court in lieu of making the report or part thereof available shall state orally or in writing a summary of the factual information contained therein to be relied on in determining sentence, and shall give the defendant or his counsel an opportunity for comment or rebuttal. The statement may be made to the parties in camera.
(3) Any material disclosed to the defendant or his counsel shall also be disclosed to the prosecuting attorney. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.49.010.
Rule 7.3 Judgment. A judgment of conviction shall set forth whether defendant was represented by counsel or validly waived counsel, the plea, the verdict or findings, and the adjudication and sentence. If the defendant is found not guilty or for any other reason is entitled to be discharged, judgment shall be entered accordingly. The judgment shall be signed by the judge and entered
by the clerk. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 7.4 Arrest of judgment.

(a) Arrest of Judgments. Judgment may be arrested on the motion of the defendant for the following causes: (1) lack of jurisdiction of the person or offense; (2) the indictment or information does not charge a crime; or (3) insufficiency of the proof of a material element of the crime.
(b) Time for Motion. A motion for arrest of judgment must be served and filed within five days after the verdict or decision. The court on application of the defendant or on its own motion may in its discretion extend the time.
(c) New Charges After Arrest of Judgments. When judgment is arrested and there is reasonable ground to believe that the defendant can be convicted of an offense properly charged, the court may order the defendant to be recommitted or released to answer a new indictment or information. If judgment was arrested because there was no proof of the material element of the crime the defendant shall be dismissed.
(d) Rulings on Alternative Motions in Arrest of Judgment or for a New Trial.
(1) Rulings on alternative motions in arrest of judgment or for a new trial in superior court. Whenever a motion in arrest of a judgment and, in the alternative, for a new trial is filed and submitted in any superior court in any criminal cause tried before a jury, and the superior court enters an order granting the motion in arrest of judgment, the court shall, at the same time, in the alternative, pass upon and decide in the same order the motion for a new trial. The ruling upon the motion for a new trial shall not become effective unless and until the order granting the motion in arrest of judgment is reversed, vacated, or set aside in the manner provided by law.
(2) Rulings on alternative motions in arrest of judgment or for a new trial in supreme court or court of appeals. An appeal from an order granting a motion in arrest of judgment shall, of itself, without the necessity of a cross-appeal, bring up for review the ruling of the trial court on the motion for a new trial. The appellate court shall, if it reverses the order granting the motion in arrest of judgment, review and determine the validity of the ruling on the motion for a new trial. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 7.5 Probation.

(a) Probation. After conviction of an offense the defendant may be placed on probation as provided by law.
(b) Revocation of Probation. The court shall not revoke probation except after a hearing in which the defendant shall be present and apprised of the grounds on which such action is proposed. The defendant is entitled to be represented by counsel and may be released pursuant to Rule 3.2 pending such hearing. Counsel shall be appointed for a defendant financially unable to obtain
counsel. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 7.6 New trial.

(a) Grounds for New Trial. The court on motion of defendant may grant a new trial for any one of the following causes when it affirmatively appears that a substantial right of the defendant was materially affected:
(1) Receipt by the jury of any evidence, paper, document or book not allowed by the court;
(2) Misconduct of the prosecution or jury;
(3) Newly discovered evidence material for the defendant, which he could not have discovered with reasonable diligence and produced at the trial;
(4) Accident or surprise;
(5) Irregularity in the proceedings of the court, jury or prosecution, or any order of court, or abuse of discretion, by which the defendant was prevented from having a fair trial;
(6) Error of law occurring at the trial and excepted to at the time by the defendant;
(7) That the verdict or decision is contrary to law and the evidence;
(8) That substantial justice has not been done. When the motion is based on matters outside the record, the facts shall be shown by affidavit.
(b) Time for Motion. A motion for new trial must be served and filed within five days after the verdict or decision. The court on application of the defendant or on its own motion may in its discretion extend the time.
(c) Time for Affidavits. When a motion for a new trial is based upon affidavits they shall be served with the motion. The prosecution has five days after such service within which to serve opposing affidavits. The court may extend the period for submitting affidavits to a time certain for good cause shown or upon stipulation.
(d) Statement of Reasons. In all cases where the court grants a motion for a new trial, it shall, in the order granting the motion, state whether the order is based upon the record or upon facts and circumstances outside the record which cannot be made a part thereof. If the order is based upon the record, the court shall give definite reasons of law and facts for its order. If the order is based upon matters outside the record, the court shall state the facts and circumstances upon which it relied.
(e) Disposition of Motion. The motion shall be disposed of before judgment and sentence or order deferring sentence. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Probably supersedes the entirety of chapter 10.67 RCW.

## Rule 7.7 Post-conviction relief.

(a) Petition. A petition for post-conviction relief may be filed by a person under any disability resulting from a sentence or order of a court who claims a right to relief upon the ground that such disability was imposed in violation of the Constitution or Laws of the United States or of the State of Washington or is otherwise subject to
collateral attack. Such petition shall be directed to the chief judge of the court of appeals in the district in which the court that imposed the sentence or order is located and shall be filed on a standard form approved by the supreme court and appearing as section (j) of this rule.
(b) Prompt Hearing. If the petition appears to have any basis in fact or law, or is not on its face frivolous, the chief judge shall cause the petition to be transmitted to the superior court in which the petitioner was originally tried for a prompt hearing on the merits of the petitioner's claim.
(c) Hearing Judge. The hearing on the petition in the superior court may be before any judge except the judge who imposed the sentence or other order, unless the petitioner assents to a hearing before such judge.
(d) Purpose of Hearing. The purpose of the hearing will be to determine whether the petitioner is entitled to release or other appropriate relief. The rules of evidence applicable at trial shall be followed at this hearing.
(e) Right to Counsel. The petitioner may be represented by counsel at such hearing, and where the court finds that the petitioner is indigent, counsel shall be provided at the state's expense.
(f) Presence of Petitioner. A court may hear the petition without requiring the presence of the petitioner at the hearing. Upon timely motion and a showing of good cause, the court may order the petitioner's presence at the hearing.
(g) Relief Upon Proper Finding. If at the hearing on the petition the court finds:
(1) that the conviction was obtained or sentence or order imposed in violation of the Constitution of the United States or the Constitution or laws of the State of Washington; or
(2) that the court entering the sentence or order was without jurisdiction over the person of the petitioner or the subject matter; or
(3) that material facts exist not theretofore presented and heard, which require vacation of the conviction, sentence or other order in the interest of justice; or
(4) that there has been a significant change in law, whether substantive or procedural, material to the conviction, sentence or other order and sufficient reasons exist to require retroactive application of the changed legal standard, it shall order the appropriate relief.
(h) Appeal. Either party may appeal the ruling of the superior court. The appeal shall be governed by the rules of appeal in criminal matters. Counsel appointed by the superior court to represent an indigent shall continue to represent him on the appeal unless, for good cause shown, he is relieved by the court.
(i) Successive Motions. A second or successive motion for similar relief on behalf of the same petitioner shall not be entertained without good cause shown.

## (j) APPLICATION FOR POST-CONVICTION RELIEF PURSUANT TO RULE 7.7

I,
Name (First) (Middle) (Last)
apply for relief from any sentence:

## PART A

The sentence from which I seek relief was as follows:
(a) The court in which I was sentenced is:
(b) Case number, if known:
2. Date of sentence:
3. Terms of sentence:
4. Name of sentencing judge:
5. I $\qquad$ now in custody serving this sentence. (am, am not)
Where?
6. I was convicted of the crime(s) of:
7. I was sentenced:
(a) after plea of guilty
(b) after trial
8. My lawyer was
(Name)
(Address)
9. I ------- appeal. To what court or courts? (did, did not)
(Name of court(s))
10. I
sought further relief from my (have, have not)
conviction in other courts. If so, what court?
Relief Rule in the past. What result?

## 11. My lawyer on appeal was

(Name) (if none, write "none")

(If you have more than one ground for relief, attach a separate sheet for each ground. Answer the four questions below as to each additional ground, labeled SECOND GROUND, THIRD GROUND, etc.)
I believe that I have .-.-.(number) ....- grounds for relief from the conviction and sentence described in Part A. This is the first ground.

1. I was deprived of the following rights or privileges in my case:
2. I was deprived of those rights or privileges by --------- who made the following errors:
3. The following cases (include citations if possible) are very close factually to mine and are an example of the errors I believe occurred in my case:
4. I can prove the facts state in Question No. 2 above in the following manner:

## PART C

The statements I have made are true to the best of my knowledge and belief. I believe I am entitled to relief. I hereby apply to have counsel appointed to represent me. I do not possess any money or property except the following: (If none, state "none")

## Date

Signature
[Adopted April 18, 1973, effective July 1, 1973.]

## CHAPTER 8——MISCELLANEOUS

Rule
8.1 Time.
8.2 Motions
8.3 Dismissal.
(a) On motion of prosecution.
(b) On motion of court.
8.4 Service and filing of papers.
8.5 Calendars.
8.6 Exceptions unnecessary.
8.7 Objections.
8.8 Discharge.

Rule 8.1 Time. Time shall be computed and enlarged in accordance with Civil Rule 6. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 8.2 Motions. Civil Rule 7(b) shall govern motions in criminal cases. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 8.3 Dismissal.

(a) On Motion of Prosecution. The court may, in its discretion, upon written motion of the prosecuting attorney setting forth the reason therefore, dismiss an indictment, information or complaint.
(b) On Motion of Court. The court on its own motion in the furtherance of justice, after notice and hearing, may dismiss any criminal prosecution and shall set forth its reasons in a written order. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: Supersedes RCW 10.46.090.
Rule 8.4 Service and filing of papers. Civil Rule 5 shall govern service and filing of written motions (except those heard ex parte) in criminal causes. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 8.5 Calendars. In setting cases for trial, unless otherwise provided by statute, preference shall be given to criminal over civil cases, and criminal cases where the defendant or a witness is in confinement shall have preference over other criminal cases. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 8.6 Exceptions unnecessary. Civil Rule 46 shall govern exceptions to rulings and orders in criminal cases. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 8.7 Objections. Objections in criminal causes shall be taken as in civil causes. [Adopted April 18, 1973, effective July 1, 1973.]

Rule 8.8 Discharge. Upon acquittal, or whenever the court shall direct any criminal prosecution to be dismissed, the defendant shall be released from custody or conditions of release on such charge and any bail shall be exonerated. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: Supersedes RCW 10.64.090.

## EVIDENCE RULES (ER)

(None, but see CR's 43 and 44)

## SUPERIOR COURT MENTAL PROCEEDINGS RULES (MPR)

## Introduction

The following rules have been designed and promulgated to give full force and effect to Laws of 1973, 1st Ex. Sess., ch. 142. Any future amendments which may be enacted will be dealt with in rules as the need may arise.

Section 62 of the act directs the Supreme Court to adopt rules with respect to court procedures and proceedings. Adoption of these rules is not to be construed as approval of what could be a breach of the separation of powers of government. While the legislature may recommend rule making as to particular matters, it may not mandate rule making which is an inherent power of the judicial branch.

Although the courts generally do not pass upon the wisdom or the workability of statutes, they are concerned with their constitutionality. The adoption of these rules, which are merely designed to give effect to the statute as it is written, does not in any manner indicate an opinion of the court that the statute is or is not constitutional in any respect. In promulgating them, the court does not in any manner obviate further consideration of any portion of the statute or these rules in a proper case.

Because of the complicated nature of the statute necessitating these rules and the need that they be effective January 1, 1974, the court has promulgated them without submitting them for comment, and now invites comment from the bench and bar. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Superior Court Mental Proceedings Rules (MPR)
Table of Rules

## I. General.

Rule
1.1 Notice-General.
1.2 Continuance or Postponement.
1.3 Confidentiality of Proceedings.
1.4 Alternative Less Restrictive Treatment.
II. Proceedings for initial detention.

Rule
2.1 Summons.
2.2 Authorization and Notice of Detention.
2.2A Notice of Emergency Detention.
2.3 Right to Copy Court Files.
2.4 Probable Cause Hearing.
2.5 Juvenile Court Proceedings.
III. Proceedings for ninety or one hundred eighty day commitment.
Rule
3.1 First Court Appearance.
3.2 Preliminary Appearance.
3.3 Jury Demand.
3.4 Hearing.
IV. Proceedings for conditional release and revocation or modification.
Rule
4.1 Notice of Conditions.
4.2 Authorization for Apprehension and Detention.
4.3 Petition and Order of Apprehension and Deten-tion-Service.
4.4 Petition for Initial Detention.
4.5 Hearing.
V. Venue.

Rule
5.1 General.
5.2 Conditional Release Hearing.
5.3 Release of Records.
5.4 (Reserved).
VI. Petitions.

Rule
6.1 Petition for Initial Detention.
6.1A Petition for Initial Involuntary Detention of Minors.
6.2 Petition for Fourteen Day Involuntary Treatment.
6.3 Petition for Ninety Day Involuntary Treatment.
6.4 Petition for One Hundred Eighty Day Involuntary Treatment.
6.5 Petition for Revocation of Conditional Release.

## I. GENERAL

Rule
1.1 Notice-General.
(a) Notice to prosecutor.
(b) Notice of release.
1.2 Continuance or postponement.
1.3 Confidentiality of proceedings.
1.4 Alternative less restrictive treatment.

Rule 1.1 Notice--General. Whenever any notice or document pursuant to the provisions of chapter 71.05 RCW is required to be served on a person who is detained or committed, such notice or document shall be provided in addition to any other person provided by statute, to the person's attorney, guardian, if any, and, if the person is under eighteen years of age, to any person, entity, or institution having actual custody.
(a) Notice to Prosecutor. In any judicial proceeding under chapter 71.05 RCW , for involuntary commitment or detention, the prosecuting attorney for the county in which the proceeding is initiated shall be served by the party initiating the proceedings with written notice of the proceedings and copies of the initiating papers.
(b) Notice of Release. Whenever a person committed or detained under chapter 71.05 RCW , is released or conditionally released, the court ordering such commitment shall be notified immediately in writing of the release by the superintendent or professional person in charge of the facility from which the person is released. [Adopted Dec. 17, 1973, effective Jan. 1, 1974; subd. (a) amended, adopted March 11, 1975, effective July 1, 1975.]

Rule 1.2 Continuance or postponement. In any judicial proceeding held pursuant to chapter 71.05 RCW for involuntary commitment or detention the court may continue or postpone such proceeding for a reasonable time, subject to RCW 71.05.210 and 71.05.240, on the following grounds:
(a) On motion of the respondent on a showing of good cause;
(b) On motion of the prosecuting attorney if:
(1) the respondent expressly consents to a continuance or delay and good cause is shown; or
(2) required in the due administration of justice and the respondent will not be substantially prejudiced in the presentation of his case;
(c) The court on its own motion may continue the case when required in the due administration of justice and when the respondent will not be substantially prejudiced in the presentation of his case.

An order granting continuance shall state whether detention will be extended and the grounds therefor. [Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted March 11, 1975, effective July 1, 1975.]

Rule 1.3 Confidentiality of proceedings. Proceedings had pursuant to chapter 71.05 RCW shall not be open to the public, unless the person who is the subject of the proceedings or his attorney files with the court a written request that the proceedings be public. The court in its discretion may permit a limited number of persons to observe the proceedings as a part of a training program of a facility devoted to the healing arts or of an accredited educational institution within the state. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 1.4 Alternative less restrictive treatment. (a) As an alternative to detention, where the court makes a finding or a special verdict is returned that the respondent should receive less restrictive alternative treatment, the court may order such less restrictive alternative treatment for no longer than the period for which the respondent could have been committed at the hearing.
(b) If the court orders less restrictive alternative treatment, the order shall specify the terms and conditions of the alternative treatment and a copy shall be
delivered to the respondent. [Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

## II. PROCEEDINGS FOR INITIAL DETENTION

Rule
2.1 Summons.
2.2 Authorization and notice of detention.
2.2A Notice of emergency detention.
2.3 Right to copy court files.
2.4 Probable cause hearing.
(a) Notice.
(b) Procedure.
2.5 Juvenile court proceedings.

Rule 2.1 Summons. The summons issued pursuant to RCW 71.05.150 shall include the following:
(a) The date and time for appearance, not less than twenty-four hours from the time at which the summons is served, at an evaluation and treatment facility.
(b) The address of the evaluation and treatment facility.
(c) The business address and business telephone number of the designated mental health professional.
(d) A statement that the person summoned may be detained at the evaluation and treatment facility for up to seventy-two hours.
(e) A statement that if the person summoned fails to appear at the evaluation and treatment facility on or before the date and time indicated, he may be taken into custody.
(f) A statement that an attorney will be appointed for the person summoned unless the person has retained his own attorney.
(g) The name, business address and business telephone number of the designated attorney.
(h) The summons shall be in substantially the following form:

The State of Washington to (name person to be detained):

It is alleged that because of mental disorder you present a likelihood of serious harm to yourself or other persons, or are gravely disabled.

You are hereby summoned to appear in person at (address of evaluation and treatment facility) in (city), Washington on or before (hour) on (month, day, year) for evaluation and possible treatment. You may be detained without court order for evaluation and possible treatment for not more than seventy-two hours. If you fail to appear in person on or before the time and date stated above, you may be taken into custody.
You have the right to have an attorney. (name, address, telephone number) will be appointed as your attorney unless you make arrangements to be represented by another attorney.

[Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 2.2 Authorization and notice of detention. At the time when any person is taken into custody or as soon as possible thereafter pursuant to RCW $71.05 .150(1)(\mathrm{d})$ or $\mathrm{RCW} 71.05 .150(2)$ regardless of whether a summons has been issued pursuant to Rule 2.1 written authorization to do so shall be served upon such person. A copy of the authorization and a notice of detention shall be filed with the court. The authorization and notice of detention shall include:
(a) The name of the person to be taken into custody.
(b) A statement that the person authorized to take custody is authorized pursuant to RCW 71.05.150(1)(d) or RCW 71.05.150(2).
(c) A statement that the person is to be taken into custody for the purpose of delivering such person to an evaluation and treatment facility for a period up to sev-enty-two hours.
(d) A statement specifying the name and location of the evaluation and treatment facility where such person will be detained.
(e) The authorization and notice of detention shall be in substantially the following form:

To: Any Peace Officer or Mental Health Professional (name of person) $\square$ has failed to appear in response to summons issued by me pursuant to RCW 71.05.150 a copy of which is attached, or $\square$ as a result of mental disorder presents an imminent likelihood of serious harm to himself or others. You are notified to take or to cause such person to be taken forthwith into custody and placed in (name and location of evaluation and treatment facility) for evaluation and treatment for not more than seventy-two hours, or such further time as a court may order.
Dated:
(signed)
Mental Health Professional,
------------ County, Washington
(Respondent) has been detained (name and location of evaluation and treatment facility.)
[Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 2.2A Notice of emergency detention. The notice of emergency detention required to be filed with the court and served upon the designated attorney of the detained person pursuant to RCW 71.05.160 shall include a statement specifying the name and location of the evaluation and treatment facility where the person taken into custody has been detained.

The notice of emergency detention shall be in substantially the following form:
(Repsondent) has been detained in (name of evaluation and treatment facility).
Dated:

> Time:
(signed)
Mental Health Professional
(name) County, Washington
[Adopted June 21, 1974, effective July 1, 1974.]

Rule 2.3 Right to copy court files. Prior to and at the hearing provided for in RCW 71.05.200, 71.05.240, 71.05 .250 the attorney for any detained person who will be a respondent at such hearing shall be permitted to view and copy all documents relating to the detained person, which have been filed with the court. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

## Rule 2.4 Probable cause hearing.

(a) Notice. If notice to the court and the prosecuting attorney of the probable cause hearing as required by RCW 71.05.150(1)(c), includes the date and time of the initial detention of any person involuntarily detained, no additional notice to the court shall be required pursuant to RCW 71.05.170.
(b) Procedure.
(1) The probable cause hearing provided in RCW $71.05 .200(1)$ shall be held in accordance with the provisions of RCW 71.05.200(1), 71.05.240 and 71.05.250.
(2) The probable cause hearing shall proceed as in other civil actions, except that the court, in its discretion, may dispense with opening statements and final arguments.
(3) The court shall be advised of any medications administered to the respondent within the prior twentyfour hour period, and if it appears that the person detained has refused medication twenty-four hours before the hearing, but was nevertheless forced to receive medication during that period, the court may continue the hearing for twenty-four hours, and may order that no medication shall be administered to the person detained during such period.
(4) At the conclusion of the hearing, the court shall make written findings of fact and conclusions of law, and enter an order for release or for detention for an additional fourteen days in an evaluation and treatment facility, or such lesser treatment as shall to the court appear proper. A copy of the order shall be served upon the evaluation and treatment facility and on the mental health professional who signed the petition. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 2.5 Juvenile court proceedings. (a) Minors over thirteen years of age involuntarily committed pursuant to RCW 72.23.070(3)(c) shall be released from such involuntary detention at the expiration of one year unless a new petition is filed pursuant to RCW 72.23.070(3)(b).
(b) The term "clearly" as used in RCW 72.23.070 shall describe the standard, "clear, cogent, and convincing."
(c) An order shall be "necessary" or in the "best interests" of a minor, as those terms are used in RCW 72.23.070, when the minor is gravely disabled or presents a likelihood of serious harm to others or himself.
(d) In the event the professional person in charge of the facility or his designee seeks to prevent the release of a voluntarily committed minor seeking release pursuant to RCW 72.23.070, the petition or written objections required to be filed by him with the juvenile court shall be the same as a petition for initial involuntary detention of minors. (Rule 6.1A) [Adopted June 21, 1974, effective July 1, 1974.]

## III. PROCEEDINGS FOR NINETY OR ONE HUNDRED EIGHTY DAY COMMITMENT

Rule
3.1 First court appearance.
3.2 Preliminary appearance.
3.3 Jury demand.
(a) When available.
(b) Procedure for demand.
3.4 Hearing.
(a) Procedure.
(b) Findings and conclusions.
(c) Verdict.

Rule 3.1 First court appearance. For purposes of proceedings for ninety day commitment, the phrase "first court appearance" provided in RCW 71.05.310 shall refer to the appearance provided for in RCW 71.05 .300 of that act. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 3.2 Preliminary appearance. Prior to the hearing provided for in RCW 71.05.320(2), the committed person shall be brought before the court for an appearance which shall be the same as that provided in RCW 71.05.300 of that act. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

## Rule 3.3 Jury demand.

(a) When Available. A jury is available only in a hearing for ninety or one hundred eighty day commitment proceedings pursuant to RCW 71.05.300 and RCW 71.05.320.
(b) Procedure for Demand. Within two judicial days after the person detained is advised in open court of his right to a jury trial as provided in RCW 71.05.300 the person detained may demand a trial by jury in the hearing on the petition for ninety day or one hundred eighty day detention by serving upon the prosecuting attorney a demand therefor in writing, by filing the demand therefor with the clerk. No jury fee shall be required. If no party, within the time above specified, serves and files a demand for jury trial, the matter shall be heard without a jury. If no party, within the time above specified, serves or files a demand that the matter be tried by a jury of twelve, it shall be tried by a jury of six members, with concurrence of five being required to reach a verdict. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

## Rule 3.4 Hearing.

(a) Procedure. The hearing shall be proceeded with as in any other civil action.
(b) Findings and Conclusions. Unless the matter is tried to a jury, the court shall make and enter findings of fact and conclusions of law.
(c) Verdict. If the matter is tried to a jury, the court shall instruct the jury to bring in a special verdict, which shall be in terms of the issues specified in RCW 71.05.320. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

## IV. PROCEEDINGS FOR CONDITIONAL RELEASE AND REVOCATION OR MODIFICATION

Rule
4.1 Notice of conditions.
4.2 Authorization for apprehension and detention.
4.3 Petition and order of apprehension and deten-tion-Service.
4.4 Petition for initial detention.
4.5 Hearing.
(a) Burden of proof.
(b) Waiver.

Rule 4.1 Notice of conditions. Any person conditionally released pursuant to RCW 71.05.340 shall be notified in writing of the terms and conditions of the release and shall be notified in writing of any modifications of such terms and conditions. Such notification shall also be given in writing to the court which ordered the person's commitment. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 4.2 Authorization for apprehension and detention. At the time of taking any person into custody for failure to adhere to the terms and conditions of release under RCW 71.05.340, an order of apprehension and detention shall be served upon the person. The order of apprehension and detention shall include:
(a) The name of the person taken into custody;
(b) That it is issued pursuant to revocation of conditional release;
(c) The date on which the order of commitment was entered and the number of days for which the person was ordered committed;
(d) The authorization shall be in substantially the following form:

To: Any Peace Officer or Mental Health Professional
You are authorized to take or cause to be taken (name of person) who was conditionally released from an order of commitment for (number) days by (name of court) which order was entered on (date), and the authority for which conditional release has been revoked, into custody and place such person in (name and location of evaluation and treatment facility) for detention, pursuant to RCW 71.05.340.
Date: ----------

[Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 4.3 Petition and order of apprehension and de-tention--Service. Unless otherwise ordered by the court, the petition and order of apprehension and detention required in RCW 71.05.340, shall be served on the person to be apprehended and detained, at the time of apprehension, and on his guardian, if any, and his attorney, if any, as soon as possible.

## Rules for Superior Court

Where no order of apprehension and detention has been issued, a petition shall be filed with the court within seventy-two hours and the person, his attorney, if any, and his guardian, if any, shall be served with a copy of the petition within twenty-four hours after the petition is filed with the court. At the time the petition is served on the person, notice shall be filed with the court and served on the person that a hearing will be held within fifteen days. [Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 4.4 Petition for initial detention. The granting of a conditional release pursuant to RCW 71.05.340, shall not preclude a mental health professional from commencing new proceedings pursuant to RCW 71.05.150. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

## Rule 4.5 Hearing.

(a) Burden of Proof. Before entering an order returning any person for involuntary treatment on an inpatient basis as a result of failure to adhere to the terms and conditions of conditional release pursuant to RCW 71 .05 .340 , the court shall find at the hearing that there is clear, cogent, and convincing evidence that such person did not adhere to the terms and conditions of release, and that such person is likely to injure himself or other persons if not returned for involuntary treatment on an inpatient basis.
(b) Waiver. Waiver of the hearing provided for in RCW 71.05.340 shall be in writing signed by all persons required to waive under that section. A copy of the waiver shall be filed with the court in which the notice of apprehension and detention was filed. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

## V. VENUE

## Rule

5.1 General.
5.2 Conditional release hearing.
5.3 Release of records.
5.4 [Reserved].

Rule 5.1 General. Proceedings pursuant to chapter 71.05 RCW , shall be brought in the superior court of the county in which the person is being detained. The court, for good cause, may transfer a proceeding to the county of respondent's residence, or to the county in which the alleged conduct evidencing need for treatment occurred. [Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 5.2 Conditional release hearing. The notice of apprehension and detention and the petition for hearing required in RCW 71.05.340, shall be filed in the county ordering the commitment from which the person was conditionally released. Upon motion for good cause, the court may order the proceeding transferred to the court
in the county in which the person was receiving outpatient care or the county of the person's residence. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 5.3 Release of records. A proceeding for the release of records or files pursuant to RCW 71.05.390, shall be in the court maintaining such records or files. [Adopted Dec. 17, 1973, effective Jan. 1, 1974.]

Rule 5.4 [Reserved]. [Adopted Dec. 17, 1973, effective Jan. 1, 1974; rescinded effective July 1, 1974.]

## VI. PETITIONS

Rule
6.1 Petition for initial detention.
6.1A Petition for initial involuntary detention of minors.
6.2 Petition for fourteen day involuntary treatment.
6.3 Petition for ninety day involuntary treatment.
6.4 Petition for one hundred eighty day involuntary treatment.
6.5 Petition for revocation of conditional release.

Rule 6.1 Petition for initial detention. The petition for initial detention shall contain the following:
(a) Identification of the petitioner as a peace officer or designated mental health professional.
(b) A statement describing the circumstances under which the condition of the respondent was brought to the petitioner's attention.
(c) A statement that as a result of the petitioner's personal observation or investigation, the petitioner believes that the actions of the respondent constitute a likelihood of harm to himself or others, or that he is gravely disabled.
(d) A statement of the specific facts known to the petitioner upon which he bases his belief that respondent should be detained for the purposes and under the authority of chapter 71.05 RCW.
(e) A request that the respondent be detained at an evaluation and treatment facility for no more than a 72 hour treatment and evaluation period.
(f) The date and the signature of the petitioner.

Superior court of Washington
FOR -------.- COUNTY
In re the
Detention of Petitioner:
and
Respondent:


Pursuant to chapter 71.05 RCW petitioner $\square$ a peace officer or $\square$ mental health professional designated by the county alleges under penalty of perjury that:

Respondent, ------.-., was brought to my attention under the following circumstances:
$\qquad$
$\qquad$
$\qquad$
$\qquad$

As a result of my personal observation or investigation I believe that the actions of the respondent constitute a likelihood of serious harm to himself or others or that he is gravely disabled.

The specific facts known to me as a result of personal observation or investigation, upon which I base the belief that the respondent should be detained for the purposes and under the authority of chapter 71.05 RCW are:

Therefore the petitioner requests that the respondent be detained at an evaluation and treatment facility for no more than a 72 hour evaluation and treatment period.

Dated this
day of 19.

## Petitioner

Sworn and Subscribed on

> Notary Public for the State
of Washington Residing at

## My commission expires on

[Adopted Dec. 17, 1973, effective Jan. 1, 1974.]
Rule 6.1A Petition for initial involuntary detention of minors. The petition for initial detention of a minor shall contain the following:
(a) The name and address of the petitioner(s) and that the petitioner(s) is (are) the parent, parents, conservator or guardian of the respondent, or that the petitioner is the juvenile court.
(b) The name, address, age, and sex of the respondent.
(c) A statement that the respondent is or is not in detention at the time the petition is filed, and, if so, the name and location of the place of detention.
(d) A statement that the respondent, as a result of mental disorder, presents a likelihood of serious harm to himself or others, or is gravely disabled.
(e) The facts upon which the allegations of the petition are based.
(f) A statement of the alternative courses of treatment which have been considered and that no alternative less restrictive than detention is in the best interest of the respondent.
(g) The name and location of the facility in which respondent will be detained and a statement that such facility is certified by the department of social and health services to provide evaluation and treatment to persons under eighteen years of age suffering from mental disorders.
(h) A demand that a hearing be held to determine whether respondent shall be committed or whether in alternative less restrictive treatment exists.
(i) The petition shall be in substantially the following form:

In re the
Detention of

Respondent. $|$| No. |
| :---: |
| Petition For |
| INITIAL |
| InVOLUNTARY |
| DETENTION |
| OF A MinOR |
| RCW 72.23.070 |

(Petitioner(s)) is (are) $\square$ parent $\square$ parents, conservator, $\square$ guardian of (respondent), or $\square$ juvenile court for County. Petitioner(s)'s address is
(Respondent), residing at (address) in (city or town) Washington is a $\square$ male $\square$ female, -.-. years of age.

At the time of filing this petition, respondent $\square$ is $\square$ is not in detention pursuant to RCW 72.23 .070 . (If respondent is in detention.) The name and location of the facility in which respondent is in detention are

> Respondent, as a result of mental disorder, $\square$ presents a likelihood of serious harm to himself, $\square$ presents a likelihood of serious harm to others, $\square$ is gravely disabled.

> The facts upon which the allegations of this petition are based are:

The following alternative courses of treatment have been considered:

No alternative less restrictive than detention is in the best interests of the respondent.

The facility in which respondent will be detained is (name and location), certified by the Washington State Department of Social and Health Services to provide evaluation and treatment to persons under eighteen years of age suffering from mental disorders.

The petitioner(s) request(s) that a hearing be held in the above named court to determine whether respondent shall be involuntarily committed pursuant to RCW 72.23 or whether there shall be an alternative less restrictive treatment.

## Petitioner <br> Petitioner

Petitioner

Sworn and Subscribed on
Notary Public for the State
of Washington Residing at

My commission expires on
[Adopted June 21, 1974, effective July 1, 1974.]
Rule 6.2 Petition for fourteen day involuntary treatment. The petition for fourteen-day involuntary treatment shall contain the following:
(a) The name and address of the petitioner(s).
(b) The name of the person alleged, as a result of mental disorder, to present a likelihood of serious harm to others or himself, or to be gravely disabled, and, if known to the petitioner, the address, age, sex, marital status and occupation of the person. Such person shall be denominated the respondent.
(c) The facts upon which the allegations of the petition are based.
(d) The name of every person known or believed by the petitioner to be legally responsible for the care, support, and maintenance of the person alleged, as a result of mental disorder, to present a likelihood of serious harm to others or himself, or to be gravely disabled, and the address of each such person if known to the petitioner.
(e) A statement that the professional staff of the evaluation and treatment facility has examined and analyzed respondent's condition and finds that as a result of mental disorder respondent presents a likelihood of serious harm to himself or others or is gravely disabled.
(f) A statement that the respondent has been advised of the need for, but has not accepted, voluntary treatment.
(g) A statement that the facility providing intensive treatment is certified to provide such treatment by the Department of Social and Health Services of the State of Washington.
(h) A statement that there is no less restrictive alternative to detention in the best interests of respondent or others, or that a less restrictive alternative is sought and a specification of what that alternative is.
(i) A demand that a probable cause hearing be held within seventy-two hours of detention, unless the person is sooner released, on the issue of whether the respondent shall be detained for an additional fourteen days' involuntary treatment or whether such person shall be treated under less restrictive alternatives.
(j) The petition shall be in substantially the following form:

## Superior court of Washington <br> FOR --------- COUNTY

In re the
Detention of:

Respondents:

No.
Petition for Fourteen Day Involuntary Treatment

## RCW

(Petitioner(s)), $\square$ mental health professional for .-.-.-.-. county, $\square$ member(s) of professional staff of --------- agency or facility, alleges that:
(Respondent), residing at (address) in (city or town) is a $\square$ single, $\square$ married, $\square$ widowed, $\square$ divorced, male, $\square$ female, aged $\qquad$
(Respondent's) occupation is
The professional staff of the evaluation agency or facility has examined respondent's condition and finds that as a result of mental disorder (respondent) presents:
$\square$ a likelihood of serious harm to others,
$\square$ a likelihood of serious harm to himself, $\square$ is gravely disabled.
The facts upon which the allegations of this petition are based are as follows:

## (use back of page if necessary)

The person(s) legally responsible for the care, support, and maintenance of (respondent), and their relationship to him are, so far as known to the petitioner, as follows: (Give names, addresses, and relationship of persons named as respondents)

## (use back of page if necessary)

The respondent has been advised of the need for, but has not accepted voluntary treatment.

The facility providing intensive treatment is certified to provide such treatment by the Department of Social and Health Services.
The petitioner(s) request(s) that a hearing be held before (time and date) unless the respondent is sooner released, to determine whether (respondent) $\square$ shall be detained for fourteen days' involuntary treatment because there is no less restrictive alternative to detention in the best interests of respondent or others, or $\square$ shall be required to comply with the following less restrictive alternative $\qquad$
Petitioner physician MHP
Petitioner physician $\square$ MHP

Address

Sworn and subscribed on
Notary Public for the State of Washington Residing at

My commission expires on

## Petition (Fourteen Day Detention)

[Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 6.3 Petition for ninety day involuntary treatment. The petition for ninety day involuntary treatment shall contain the following:
(a) The name and address of the petitioner.
(b) The name and address of the person alleged, as a result of mental disorder, to present a likelihood of serious harm to himself or others because such person (1) has threatened, attempted, or inflicted physical harm upon the person of another or himself after having been taken into custody for evaluation and treatment, or (2) was taken into custody as a result of conduct in which he attempted or inflicted physical harm upon the person of another or himself, or (3) is gravely disabled, or (4) is in custody because he has committed acts constituting a felony, and presents substantial likelihood of repeating similar acts. Such person shall be denominated the respondent.
(c) A statement that petitioner is the professional person in charge or his professional designee, or the county mental health professional of (name) county, of a treatment facility in which the respondent is detained pursuant to court order for fourteen day involuntary treatment.
(d) The name of the court ordering fourteen day involuntary treatment and the date on which such order was entered.
(e) A summary of the facts supporting the allegations of the petition.
(f) A demand that a hearing be held within five judicial days of the first court appearance after the probable cause hearing unless the person named in the petition requests a jury trial, in which case trial shall commence within ten judicial days of the filing of the petition for ninety day treatment on the issue of whether the person alleged, as a result of mental disorder, to present a likelihood of serious harm, to himself or others, shall be detained for involuntary treatment for a period not to exceed ninety days.
(g) A statement that the petition is supported by accompanying affidavits and the names of the persons signing such affidavits.
(h) The petition shall be in substantially the following form:

| $\qquad$SUPERIOR COURT OF WASHINGTON <br> FOR |
| :--- | :--- |
| In re the |
| Detention of: |

(Petitioner), $\square$ the professional person in charge, or $\square$ his professional designee, or $\square$ the county mental health professional for (name) county, of (name of facility) in which (respondent) is detained for (number) days pursuant to an order of (name or court) entered on (date) alleges that:
(Respondent), residing at (address) in (city or town) is a $\square$ single, $\square$ married, $\square$ widowed, $\square$ divorced, $\square$ male, $\square$ female, aged

As a result of mental disorder (respondent) presents a likelihood of serious harm to himself or others because he $\square$ has threatened, attempted, or inflicted physical harm upon the person of another or himself during the period in which he was detained pursuant to court order for fourteen day involuntary treatment, or $\square$ was taken into custody as a result of conduct in which he threatened, attempted or inflicted physicial harm upon the person of another or himself, or $\square$ is gravely disabled, or $\square$ is in custody because he has committed acts constituting a felony, and as a result of mental disorder, presents a substantial likelihood of repeating similar acts.

The facts upon which the allegations of this petition are based are summarized as follows:

The allegations are supported by the accompanying affidavits signed by

The petitioner requests that a hearing be held to determine whether (respondent) shall be detained for involuntary treatment for a period not to exceed ninety days.

## Petitioner

Sworn and Subscribed on

> Notary Public for the State of

Washington Residing at
My commission expires on

## Petition (Ninety Day Dentention)

[Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 6.4 Petition for one hundred eighty day involuntary treatment. The petition for one hundred eighty day involuntary treatment shall contain the following:
(a) The name and address of the person filing the petition and the statement that petitioner is the superintendent or professional person in charge of the facility in which the person who is alleged, as a result of mental disorder, to present a likelihood of serious to others, is detained.
(b) The name and address of the person alleged, as a result of mental disorder to present a likelihood of serious harm to others because such person, (1) during his period of involuntary treatment, has threatened, attempted or actually inflicted physical harm on another, or (2) continues to be gravely disabled, or (3) is in custody because he has committed acts constituting a felony, and presents a substantial likelihood of repeating similar acts. Such person shall denominated the respondent.
(c) The name of the court ordering involuntary treatment for which the respondent is presently detained, and the date on which such order was entered.
(d) A summary of the facts supporting the allegations of the petition.
(e) A demand that a hearing be held within five judicial days of the first court appearance after the probable cause hearing unless the person named in the petition requests a jury trial, in which case trial shall commence within ten judicial days of the filing of the petition for one hundred eighty day treatment on the issue of whether the person alleged, as a result of mental disorder, to present a likelihood of serious harm to others, shall be detained for involuntary treatment for a period not to exceed one hundred eighty days.
(f) A statement that a form of treatment less restrictive than involuntary detention is not in the best interest of the respondent or others.
(g) The petition shall be in substantially the following form:

## Superior Court of Washington <br> FOR ---------- COUNTY

In re the
Detention of:


Petition for One Hundred Eighty Day lnvoluntary Treatment

Respondent.

## RCW

(Petitioner), the superintendent or professional person in charge of (name of facility) in which (respondent) is detained for (number) days pursuant to an order of ( name of court) entered on (date) alleges that:
(Respondent), residing at (address) in (city or town) is a $\square$ single, $\square$ married, $\square$ widowed, $\square$ divorced, $\square$ male, $\square$ female, aged
(Respondent) $\square$ has threatened, attempted or actually inflicted harm on another person during the period in which he has been involuntarily detained pursuant to court order and as a result of mental disorder presents a likelihood of serious harm to others, or $\square$ continues to be gravely disabled or $\square$ is in custody because he has committed acts constituting a felony and as a result of
mental disorder presents a substantial likelihood of repeating similar acts.

The facts upon which the allegations of this petition are based are as follows:

A form of treatment less restrictive than involuntary detention is not in the best interest of the respondent or others.

The petitioner requests that a hearing be held to determine whether (respondent) shall be detained for involuntary treatment for a period not to exceed one hundred eighty days.

## Petitioner

Sworn and Subscribed on

> Notary Public for the State of Washington Residing at

My commission expires on
Petition (One Hundred Eighty Day Detention)
[Adopted Dec. 17, 1973, effective Jan. 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

Rule 6.5 Petition for revocation of conditional release. The petition for revocation of conditional release shall contain the following:
(a) The name and address of the petitioner and the statement that petitioner is the Secretary of the Department of Social and Health Services, State of Washington, or is the county mental health professional for (name) county.
(b) The name and address of the person alleged to have failed to adhere to the terms and conditions of release and to be likely to injure himself or other persons if not returned for involuntary treatment on an inpatient basis. Such person shall be the respondent.
(c) The facts upon which the allegations of the petition are based.
(d) A statement that respondent was released under terms and conditions, a copy of which terms and conditions is attached to the petition, from detention pursuant to court order for involuntary treatment and the date the order was entered, number of days for which effective, and the court entering such order.
(e) The date, time and place of detention of the respondent if he is detained pursuant to an order of the secretary, or whether such an order has been or will be issued.
(f) A demand that a hearing be held within five days of the date on which respondent was detained pursuant to an order of the secretary, or not less than fifteen days from the date of service of the petition on the respondent, on the issues of whether the respondent failed to adhere to the terms and conditions of release, or whether the conditions of the release should be modified, or the person should be returned to the facility.
(g) The petition shall be in substantially the following form:

## Superior Court of Washington <br> FOR County

In re the
Detention of:

Respondent.
(Petitioner),Secretary of the Department of Social and Health Services, State of Washington, or $\square$ county mental health professional for (name) county alleges that:
(Respondent), residing at (address) in (city or town) is a $\square$ single, $\square$ married, $\square$ widowed, $\square$ divorced, $\square$ male, $\square$ female, aged $\qquad$
Pursuant to an order of (name) court entered on (date), respondent was detained for involuntary treatment for a period not to exceed (number) days in (name of facility).
(Respondent) was conditionally released from inpatient care at (name of facility) prior to expiration of the court ordered period of detention, under terms and conditions for such release copies of which, including modifications, are attached and were filed in (name) court on (date(s)).

During the period of conditional release respondent was receiving outpatient care from (name of facility) located in (city or town), (name) county.

Pursuant to RCW ---.-......, petitioner $\square$ has $\square$ has not issued an order for the apprehension and detention of respondent and respondent $\square$ is not detained $\square$ is detained in (name of facility) located in (city, town), (name) county.
(Respondent) has failed to adhere to the terms and conditions of his release from involuntary detention and $\square$ the conditions of release should be modified or $\square$ the person should be returned to the facility.

The facts upon which the allegations of this petition are based are as follows:

The petitioner requests that a hearing be held to determine whether repondent has failed to adhere to the terms and conditions of release, and whether the respondent shall be returned for involuntary treatment on an inpatient basis or whether the terms and conditions of release shall be modified.

Petitioner
Sworn and Subscribed on

> Notary Public for the State
of Washington Residing at
My commission expires on
Petition (Revocation of Conditional Release)
[Adopted Dec. 17, 1973, effective Jan 1, 1974; amended, adopted June 21, 1974, effective July 1, 1974.]

## JUVENILE COURT RULES (JUCR)

Table of Contents

I. SCOPE OF RULES

Rule
1.2 Scope of rules.
1.2 Jurisdiction of juvenile court.
1.3 Definition of probation officer.
II. INTAKE

## Rule

2.1 Petitions.
2.2 Referral of complaints.
2.3 Intake interview.
2.4 Intake procedure.
2.5 Informal adjustment.

## III. DETENTION PRIOR TO DISPOSITION

Rule
3.1 Arrest of child.
3.2 Admission to detention.
3.3 Notice to parent or custodian.
3.4 Time limitations on detention.
3.5 Notice of preliminary detention hearing.
3.6 Preliminary detention hearing.
3.7 Waiver of preliminary detention hearing.
3.8 Release from detention.
3.9 Release on citation.

## IV. FACT FINDING HEARING

Rule
4.1 Scheduling of fact finding hearing.
4.2 Notice and summons.
4.3 Issue at fact finding hearing.
4.4 Fact finding hearing.
4.5 Facts not disputed

## V. DISPOSITION HEARING

Rule
5.1 Notice and summons for disposition hearing.
5.2 Social study.
5.3 Disposition hearing.
5.4 Direct to court hearing.
VI. DECLINE OF JURISDICTION——ALLOWING CRIMINAL PROSECUTION

## Rule

6.1 Scheduling of hearing on decline of jurisdiction.
6.2 Notice of hearing on decline of jurisdiction.
6.3 Investigation for decline hearing.
6.4 Hearing on decline of jurisdiction.
6.5 Decline of jurisdiction in traffic cases.

## VII. SELF-INCRIMINATION AND RIGHT TO COUNSEL

Rule
7.1 Right to remain silent.
7.2 Right to counsel.
7.3 Waiver of rights.
7.4 Child under 12.

## I. SCOPE OF RULES

Rule
1.1 Scope of rules.
1.2 Jurisdiction of juvenile court.
1.3 Definition of probation officer.

Rule 1.1 Scope of rules. These rules shall govern the procedure of all matters within the jurisdiction of the Juvenile Court, including actions taken by probation officers, and shall supplement the applicable statutes. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 1.2 Jurisdiction of juvenile court. The jurisdiction of the Juvenile Court is defined by RCW 13.04.010. "Juvenile Court" is defined by RCW 13.04.030. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 1.3 Definition of probation officer. "Probation Officer" means any probation counselor appointed or designated pursuant to RCW 13.04.040. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## II. INTAKE

Rule
2.1 Petitions.
(a) Petition alleging delinquency.
(b) Citation petition.
(c) Amendment.
(d) Answer.
2.2 Referral of complaints.
2.3 Intake interview.
(a) Child not in detention.
(b) Child in detention.
(c) To be voluntary.
2.4 Intake procedure.
(a) When no petition is filed.
(b) Delivery of petition.
(c) Notice of rights.
2.5 Informal adjustment.

## Rule 2.1 Petitions.

(a) Petition Alleging Delinquency.
(1) Who May File. Any person may file with the Clerk of the Superior Court, pursuant to RCW 13.04.060 , a verified petition to invoke the jurisdiction of the Juvenile Court.
(2) Contents. The petition shall conform to RCW 13.04.060. It shall be entitled "In Re the Welfare of ------------.-..-" The petition shall contain:
(i) Identification of Child. Name, age, sex and residence of the child, so far as known to the petitioner. If not known, the petition shall so state.
(ii) Identification of Parent or Custodian. Name, marital status and residence of the parent or parents, custodian or other person responsible for the care of the child, or person with whom the child is residing, so far as known to the petitioner. If not known, the petition shall so state.
(iii) Statement of Facts. A statement of facts which gives the court jurisdiction over the child and over the subject matter of the proceedings, stated in plain language and with reasonable definiteness and particularity.
(iv) Request for Inquiry. A request that the court inquire into the welfare of the child and make such order as the court shall find to be in the best interests of the child.
(b) Citation Petition. The petition provided for in RCW 13.04.060 may be in the form of the citation and notice to appear provided for in JCrR 2.01 and the complaint and citation provided for in JTR T2.01
(c) Amendment. A petition may be amended at any time. The court shall grant additional time if necessary to insure a full and fair hearing on any new allegations in an amended petition.
(d) Answer. Any party may, but need not, file a written answer to a petition unless ordered to do so by the court or by local rule. [Adopted Dec. 31, 1968, effective Jan. 10, 1969. Prior: JuCR Rule 1, superseded by JuCR Rule 2.1(b).]

Rule 2.2 Referral of complaints. Any petition or any complaint to the Juvenile Court shall first be referred to the probation officer who is responsible for intake procedure, if the county has a paid probation officer. Pursuant to RCW 13.04.060, that officer shall advise any person making a complaint to the Juvenile Court whether or not a petition is reasonably justifiable. If the person making the complaint does not file a petition, the intake officer shall decide whether to file a petition or to follow other procedures pursuant to these rules. [Adopted Dec. 31, 1968, eff ective Jan. 10, 1969.]

## Rule 2.3 Intake interview.

(a) Child not in Detention. Upon receipt of a complaint, or upon the filing of a petition relating to a child who is not in detention, the probation officer who is responsible for intake procedure may request by telephone or letter that the child, parent or interested parties appear for an intake interview.
(b) Child in Detention. If a child is in detention, the probation officer shall interview the child and shall invite the parent or custodian to appear for an intake interview.
(c) To be Voluntary. Any intake interview shall be voluntary. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## Rule 2.4 Intake procedure.

(a) When No Petition is Filed. Upon receipt of a complaint where no petition has been filed, the probation officer shall inform the child and parent or custodian of the nature of the complaint and explain the court procedures.
(b) Delivery of Petition. Upon the filing of a petition, the probation officer shall promptly deliver a copy of the petition to the child and parent or custodian.
(c) Notice of Rights. Upon the filing of a petition, or upon the admission of any child to detention, the probation officer shall deliver to the child and parent or custodian a written statement which gives notice of the following rights:
(1) the right to remain silent as set forth in Rule 7.1;
(2) the right to be represented by an attorney of their own choosing in all proceedings and to have an attorney appointed in certain cases as set forth in Rule 7.2; and
(3) the right to have a fact finding hearing on any petition, if they dispute the allegations made in the petition. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 2.5 Informal adjustment. Instead of filing a petition, the probation officer or the judge may make an informal adjustment or disposition of any complaint or referral, pursuant to RCW 13.04.056. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## III. DETENTION PRIOR TO DISPOSITION

Rule
3.1 Arrest of child.
3.2 Admission to detention.
3.3 Notice to parent or custodian.
3.4 Time limitations on detention.
3.5 Notice of preliminary detention hearing.
3.6 Preliminary detention hearing.
3.7 Waiver of preliminary detention hearing.

Release from detention.
Release on citation.
Rule 3.1 Arrest of child. Any child who is taken into custody and who is not released to his parent, guardian, custodian or a responsible relative, pursuant to RCW 13.04.120, shall be taken directly before the Juvenile Court or placed in the detention facility under the jurisdiction of that court, or into the custody of a probation officer. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.2 Admission to detention. The probation officer who is responsible for intake procedure shall have the authority to admit any child to detention. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.3 Notice to parent or custodian. Unless the arresting officer has already done so, the probation officer shall immediately use all reasonable means to notify the parent or custodian that the child has been placed in detention. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.4 Time limitations on detention. As provided in RCW 13.04.053, no child shall be held in detention or shelter longer than 72 hours, excluding Sundays and holidays, unless a petition has been filed. No child may be held longer than 72 hours after the filing of a petition unless a court order has been entered for such continued detention or shelter. No child shall be detained for longer than 30 days unless the detention is authorized by a court order setting forth the findings upon which continued detention is based. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.5 Notice of preliminary detention hearing. The child and parent or custodian shall be informed that they have a right to a preliminary detention hearing. The court shall hold a preliminary detention hearing if one is requested. The child and parent or custodian shall be given notice of the time, place and purpose of the hearing. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.6 Preliminary detention hearing. If the written notice of rights and copy of the petition have not already been given to the child and parent or custodian pursuant to Rule 2.4 , the judge shall do so at the preliminary detention hearing. At any preliminary detention hearing the child and parent or custodian shall have an opportunity to present evidence and be heard on the issue of temporary detention. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.7 Waiver of preliminary detention hearing. If neither the child nor parent or custodian requests a preliminary detention hearing, the order for continued temporary detention or shelter may be signed without a hearing. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.8 Release from detention. The court or the probation officer may release a child from detention at any time. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 3.9 Release on citation. See JuCR 2.1(b). [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## IV. FACT FINDING HEARING

## pit

Rule
4.1 Scheduling of fact finding hearing.
4.2 Notice and summons.
(a) Manner of service.
(b) On whom served.
(c) Time of service.
(d) Contents.
4.3 Issue at fact finding hearing.
4.4 Fact finding hearing.
(a) Evidence.
(b) Degree of proof.
(c) Findings of fact.
(d) Disposition.
(e) Continuance.
(f) Duty of prosecuting attorney.
4.5 Facts not disputed.

Rule 4.1 Scheduling of fact finding hearing. If the child or parent or custodian disputes the allegations made in the petition, the court shall schedule a fact finding hearing with reasonable speed, giving preference to cases where the child is held in detention. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 4.2 Notice and summons.
(a) Manner of Service. Notice and summons shall issue and be served pursuant to RCW 13.04.070, or published pursuant to RCW 13.04.080.
(b) On Whom Served. Notice and summons shall be served upon the child in addition to the persons designated by statute.
(c) Time of Service. Notice and summons shall be served at least three days before the hearing.
(d) Contents. In addition to the statutory summons, the notice shall include:
(1) notice of the time and place of the hearing;
(2) a specific reference to the petition on file and to the copy thereof delivered pursuant to Rule 2.4;
(3) a statement that the purpose of the hearing is to consider the petition and hear evidence thereon;
(4) notice of the right to remain silent as set forth in Rule 7.1, and of the right to be represented by an attorney of their own choosing in all proceedings and to have an attorney appointed in certain cases, as set forth in Rule 7.2. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 4.3 Issue at fact finding hearing. The fact finding hearing shall be a trial on the allegations of fact made in the petition. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## Rule 4.4 Fact finding hearing.

(a) Evidence. The rules of evidence shall be followed in the conduct of the hearing. No social file or social study shall be considered by the court in connection with the fact finding hearing.
(b) Degree of Proof. In a fact finding hearing on a petition alleging delinquency, the facts alleged must be proved beyond a reasonable doubt. In a fact finding hearing on a petition alleging dependency, the facts alleged must be proved by a preponderance of the evidence.
(c) Findings of Fact. If the court dismisses the petition, no findings of fact are necessary. If the court decides to retain and exercise jurisdiction, it shall make written findings of fact.
(d) Disposition. In the discretion of the court, the matter of disposition may be considered at the hearing after the court has announced its findings of fact.
(e) Continuance. If the case is continued for a disposition hearing, the court shall decide whether or not the child should be held in detention pending final disposition. Notice of the time and place of the continued hearing may be given in open court.
(f) Duty of Prosecuting Attorney. It shall be the duty of the prosecuting attorney or his deputy to present the evidence supporting any petition where the facts are contested, whenever requested to do so by the court. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 4.5 Facts not disputed. If neither the child nor the parent or custodian disputes the allegations made in the petition, the rules for contested fact finding hearings shall not apply, and the court may schedule a formal hearing on the agreed facts to be combined with the disposition hearing. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## V. DISPOSITION HEARING

Rule
5.1 Notice and summons for disposition hearing.
5.2 Social study.
(a) Social study for disposition hearing.
(b) Right of access to social file.
5.3 Disposition hearing.
(a) Judge's statement.
(b) Social study.
(c) Findings and conclusions.
(d) Deferred findings.
5.4 Direct to court hearing.
(a) Scheduling of direct to court hearing.
(b) Notice and summons for direct to court hearing.
(c) Referral to probation department.

Rule 5.1 Notice and summons for disposition hearing. Notice and summons for a disposition hearing shall issue and be served pursuant to Rule 4.2 only if no notice and
summons on the petition has previously been served. All parties shall be notified orally or by mail of the time and place of any continued hearing. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## Rule 5.2 Social study.

(a) Social Study for Disposition Hearing. To aid the court in its decision on disposition, a social study, consisting of an investigation and evaluation of the child, shall be made by the probation department, unless waived by the court in a particular case. The probation department shall make a written report which shall state the results of the study and shall include all social records that are to be made available to the court.
(b) Right of Access to Social File. An attorney for any interested party shall have a right to inspect the social file and the social study a reasonable time prior to the disposition hearing, unless the court in a particular case decides that release of certain information would be detrimental to the best interests of the child. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## Rule 5.3 Disposition hearing.

(a) Judge's Statement. The judge shall inform the parties of the purpose of the hearing. He shall inform the parties of the new status of the child either as a result of the fact finding hearing or as a result of their agreement with the facts alleged in the petition.
(b) Social Study. The court shall consider the social file and social study in addition to evidence produced at the hearing.
(c) Findings and Conclusions. The court shall make written findings of fact and conclusions of law in connection with an order of disposition, if they have not already been made at a fact finding hearing.
(d) Deferred Findings. With the agreement of the child and parent or custodian, the court may enter an order which defers the entry of any findings of fact whenever such deferral is in the best interests of the child. Along with such an agreed order deferring the findings of fact, the court may enter an order of disposition which is agreed to by the child and parent or custodian, or the court may defer the entry of any order of disposition, subject to conditions set by the court. If the conditions are met, the court, in its discretion may later dismiss the petition. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## Rule 5.4 Direct to court hearing.

(a) Scheduling of Direct to Court Hearing. If the probation officer or the judge decides that an intake interview, preliminary investigation or social study would not be justified, the petition may be scheduled directly to court for a combined fact finding and disposition hearing.
(b) Notice and Summons for Direct to Court Hearing. Notice and summons for such a hearing shall be given pursuant to Rule 4.2.
(c) Referral to Probation Department. If it appears to the court at the direct to court hearing that disposition of the matter at that hearing would not be in the best interests of the child, the court may refer the matter back to the probation department for further action and hearing pursuant to these rules. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## VI. DECLINE OF JURISDICTION——ALLOWING CRIMINAL PROSECUTION

Rule
6.1 Scheduling of hearing on decline of jurisdiction.
6.2 Notice of hearing on decline of jurisdiction.
6.3 Investigation for decline hearing.
6.4 Hearing on decline of jurisdiction.
6.5 Decline of jurisdiction in traffic cases.

Rule 6.1 Scheduling of hearing on decline of jurisdiction. When a delinquency petition has been filed alleging violation of the law and it appears to the probation officer or the judge that retaining jurisdiction over the child in the Juvenile Court may be contrary to the best interests of the child or the public, the court shall schedule a hearing to determine whether or not to decline jurisdiction. In any case where declining jurisdiction would allow criminal prosecution for a felony, the decline hearing shall be scheduled within seven days after the filing of the petition, unless further continued by the court for good cause. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 6.2 Notice of hearing on decline of jurisdiction. The child and parent or custodian shall be given a copy of the petition and notice of the time, place and purpose of the hearing. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 6.3 Investigation for decline hearing. When the court has scheduled a hearing in a case where a decline of jurisdiction would allow criminal prosecution for a felony, the probation department shall make an investigation and evaluation of the matter and make a report to the court. The decline investigation report shall include all social records that are to be made available to the court at the decline hearing. Any party or his attorney shall have a right to inspect a copy of the report of the decline investigation a reasonable time prior to the hearing. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 6.4 Hearing on decline of jurisdiction. At any hearing where a decline of jurisdiction would allow criminal prosecution for a felony, the court shall consider the decline investigation report in addition to evidence produced at the hearing and shall make written findings of fact and conclusions of law in support of its decision. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 6.5 Decline of jurisdiction in traffic cases. The court shall have discretion to decline jurisdiction, without a hearing, in connection with an alleged violation of the traffic laws. [Adopted Dec. 31, 1968, effective Jan. $10,1969$.

## VII. SELF-INCRIMINATION AND RIGHT TO COUNSEL

Rule
7.1 Right to remain silent.
7.2 Right to counsel.
(a) Retained counsel.
(b) Court appointed-Indigents.
(c) Court appointed-Other.
7.3 Waiver of rights.
7.4 Child under 12.

Rule 7.1 Right to remain silent. A child who is the subject of court proceedings has a right to remain silent and may refuse to answer any questions. No other party or witness shall be compelled to testify, if the testimony might tend to incriminate him in any criminal proceeding, or to establish jurisdiction over him in any Juvenile Court proceeding. Whatever any person says after being warned of his rights may be used against him. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## Rule 7.2 Right to counsel.

(a) Retained Counsel. Any party has a right to be represented by an attorney of his own choosing in all proceedings.
(b) Court Appointed--Indigents. Any child whose parent, guardian or custodian is indigent has a right to have an attorney appointed by the court to represent him in any proceeding where the child may be subject to a decline of Juvenile Court jurisdiction which would allow criminal prosecution for a felony, or where the matter is serious enough that the court might consider removing the child from the custody of his parents or custodian, or committing the child to the Department of Institutions.
(c) Court Appointed——Other. The court shall appoint an attorney for any child where the court feels that the welfare of the child requires an attorney for any reason. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 7.3 Waiver of rights. Any right which a child has under these rules may be waived by an express waiver intelligently made by the child and his parent or custodian after they have been fully informed of the right being waived. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

Rule 7.4 Child under 12. Whenever these rules refer to waiver, consent or agreement by a child or refer to any notice, summons or petition being given to or served upon a child, the word child shall be construed to refer to a child who is at least 12 years of age. If a child is under 12 years of age, his parent or parents, or the adult having his actual custody, shall receive the notice, summons or petition or give any waiver, consent or agreement contemplated by these rules unless the interests of the child and the parent or custodian are in conflict. In that event, or if no parent or custodian is available for a child under 12 years of age, the court shall appoint a guardian ad litem or attorney, or both, to protect the interests of the child and stand in the place of a parent or custodian. [Adopted Dec. 31, 1968, effective Jan. 10, 1969.]

## LOCAL RULES OF SUPERIOR COURT (LR)

(Not published herein)

## APPENDIX TO PART IV: COURT ORDERS AND TABLES

## Table of Contents

1. Order Adopting Rules-May 5, 1967 (including Table RPPP to New Rules).
2. Explanation by the Court.
3. Order Correcting and Amending Rules-_June 28, 1967.
4. Table of Distribution of General Rules of Superior Courts in Effect Prior to January 1, 1960 into the Rules of Pleading, Practice and Procedure which were superseded on July 1, 1967.
5. Table of Distribution of Rules of Pleading, Practice and Procedure in Effect Prior to January 1, 1960 into the Rules of Pleading, Practice and Procedure which were superseded on July 1, 1967.

## 1. ORDER ADOPTING RULES——MAY 5, 1967. <br> (Effective July 1, 1967) <br> SUPREME COURT OF WASHINGTON

|  | Paper No. 25700-A Order Adopting |
| :---: | :---: |
|  | (1) Classification System for Court Rules |
| In the Matter of | (2) Amendments to |
| the Adoption | Rules on Appeal |
| of | (3) Civil Rules for |
| Rules of Court | Superior Court |
|  | (4) Special Proceedings |
|  | (5) Rules for Superior Cour |
|  | (5) Criminal Rules |
|  | for Superior Court |

Whereas, the legislature enacted Laws of 1925 , chapter 118 , relating generally to rules of procedure; and
Whereas, authority to promulgate and adopt uniform rules of procedure for the courts in the state of Washington is vested in the Supreme Court of Washington under the decision in State ex rel. FosterWyman Lbr. Co. v. Superior Court, 148 Wash. 1, 267 Pac. 770 (1928); and

Whereas, the Supreme Court of Washington requested technical assistance, advice, and counsel from the Judicial Council, that a comprehensive study be made, and that proposed civil rules for Superior Court be drafted and submitted by the Judicial Council for consideration by the Supreme Court; and
Whereas, the Judicial Council established an advisory committee to do research and drafting, and to submit initial drafts of proposed civil rules for Superior Court.

Whereas, The advisory committee, after years of study, submitted to the Judicial Council an enlarged proposal made necessary by the revision of the civil rules consisting of:
(1) Classification System for Court Rules
(2) Amendments to Rules on Appeal
(3) Civil Rules for Superior Court
(4) Special Proceedings Rules for Superior Court (as renumbered)
(5) Criminal Rules for Superior Court (as renumbered)

Whereas, the Judicial Council caused copies of the proposed changes in rules to be distributed to interested individuals throughout the state, inviting and requesting comments and suggestions; and, after due consideration and careful revision by individual members of the Judicial Council, and by the council as a whole, the proposed changes
in rules, as finally revised and unanimously approved by the Judicial Council, were submitted to the Supreme Court; and

Whereas, all written comment and criticism filed with the Judicial Council was evaluated and given due consideration by the Judicial Council; and

Whereas, these proposed civil rules for Superior Court together with the other necessary proposed changes in rules were considered by individual members of the Supreme Court and by the Supreme Court as a whole; NOW THEREFORE,
IT IS ORDERED THAT:

## 1. Classification System for Court Rules.

The following classification system for court rules is adopted and the titles to existing Court Rules are amended to conform: (See Part I, General Rules, Rule 1)
[The above classification was amended by order of the court dated June 28, 1967. Such classification as amended is now General Rules, Rule 1.]
2. Proposed Amendments to Rules on Appeal.

The Judicial Council has proposed amendments to the Rules on Appeal, all appearing appropriate to coordinate the Rules on Appeal with changes made by the New Civil Rules For Superior Court. Action by the Supreme Court on these proposals is temporarily deferred for further study.

## 3. Rules of Pleading, Practice and Procedure.

The Rules of Pleading, Practice and Procedure are superseded by the following rules entitled as follows:
Civil Rules for Superior Court
Special Proceedings Rules for Superior Court
Criminal Rules for Superior Court
which are hereby adopted. The text for the newly adopted rules are annexed and by this reference are made a part of this order. There follows a table of cross references from the "RPPPs" to the new Rules.

## Cross References From Former RPPPs

 to New ROAs, CRs and SPRs| RPPP Nos. | New Rules |
| :---: | :---: |
| Rule 5.04W | CR 5(g) |
| Rule 7 | CR 7 |
| Rule 8 | CR 8 |
| Rule 8.04(1), |  |
| sentence | CR 10(e) |
| Rule 8.04(1), |  |
| 3rd sentence | CR 5(a) |
| Rule 8.04(1), |  |
| 4th sentence | Not Readopted |
| Rule 8.04W(2) | CR 5(d) |
| Rule 8.08W(1) | $\begin{gathered} \text { CR 6(d) \& } \\ 7(h)(3) \end{gathered}$ |
| Rule 8.08W(2) | Not Readopted |
| Rule 8.08W(3) | CR 59(e) |
| Rule 9 | CR 9 |
| Rule 10 | CR 10 |
| Rule 11 | CR 10 |
| Rule 12 | CR 12 |
| Rule 13 | CR 13 |
| Rule 14 | CR 14 |
| Rule 15 | CR 15 |
| Rule 15.04W | CR 15(e) |
| Rule 16 | CR 16 |
| Rule 17 | CR 17 |
| Rule 18 | CR 18 |
| Rule 19 | CR 19 |
| Rule 20 | CR 20 |
| Rule 21 | CR 21 |
| Rule 22 | CR 22 |
| Rule 23 | CR 23 |
| Rule 23(b) | CR 23.1 |
| Rule 23(b) | CR 23.2 |
| Rule 24 | CR 24 |
| Rule 25 | CR 25 |
| Rule 26 | CR 26 |
| Rule 27 | CR 27 |

## Appendix to Part IV

| $\begin{array}{r} R P P P \text { Nos. } \\ \text { Rule } 28 \ldots \ldots . \end{array}$ | New Rules CR 28 |
| :---: | :---: |
| Rule 29 | CR 29 |
| Rule 30 | CR 30 |
| Rule 31 | CR 31 |
| Rule 32 | CR 32 |
| Rule 33 | CR 33 |
| Rule 34 | CR 34 |
| Rule 35 | CR 35 |
| Rule 36 | CR 36 |
| Rule 37 | CR 37 |
| Rule 38.04W | CR 38(e) |
| Rule 40.04W(1) | CR 40(d) |
| Rule 40.04W(2) | CR 40(c) |
| Rule 41.04W(a) | CR 41 (b)(1) |
| Rule 41.04W(b) | CR 41(b)(2) |
| Rule 41.08W | CR 41(a) |
| Rule 42(a) | CR 42(b) |
| Rule 42(b) | CR 54(b) |
| Rule 42(c) | CR 62(h) |
| Rule 43.04W | CR 43(f) |
| Rule 43.08W | CR 43(a)(2) |
| Rule 43.12W | CR 43(g) |
| Rule 43.16W | CR 43(i) |
| Rule 44 | CR 44 |
| Rule 46.04W | CR 46 |
| Rule 49 | CR 49(a) \& ${ }^{\text {b }}$ ) |
| Rule 50 | CR 50(a) |
| Rule 51.04W | CR 51(a) thru (e) |
| Rule 51.08W | CR 51(f) thru (h) |
| Rule 51.12W | CR 51(h) |
| Rule 51.16W | CR 51(f) |
| Rule 52.04W | CR 52(a)(1) |
| Rule 52.08W, 1st paragraph. | CR 52(c) |
| Rule 52.08 W , |  |
| 2nd paragraph Rule $54.04 \mathrm{~W} .$. | CR 52(d) |
| Rule 54.04W | CR 54(e) |
| Rule 55.04W | CR 55(a)\& ${ }^{\text {(b) }}$ |
| Rule 55.08W | CR 55(f) |
| Rule 56 | CR 56 |
| Rule 59.04W | CR 59(a)\&(b) |
| Rule 59.08W | CR 59(i), 50(c) and (d), ROA 16 |
| Rule 60 | CR 60(a) |
| Rule 60.04W | CR 60(e) |
| Rule 63.04W | Not Readopted |
| Rule 66.04W | CR 66(c) thru (e) |
| Rule 66.08W | CR 43(e)(2) |
| Rule 68 | CR 68 |
| Rule 70 | CR 70 |
| Rule 77.04W | CR 43(d) |
| Rule 77.08W, |  |
| 1 st sentence | CR 54(e) |
| Rule 77.08W, |  |
| 2nd sentence | SPR 94.04W(e) |
| Rule 77.12W | Not Readopted |
| Rule 77.16W(1) |  |
| Rule 77.16W(4) | ROA 40(b) |
| Rule 77.20W | SPR 90.04W |
| Rule 77.24W | CR 77(h) |
| Rule 78.04W | CR 77(k) |
| Rule 80.04W | CR 43(j) |
| Rule 82.04W | CR 82 |
| Rule 83.04W | CR 83(a) |
| Rule 86 | CR 86(a) |
| Rule 89.04W | CR 2A |
| Rule 91.04W | SPR 94.04W |
| Rule 92.04W | SPR 93.04W |
| Rule 93.04W | SPR 98.16W |
| Rule 93.06W |  |
| [98.06W] | (Abrogated) |
| Rule 96.04W | SPR 91.04W |
| Rule 96.08W | CrR 100.04W |
| Rule 98.04W | SPR 98.04W |
| Rule 98.08W, |  |


| RPPP Nos. | New Rules |
| :---: | :---: |
| 1st paragraph | SPR 98.08W |
| Rule 98.08W, |  |
| 2nd paragraph | SPR 98.10W |
| Rule 98.12W | SPR 98.12W |
| Rule 98.16W | SPR 98.20W |
| Rule 101.04W | CrR 101.04W |
| Rule 101.08W | CrR 101.08W |
| Rule 101.12W | CrR 101.12W |
| Rule 101.16W | CrR 101.16W |
| Rule 101.20W | CrR 101.20W |
| Rule 101.24W | CrR 101.24W |

Reviser's note: For table of distribution of rules in effect prior to January 1, 1960, see the Appendix to Part IV, No. 4 infra.

## 4. Public Inspection.

This order and copies of the aforesaid rules be made available for public inspection as in the case of other orders and public records of the Supreme Court; and

## 5. Publication and Requests for Comments, etc.

The aforesaid Court Rules shall be published expeditiously in the Washington Decisions, together with notice that, for the purpose of due consideration and evaluation by the Supreme Court, comment, criticism, or objection to the aforesaid rules may be filed in writing not later than June 1, 1967, in the office of the Clerk of the Supreme court; and

## 6. Effective Date.

The rules referred to and incorporated herein by this order, be adopted subject only to further consideration and such revision as may be made by order of this Court, and become effective on July 1, 1967.
DATED this Sth day of May, 1967.

Approved:
Matthew W. Hill
Charles T. Donworth
Frank P. Weaver
Hugh J. Rosellini
Robert C. Finley,
Chief Justice
Robert T. Hunter
Orris L. Hamilton
Frank Hale

## FOREWORD

(to rules adopted May 5, 1967)
In January of 1961 Judge Donworth suggested to the Washington Judicial Council that certain civil rules for superior court be clarified. This resulted in a committee report in October of that year, recommending the adoption of five federal rules. Further suggestions for the adoption of certain federal rules were received about that time from Washington state attorneys and judges. By June of 1962 more than a dozen federal rules had been studied and their adoptions proposed. It was then decided to do an intensive study of the federal rules and to incorporate numerous suggestions that had been received from members of the Council, from judges and from attorneys. By this time it had become apparent to the Council's committee that in many areas Washington practice was preferable to federal practice.

By January 1964 the Sixth Draft had been prepared by the committee and considered by the Council at numerous meetings. This Draft was published as a service to the Bench and Bar by the West Publishing Company and widely distributed throughout that state to judges and local bar associations for their study, suggestions, and criticisms. The superior court judges of the state, at their annual Judicial Conference, discussed the proposed rules at length and submitted suggestions to the Judicial Council. Letters were received from bar associations and from individual attorneys suggesting various changes. These suggestions were considered at several meetings of the Judicial Council during 1965 and resulted in the Seventh Draft, which was submitted to the Supreme Court for its consideration.

The rules are designed to accomplish the following objectives:
(1) To provide a single trial manual with ready references to the procedural rules and statutes relating to the trial of cases in the Superior Court of Washington;
(2) To conform to the federal practice in all situations where there are no compelling reasons for perpetuating Washington practice, especially in the many situations where the Washington statutes, rules, and case law are confusing, obscure, or nonexistent;
(3) To preserve the Washington practice in all situations where the Washington practice is believed to be superior or where the matter is not adequately covered by federal rules;
(4) To eliminate many procedural traps now existing in Washington practice;
(5) To conform the Civil Rules for the Superior Court to the Civil Rules for the Justice Courts which also follow the format of the federal rules;
(6) To make available a ready reference to all authorities discussing the comparable federal rules.
The Court expresses its appreciation to the members of the committee of the Judicial Council who drafted the proposed rules. This committee, consisting of Judge Frank D. James, Senator Fred H. Dore, and Dan Reaugh, chairman, with the assistance of Professor Robert Meisenholder of the University of Washington School of Law as reporter, devoted many hours and much labor to this complex and extensive compilation. We are likewise grateful to the many lawyers and judges whose helpful suggestions have added materially in the formulation of the rules as now presented.

A final note is that most of the 1966 Amendments to the Federal Rules of Civil Procedure have been incorporated into the comparable Civil Rule.

Robert C. Finley, Chief Justice

## 2. EXPLANATION BY THE COURT

Format. So that the many text books on the Federal Rules will be readily usable in researching these Civil Rules for Superior Court, every effort has been made to maintain the format of the Rule Number and subdivision organization of the Federal Rules. Therefore, even though the text of a given subdivision of a Federal Rule is not adopted, the comparable text of the Washington Rule is included where appropriate under the comparable Federal subdivision. Where the Federal Rules contain no comparable subdivision for a Washington Rule, and when the subject of the Washington subdivision logically should be placed before a subdivision " (a)" of the applicable Federal Rule, the hyphen symbol " $(-)^{n}$ is used to identify the inserted subparagraph. For examples see Rules 4(-) and 17(-). In other words, the hyphen (-) subdivision always precedes an (a) subdivision. When a Washington subdivision logically follows the last subdivision of a Federal Rule, the Washington subdivision is added after the last Federal subdivision. For examples see subdivisions (e) of Rule 15 , and (i), (j), (k) and (l) of Rule 9. If there is no comparable Washington subdivision for a Federal subdivision, the Federal subdivision is included and designated as " [Reserved] ${ }^{\text {n }}$.

Statutes. Where a Washington procedural statute, not superseded by a rule, logically comes within the scope of the Format of the subject matter of the Federal Rules, a cross-reference is added after the most appropriate "[Reserved]" subdivision. For examples see subdivision (b), (c), and (d) of Rule 3 and (d), (e) and (f) of Rule 17. The inclusion of a cross-reference to a statute does not imply that there are no other pertinent statutes.

Comments by the court. Where it appears that all or part of a statute has been superseded by a Rule, a statement to that effect is included in the Comments. Statutes not superseded continue to be effective. The Comments also identify the sources of the Rules.

Abbreviations. These "Civil Rules for Superior Court" may be cited as "CRs"

## 3. ORDER CORRECTING AND AMENDING RULES——JUNE 28, 1967

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

Paper No. 25700A-104<br>CORRECTIONS and<br>AMENDMENTS TO<br>ORDER ADOPTING<br>(1) Classification System<br>for Court Rules<br>IN THE MATTER OF THE ADOPTION OF<br>RULES OF COURT<br>(2) Amendments to Rules on Appeal<br>(3) Civil Rules for<br>Superior Court<br>(4) Special Proceedings<br>Rules for Superior Court<br>(5) Criminal Rules<br>for Superior Court

Whereas, The Supreme Court of Washington on May 5, 1967, issued and published in 71 W.D. 2d No. 1A, new court rules primarily applicable to the Superior Court, to become effective on July 1, 1967, and

Whereas, the Supreme Court individually, and in executive session, has received and considered comments, suggestions, and objections as requested in the May 5, 1967 order, and

Whereas, most suggestions and objections not adopted will be referred to the Judicial Council for further study,

NOW, THEREFORE, it is ORDERED that:

1. A new General Rule 1 relating to the classification of Court Rules is adopted to read:
(Reviser's note: See Part I, GENERAL RULES, Rule 1) The titles to all Court Rules are amended to conform.
2. On page vi of the May 5, 1967, order, the table of cross-references is amended by deleting "Rule 93.06W [98.06W] . . . SPR 98.06W."
3. The Rules on Appeal (ROA) are amended as follows:
(a) ROA 15 , entitled "Jurisdiction, Effect of Appeal on", is amended by substituting:
"A party may appeal from any order, judgment or decree enumerated in ROA 14 by giving notice of appeal as provided in ROA 33 and ROA 46. Except when the running of time for appeal is suspended as otherwise provided in these rules,"
for:
"A party may appeal from any order, judgment, or decree enumerated in Rule 14 by giving notice of appeal as provided in Rule 33, and"

Comment. The amendment coordinates with other rules such as ROA 33(6) and 46(b)(1) the suspending or extending the running of the time for filing the notice of appeal when certain post-trial motions are pending.
(b) ROA 16, entitled "Powers of Supreme Court", is amended by adding at the end a new paragraph reading:
"An appeal to the Supreme Court from a judgment granted on a motion for judgment notwithstanding the verdict shall, of itself, without the necessity of a cross-appeal, bring up for review the ruling of the trial court on the motion for a new trial; and the Supreme Court shall, if it reverses the judgment entered notwithstanding the verdict, review and determine the validity of the ruling on the motion for a new trial."

Comment. The paragraph added is identical to the last sentence from RPPP 59.08 W which is superseded.
(c) In heading and in text of ROA 27, entitled "Exception to Sure$t y^{n}$, change "Exception" to "Objection" and "except" to "object" and "excepts" to "objects."

## Appendix to Part IV

Comment. This change from exceptions to objections is consistent with the Proposed CR-46 relation to objections.
(d) Paragraph (6) of ROA 33, entitled "Notice of Appeal and Cross-appeal in Civil Cases ${ }^{n}$ is amended to read:
"(6) Extension of Time for Filing Notice of Appeal. If a timely motion is made for judgment notwithstanding the verdict under CR $50(\mathrm{~b})$, for the amendment of findings under CR 52(b), for vacation of judgment under CR 52(d), and/or for reconsideration, etc., under CR 59, the notice of appeal may be filed within 30 days after the entry of the order granting or denying the motion."

Comment. Paragraph (6) is amended to clarify the effect on the running of the time for appeal when the enumerated motions are pending in the superior court.
(e) ROA 35, entitled "Statement of Facts, What Constitutes", is amended by adding in the first sentence "any objections or" between "and" and "exceptions in the cause"

Comment. The phrase "exceptions in the cause" is not deleted because some statutes relating to the review of administrative ruling require "statements of exceptions" ${ }^{n}$.
(f) ROA 40, entitled "Return of Statement of Facts", is amended by:
(1) Changing title to "Statement of Facts".
(2) The present text of Rule on Appeal 40 is designated as subdivision (b) with the subtitle of "(b) Use by Counsel"
(3) Adding new subdivisions (a) and (c) and comment reading:
(a) Notice of Filing. When the proposed statement of facts is received by the clerk of the superior court, the clerk shall promptly notify the Supreme Court of the filing.
"(c) Forwarding to Supreme Court. The clerk of the superior court shall not forward the statement of facts to the clerk of the Supreme Court until the time for filing the respondent's brief has elapsed, except by consent in writing of respondent's counsel."
"Comment. Subdivision (c) follows and supersedes RPPP 77.16W(4)."
4. The Civil Rules for Superior Court (CRs) are amended as follows:

Page in
71 W.D.
$2 d$ No $1 A$
CR
Line Amendment

| xxix | Table of Contents |  | Prior to "Rule 81 " insert "XI GENERAL PROVISIONS (Rule 81-86) ... $119^{n}$ |
| :---: | :---: | :---: | :---: |
| 2 | 2A | 4th | after "open court" strike "and" and insert: "before a court reporter, or" |
| 5 | 4(d)(1) | 1st | In subheading delete "with" and insert "and/or" |
| 6 | 4(d)(2) | 1st | Delete "23.52.051-056" and insert " 23 A .08 .110 and 23A.32.100" |
| 13 | 6(a) |  | Strike last sentence |
| 21 | 10(e)(4) | 1 st | Change "each attorney" to "all persons" |
| 63 | 38(b) |  | Strike the last sentence |
| 69 | 41 (e) |  | Add a new subdivision reading: <br> "(e) Notice of Settlements. If a case is settled after it has been assigned for trial, it shall be the duty of the |

Page in
71 W.D.
2d No 1A
CR
Line
Amendment
attorneys or of any party appearing pro se to notify the court promptly of the settlement. If the settlement is made within 5 days before the trial date, the notice shall be made by telephone or in person. All notices of settlement shall be confirmed in writing to the clerk."
Comment. Subdivision (e) is added to enable the courts to make fuller use of all court facilities.

After "office" in line 13, insert "or official custody of the seal of the political subdivision ", and at the end add: "or the seal of the political subdivision."

| 83 | 50(a) |  | At end of comment delete <br> nit supersedes RCW 4.56- <br> .150 n and insert "Subdivi- |
| :--- | :--- | :--- | :--- |
| sion (a) does not supersede |  |  |  |

85 51(d)(1) —— At end add following sentence: "If the instruction in WPI allows or provides for a choice of wording by the use of brackets or otherwise, the written request which designates the number of the instruction shall also designate the choice of wording which is being requested."

Insert "in in "Visiting"
Add a new subsection reading:
"(e) Destruction of Records. [Reserved-See RCW 36.23.070.]

Last sentence is amended to read:
"In controverted matters, the use of recording devices shall be at the direction of the court, unless a party of record or his counsel makes timely objection prior to the commencement of the proceedings. ${ }^{n}$
119 81-86

Prior to "Rule $81^{n}$ insert "XI GENERAL PROVISIONS (Rules 81-86) "
5. The Special Proceedings Rules (SPRs) for Superior Court are amended as follows:


| Page in 71 W.D. |  |  |  |
| :---: | :---: | :---: | :---: |
| 2d No 1A | SPR | Line | Amendment |
| 123 | 91.04 W | - | After "91.04" add "W" |
| 123 | $91.04 \mathrm{~W}(\mathrm{a})$ | 4th | Delete "defendant" |
| 124 | $91.04 \mathrm{~W}(\mathrm{c})$ | 3d | Delete "defendant" |
| 124 | $91.04 \mathrm{~W}(\mathrm{~d})$ | $\begin{gathered} 1,2 \\ \& 4 t h \end{gathered}$ | Delete "defendant" |
| 124 | $91.04 \mathrm{~W}(\mathrm{e})$ | 2d | After "garnishment" insert: "on the defendant and on the garnishee" |
| 124 | 91.04W(all) | - | Amend comment at end to read: <br> ${ }^{\text {n }}$ Comment. Amendments to RPPP 96.04W are made to conform to 1967 Amendments to Garnishment Statutes. ${ }^{n}$ |
| 125 | 93.04W | 1st | Between "proceeding" and "shall" insert "insofar as it affects or concerns the adopters". |
| 126 | $98.04 \mathrm{~W}(\mathrm{a})$ | 5th | Delete "distributee" and insert "legatee and devisee" |
| 126 | $98.04 \mathrm{~W}(\mathrm{~b})$ | 7th | Delete "of" and insert "to". |
| 126 | 98.06W | all | Delete the Rule since it expires on July 1, 1967. |

6. The Criminal Rules for Superior Court (CrRs) are amended as follows:

| $\begin{aligned} & \text { Page in } \\ & 71 \text { W.D. } \end{aligned}$ |  |  |  |
| :---: | :---: | :---: | :---: |
| 2 N No 1A | $C r$ R | Line | Amendment |
| 131-136 | all | - | In all comments references to "former Rule" should be changed to "RPPP" |
| 131 | 101.04W(a) | 1 \& 2d | Delete ${ }^{\text {n Rem. Rev. Stat. § }}$ 2148 [P.C. 9214]" and insert "RCW 10.52.040". |

7. Effective Date. The amendments provided by this order shall become effective on July 1, 1967.
Dated this 28th day of June, 1967

|  | Robert C. Finley <br> Chief Justice |
| :--- | :--- |
| Matthew W. Hill | Hugh J. Rosellin |
| Charles T. Donworth | Robert T. Hunter |
| Marshall A. Neill | Orris L. Hamilton |
| Frank Hale | Frank P. Weaver |

4. Table of distribution of general rules of superior courts in effect prior to January 1, 1960 into the rules of pleading, practice and procedure which were superseded on July 1, 1967.
GRSC
Number
1
2
3
4
5
6
7
8
9
10
11
12
RPPP
Number
8.04 W
15.04 W
Superseded
55.04 W
91.04 W
8.08 W
78.04 W
40.04 W
43.08 W
89.04 W
101.12 W
43.12 W

| GRSC | RPPP |
| :---: | :---: |
| Number | Number |
| 13 | 51.04 W |
| 14 | 77.08 W |
| 15 | 52.08 W |
| 16 | Superseded |
|  | by old |
|  | RPPP 45. |
|  | Appears as |
|  | 59.04 W |
| 17 | 52.04 W |
| 18 | 66.08 W |
| 19 | 98.08 W |
| 20 | 96.08 W |
| 21 | 98.12 W |
| 22 | 54.04 W |
| 23 | 77.12 W |
| 24 | 77.16 W |
| 25 | 77.20 W |
| 26 | 77.24 W |
| 27 | 101.16 W |
| 28 | 83.04 W |
| 29 | 92.04 W |
| 30 | 55.08 W |
| 31 | 63.04 W |
| 32 | 93.04 W |
| 33 | 101.20 W |
| 34 | 101.24 W |

5. Table of distribution of rules of pleading, practice and procedure in effect prior to January 1, 1960 into the rules of pleading, practice and procedure which were superseded on July 1, 1967.

| Old RPPP | RPPP |
| :---: | :---: |
| Number | Number |
| 1 | 82.04 W |
| 2 | Superseded |
| 3 | 41.04 W |
| 4 | 41.08 W |
| 5 | 96.04 W |
| 6 | Superseded |
| 7 | 60 |
| 8 | 51.08 W |
| 9 | 51.12 W |
| 10 | 51.16 W |
| 11 | 46.04 W |
| 12 | 101.04 W |
| 13 | 60.04 W |
| 14 | 59.08 W |
| 15 | 101.08 W |
| 16 | 16 |
| 17 | 80.04 W |
| 18 | $18(\mathrm{~b})$ |
| 19 |  |
| sub. 1. | 56 |
| sub. 2. | $12(\mathrm{c})$ |
| 20 | 50 |
| 21 | 68 |
| 22 | 22 |
| 23 | 70 |
| 24 | 98.16 W |
| 25 | 77.04 W |
| $26-37$ | $26-37$ |
| 38 | 44 |
| 39 | 66.04 W |
| 40 | 38.04 W |
| 41 | 98.04 W |
| 42 | 43.04 W |
| 43 | 49 |
| 44 | None (Old rule |
|  | abbrogated certain |
|  | statutes which |
|  | statutes were |
|  | subsequently |
|  | repealed by |
|  |  |

# INDEX FOR RULES OF COURT PARTS I-IV 

INDEX KEY

## Abbreviation

| APR | Admission to Practice Rules |
| :--- | :--- |
| AR | Superior Court Administrative Rules |
| CAR | Court of Appeals Administrative Rules |
| CJC | Code of Judicial Conduct |
| CPR | Code of Professional Responsibility |
| CR | Superior Court Civil Rules |
| CrR | Superior Court Criminal Rules |
| DRA | Discipline Rules for Attorneys |
| JuCR | Juvenile Court Rules |
| MPR | Superior Court Mental Proceedings Rules |
| RAP | Rules of Appellate Procedure |
| SAR | Supreme Court Administrative Rules |
| SPR | Superior Court Special Proceedings Rules |


|  | Rule | Number |
| :---: | :---: | :---: |
| Accident or Surprise New trial, grounds | CR | 59(a) |
| Accord and Satisfaction Affirmative defense, pleading | CR | 8(c) |
| Accounts Receivership, filing, special notice | CR | 66(d) |
| Action |  |  |
| Against nonresident | CR | 82(a) |
| Brought in wrong county Civil See Civil Action | CR | 82(b) |
| Consolidation | CR | 42 |
| Corporation, enforcement of right | CR | 23.1 |
| Cost, security | CR | 7(d) |
| Court, perpetuation of testimony ...... Criminal See Criminal Cases | CR | 27(c) |
| Dismissal Involuntary Voluntary | CR CR | 41(b) 41(a) |
| Divorce See Divorce Effect of tolling statute | CR | 3(b) |
| Intervention. | CR | 24 |
| Lis pendens | CR | 3(d) |
| Parties designated | CR | 17(-) |
| Pending decisions, list of | CR | 79(f) |
| Pending, effect of effective date of civil rules | CR | 86 |
| Placing on calendar, methods . . . . . . . . . | CR | 40(b) |
| Real party in interest | CR | 17(a) |
| Shareholder, derivative | CR | 23.1 |
| Superior Court, form | CR | 2 |
| Unincorporated association | CR | 23.2 |


|  | Rule | Numbe |
| :---: | :---: | :---: |
| Adjournment |  |  |
| Cause to remain on docket, no new notice needed | CR | 40(a)(3) |
| Court of appeal | CAR | 5 |
| Power, automatic, effect | CR | 77(g) |
| Supreme court | SAR | 5 |
| Administrator |  |  |
| Capacity to sue | CR | 17(b) |
| Claims by, settlement | SPR | 98.08W |
| Compensation | SPR | 98.10 W |
| Admission |  |  |
| Document, genuineness |  |  |
| Effect | CR | 36(b) |
| Request | CR | 36(a) |
| Hearings for discipline of attorney | DRA | 3.2()) |
| Admission to practice |  |  |
| Applicant, classification | APR | 1 |
| Approved law school defined | APR | 2A |
| Attorney applicant |  |  |
| Application |  |  |
| false statement, discipline | CPR | 1DR1-101 |
| fee | APR | 3B5 |
| filing unqualified person, furthering applica- | APR | 3B4 |
| tion prohibited | CPR | 1DR 1-101 |
| Certificate of good standing | APR | 3B8 |
| Classification | APR | 1 |
| Defined | APR | 3A |
| Definitions | APR | 3A |
| Examination, See Examinations |  |  |
| Oath | APR | 3B4 |
| Oral examination | APR | 3B9 |
| Qualifications | APR | 3B |
| Retake of examination for reinstatement | DRA | 8.7(a) |
| Statement of practice | APR | 3B6, 7 |
| Bar examination required | APR | 1 |
| Board of governors |  |  |
| See also Board of Governors APR 5D |  |  |
|  |  |  |
| Rules for admission for educational purposes | APR | 8 |
| Special investigation | APR | 6 |
| Certificate of results | APR | 5A |
| Committee of law examiners | APR | 5A, B |
| Educational purposes | APR | 8 |
| Examinations |  |  |
| Attorney applicant | APR | 4B |
| Certificate of results | APR | 5A |
| Failure | APR | 4 C |
| General applicant | APR | 4A |
| General applicant |  |  |
| Application, filing, fees | APR | 2 C |
| Approved law school defined | APR | 2A |
| Classification | APR | 1 |
| Defined | APR | 2A |
| Definitions | APR | 2A |
| Examination, See Examinations |  |  |
| Qualifications | APR | 2B |
| Indigent representation | APR | 7B |
| Law clerk |  |  |
| See also General applicant |  |  |
| Application | APR | 2D2 |
| Change of rules, effect | APR | 2D6 |
| Course of study | APR | 2D3-5 |
| Employment | APR | 2D2 |
| Requisites | APR | 2D1 |
| Statement of employer | APR | 2D2 |
| Law school, approved, defined | APR | 2A |
| Member of bar from other jurisdiction | APR | 7 |
| Oath of attorney |  |  |
| Form | APR | 5G |
| Taking | APR | 5F |


| Time limit | Rule APR | $\begin{aligned} & \text { Number } \\ & \text { SC } \end{aligned}$ | When presented | Rule CR | $\begin{aligned} & \text { Number } \\ & \text { 12(a) } \end{aligned}$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Recommendation by board of governors | APR | 5D |  |  |  |
| Reinstatement after disbarment | DRA | VIII | Appeal |  |  |
| Residence requirements | APR | 5B | Accelerated disposition, of review proceeding | RAP | 17.8 |
| Special investigations | APR | 6 | See also Settlement conference, order fol- |  |  |
| State bar membership required, exception | APR | 7 | lowing | RAP | 18.11(h) |
| Supreme court order |  |  | Acceptance of review |  |  |
| Entering | APR | 5E | Of court of appeals decision | RAP | 13.6 |
| Revocation | APR | 10 | Of trial court decision, by appellate court, defined | RAP | 6.1 |
| Adoption |  |  |  |  | 6.2 |
| Final decree of, not appealable | RAP | 2.2 | Additional authorities, statement of, after |  |  |
| Findings, conclusions, required | CR | 52(a)(1) | briefs filed | RAP | 10.8 |
| Report, disposition | SPR | 93.04 W | Address Of all attorneys, in notice of appeal | RAP | 5.3(c) |
| Adoption by reference |  |  | Of defendant in criminal case |  |  |
| Statements in pleadings may be | CR | 10(c) | Change of, during review, advice of In notice of appeal | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 5.3(\mathrm{c}) \\ & 5.3(\mathrm{c}) \end{aligned}$ |
| Advance Sheets |  |  | Adoption |  |  |
| Publication | SAR | 17 | Final decree of, not appealable | RAP | 2.2 |
|  |  |  | Interlocutory decree of, appealable | RAP | 2.2 |
| Adverse Party |  |  | Agreed report of proceedings, content and form of | RAP | 9.4 |
| Argument following instructions to jury . | CR | 51(g) | See also Report of proceedings |  |  |
| Designation of, in appellate court proceed- ings . . . . . . . ...... ings | RAP | 3.4 | Amicus Curiae |  |  |
| Examination not precluded by interrogatory, deposition | CR | 43(f)(2) | Motion to file brief Oral argument by | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 10.6 \\ & 11.2(\mathrm{~b}) \end{aligned}$ |
| Judgment, offer of .................... | CR | 68 | See Brief of amicus curiae |  |  |
| May bring issue to trial | CR | 40(a)(5) | Appeal from court of appeals decision |  |  |
| Negotiations with .... | CPR | DR7-107 | Acceptance of | RAP | 13.2 |
| Notice |  |  | Defined | RAP | 13.1 |
| Preliminary injunction Temporary restraining order, when not | CR | 65(a)(1) | See also Notice of appeal from court of appeals decision |  |  |
| needed | CR | 65(b) | Appeal from trial court decision |  |  |
| Perpetuation of testimony | CR | 27(a)(2) | Acceptance of, by appellate court | RAP |  |
| Summary judgment | CR | 56(c) | Defined |  | .1(a) |
| Witness, notice | CR | 43(f)(1) | See also Appealable trial court decision; Notice of appeal from trial court decision |  |  |
| Affidavit Bad faith, payment of expenses, contempt | CR | 56(g) | Appeal to United States supreme court, stay |  |  |
| Default, motion, supporting ............ | CR | 55(a) | of mandate pending ....... | RAP | 12.6 |
| Form, further testimony . . | CR | 56(e) | Appealable trial court decision |  |  |
| New trial, time for serving | CR | 59(c) | Defined ..................... | RAP |  |
| Service with motion | CR | 6(d) | Procedure to dispute that decision Appellant |  |  |
| Sureties, appeal bond accompanied by, when | RAP | 8.4 | Defined | RAP | 3.4 |
| Trial, continuance | CR | 40(e) | Defined ....................... | RAP | 3.4 |
| Unavailable, procedure | CR | 56(f) | peal | RAP | 10.1(f) |
| Agreement |  |  | For purpose of oral argument, in event of cross-appeal | RAP | 11.4(c) |
| Between parties in civil action | CR | 2A | Appellate court |  |  |
| Amendment |  |  | Actions which may be taken by, in disposing of review proceeding | RAP | 12.2 |
| Changing party whom claim is against | CR | 15(c) | Additional evidence taken by ........ | RAP | 9.11 |
| Counterclaims, when omitted | CR | 13(f) | Addition to record on review by | RAP | 9.10 |
| Erasing, adding words | CR | 15(e) | Authority to act in case, generally | RAP | 7.3 |
| Juvenile court petition | JuCR | 2.1 | Orders of, authorized to insure effective |  |  |
| Pleading |  |  | review by | RAP | 8.3 |
| Insertion of true name | CR | 10(a) | Supplementing record on review, by | RAP | 9.10 |
| Manner, response | CR | 15(a) |  |  | 9.11 |
| Must conform to evidence | CR | 15(b) | Supreme court and court of appeals both |  |  |
| Relating back | CR | 15(c) | termed | RAP | 1.1(d) |
| Amicus Curiae |  |  | Appellate court decision. See Decision of appellate court |  |  |
| Motion to file brief of | RAP | 10.6 | Argument |  |  |
| Oral argument by | RAP | 11.2(b) | In brief | RAP | 10.3(a) |
| See also Brief of amicus curiae |  |  | On issue raised by court sua sponte | RAP | 12.1(b) |
|  |  |  | In motion | RAP | $17.3(\mathrm{a})$ |
| Answer |  |  | In motion for discretionary review | RAP | 17.3(b) |
| Interrogatory |  |  | In personal restraint petition | RAP | 16.7(a) |
| Instructions to jury when accompanying general verdict | CR | 49(b) | In petition for review . . . . . . . . . . . . . . <br> See also Oral argument; Oral argument of | RAP | 13.4(d) |
| Juvenile court petition, to .............. | JuCR | 2.1 | motion |  |  |
| Pleadings |  |  | Arrest, order of, in civil case, when appeal- |  |  |
| Civil action | CR | 7 | able | RAP | 2.2(a) |
| Discipline of attorney .............. | DRA | 3.1 | Arrest of judgment |  |  |

[Index to Parts I-IV——p 90]


| Invoice by, for expenses in indigent's case | $\begin{aligned} & \text { Rule } \\ & \text { RAP } \end{aligned}$ | Number <br> 15.4(e) | Criminal proceeding | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Notice of appeal, filing and service by | RAP | 5.4 | Address of defendant in, duty of attorney |  |  |
| Notice for discretionary review, filing and service by | RAP | 5.4 | to furnish ............ | RAP | $\begin{aligned} & 5.3(\mathrm{c}) \\ & 2.2(\mathrm{~b}) \end{aligned}$ |
| Record on review, transmittal by ..... | RAP | 9.8 | With multiple counts, when partial judg- |  |  |
| Clerk's papers |  |  | ment appealable in | RAP | 2.2(c) |
| Abbreviation for, in brief | RAP | 10.4(f) | Notice of appeal for defendant in |  |  |
| Assembly of, for transmittal to appellate court | RAP | 9.7(a) | Address to be included in Clerk to file | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 5.3(\mathrm{c}) \\ & 5.3(\mathrm{j}) \end{aligned}$ |
| Defined | RAP | 9.1 (c) | Notice for discretionary review for defen- |  |  |
| Designation of |  |  | dant in |  |  |
| By appellant or petitioner | RAP | 9.6 | Address to be included | RAP | 5.3(c) |
| By opposing party | RA | 9.6 | Clerk to file | RAP | 5.3(j) |
| Index of See also Record on review | RAP | 9.7(a) | Release of defendant by trial court in Objection to trial court ruling upon, in |  |  |
| Comments of advisory task force, effect of | RAP | 18.24 | appellate court | RAP | 8.2 (b) |
| Commissioner of appellate court, authority to act | RAP | 1.1(f) | While review pending | RAP | $7.2(\mathrm{f})$ $8.2(\mathrm{a})$ |
| See Clerk of appellate court |  |  | Revocation of deferred or suspended sen- |  |  |
| Commitment, order of, after sanity hearing, appealable | RAP | 2.2(a) | tence during . . . . . . . . . . . . | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 7.2(\mathrm{f}) \\ & 1.1(\mathrm{e}) \end{aligned}$ |
| Condemnation action, order of public use and necessity in, appealable | RAP | 2.2(a) | Cross review defined <br> See also Appellant, for purpose of briefs, | RAP | 5.1(d) |
| Confined person. See Criminal proceeding, release of defendant by trial court in; Personal restraint proceeding, release from confinement in; Sanity hearing, order of commitment after |  |  | for purpose of oral argument; Petitioner, for purpose of briefs, for purpose of oral argument; Respondent, notice of appeal by, notice for discretionary review by, for purpose of briefs, for pur- |  |  |
| Conservator, right to personal restraint petition | RAP | 16.6(a) | pose of oral argument <br> Custody, release of person from. See Crimi- |  |  |
| Conservatorship for adult, order establishing, appealable | RAP | 2.2(a) | nal proceeding, release of defendant by trial court; Personal restraint proceeding, |  |  |
| Consolidated cases, notice of appeal or notice for discretionary review in | RAP | 5.3(e) | release from confinement in Dating of papers | RAP | 18.7 |
| By appellate court, procedure for | RAP | 3.3(b) | Death of party, proceedings authorized be- |  |  |
| By court of appeals, effect of, for purpose of review by supreme court ....... | RAP | 3.3(b) | fore substitution, in event of ........ See also Substitution of parties | RAP | 3.2(d) |
| By trial court, effect of, for purpose of review | RAP | 3.3(a) | Death penalty Direct review of trail court decision im- |  |  |
| Cost bill |  |  | posing | RAP | 4.2(a) |
| Filed with appellate court | RAP | 14.4 | Stay of mandate when appealed to United |  |  |
| Objections to | RAP | 14.5 | States Supreme Court | RAP | 12.6 |
| Remanded for new trial, when case | RAP | 14.4(b),(c) | Decision of appellate court |  |  |
| Form 10 RAP, Cost bill |  |  | Based on issues in briefs | RAP | 12.1 |
| Form 11 RAP, Objections to cost bill |  |  | To be on merits of case | RAP | 1.2 |
| Costs |  |  | On motion, forms of | RAP | 17.6 |
| Award of | RAP | 14.6(a) | Recall of mandate |  |  |
| Court which makes | RAP | 14.1(b) | To correct error in | RAP | 12.9(b) |
| In mandate or supplemental judgment | RAP | 14.6(c) | To enforce compliance with | RAP | 12.9(a) |
| Objection to | RAP | 14.6(b) | Reconsideration of | RAP | 12.4(a),(h) |
| Party entitled to | RAP | 14.2 | When final | RAP | 12.7 |
| When made | RAP | 14.1(a) | See also Mandate; Reconsideration |  |  |
| On dismissal of proceeding at instance of party who sought review | RAP | 18.2 | Decision of Court of Appeals. See Court of Appeals, decision by |  |  |
| Expenses allowed as | RAP | 14.3 | Decision terminating review |  |  |
| Power of appellate court to act upon, after mandate issued | RAP | 12.7(c) | By Court of Appeals, review by Supreme Court of | RAP | 13.3(d) |
| Counsel. See Attorney |  |  | Defined | RAP | 12.3(a) |
| Court of appeals |  |  | Decision of trial court |  |  |
| Decision by |  |  | Accepting benefit of, as limiting right of |  |  |
| Appealable to supreme court | RAP | 13.2(a) | review | RAP | 2.5(b) |
| Discretionary review of | RAP | 13.3 | Appealable | RAP | 2.2 |
| Becomes final, when | RAP | 12.7(a) | Defined | RAP | 2.1(a) |
| Terminating review, petition for review of | RAP | 13.4 | Effect of, until superseded <br> Made after review of case has been ac- | RAP | 7.2(c) |
| Division of, counties included in | RAP | 4.1(b) | cepted, procedure to seek review of | RAP | 5.1(f) |
| Personal restraint, division of, in which petition filed | RAP | 16.8(b) | Modification of by appellate court, effect of, when it was not superseded | RAP | 12.8 |
| Trial court decisions reviewed by ..... See also Decision of appellate court | RAP | 4.1(a) | Reversal of by appellate court, effect of, when it was not superseded | RAP | 12.8 |
| Court reporter |  |  | Reviewable by Court of Appeals ..... | RAP | 4.1(a) |
| Arranging payment to, for verbatim report | RAP | 9.2(a) | Reviewable at discretion of appellate court | RAP | 2.3 |
| Charges by, for preparing record for indigent party, how claimed | RAP | 15.4(b),(d) | Reviewable by Supreme Court directly See also Order of trial court | RAP | 4.2(a) |
| Form 14 RAP, Invoice of court report-er--Indigent case |  |  | Deferred sentence, revocation of Delay | RAP | 7.2(f) |


|  | Rule | Number |
| :---: | :---: | :---: |
| Of appeal after entry of partial judgment, finding by trial court of no just reason |  |  |
| Appeal or other review proceeding taken |  |  |
| Dismissal of review proceeding because of | RAP | 18.9(b) |
| Motion to dismiss review proceeding because of | RAP | 18.9(c) |
| Use of rules for purposes of, sanctions for | RAP | 18.9(a) |
| Designation of clerk's papers and exhibits |  |  |
| Content of | RAP | 9.6 |
| Time when served and filed | RAP | 9.6 |
| Direct review by Supreme Court of trial court decision |  |  |
| Grounds for | RAP | 4.2(a) |
| Statement of grounds for | RAP | 4.2(b) |
| Transfer of case from Court of Appeals to accomplish | RAP | 4.3 |
| Form 4 RAP, Statement of grounds for direct review |  |  |
| Discretionary review of Court of Appeals decision |  |  |
| Acceptance by Supreme Court of | RAP | $\begin{aligned} & 13.5(b) \\ & 13.6(b) \end{aligned}$ |
| Motion for, cases in which permitted | RAP | 13.3(c) |
| Petition for, cases in which permitted | RAP | 13.3(b) |
| Form 3 RAP, Motion for discretionary review |  |  |
| Form 9 RAP, Petition for review |  |  |
| Discretionary review of trial court decision |  |  |
| Acceptance of | RAP | 6.1 |
|  |  | 6.2 |
| Defined | RAP | 2.1(a) |
| Denial of, effect on rights of petitioner of | RAP | 2.3(c) |
| On motion for order of indigency | RAP | 15.2(e) |
| Right of party to seek | RAP | 2.3(a) |
| Dismissal of review proceeding |  |  |
| For failure to prosecute | RAP | 18.9(b) |
| On motion of party who sought review | RAP | 18.2 |
| On motion of respondent | RAP | 18.9(c) |
| By settlement conference order | RAP | 18.11(h) |
| By stipulation of parties | RAP | 18.2 |
| Error. See Assignments of error |  |  |
| Evidence |  |  |
| Additional, to supplement record on review | RAP | 9.11 |
| Pretrial order suppressing, in criminal proceeding, appealable | RAP | 2.2(b) |
| Report of proceedings, to be included in | RAP | $\begin{aligned} & 9.2(b) \\ & 9.3 \end{aligned}$ |
| Execution on original judgment, unless superseded |  |  |
| Exhibits |  |  |
| Designation of, as part of record on appeal |  |  |
| By appellant or petitioner | RAP | 9.6 |
| By opposing party | RAP | 9.6 |
| Disposal of, by appellate court | RAP | 18.4 |
| Return of |  |  |
| To party | RAP | 18.4(b) |
| To trial court, on remand for further proceedings | RAP | 18.4(a) |
| Transmittal of, to appellate court |  |  |
| Assembly for | RAP | 9.7(c) |
| Undue expense of | RAP | 9.8(b) |
| Use of, in oral argument | RAP | 11.5(d) |
| Federal court local law certificate procedure act |  |  |
| Proceedings in Supreme Court under | RAP | 16.16 |
| Filing |  |  |
| By mail, generally | RAP | 18.6(c) |
| Of papers in appellate court, generally See Time to file | RAP | 18.5(c) |
| Filing fee |  |  |
| Notice of appeal | RAP | 5.1(b) |
| Notice for discretionary review | RAP | 5.1 (b) |
| Personal restraint petition | RAP | 16.8(a) |
| Finding by trial court |  |  |


|  | Rule | Number |
| :---: | :---: | :---: |
| Order of indigency, of reasons, to be included in | RAP | 15.2(b) |
| Partial judgment, of no just reason for delay of appeal after entry of | RAP | 2.2(c) |
| Personal restraint proceeding reference, on | RAP | 16.12 |
| Forms in appendix, use of | RAP | 18.10 |
| Grounds for appeal |  |  |
| From Court of Appeals decision | RAP | 13.2 |
| From trial court decision | RAP | 2.2 |
| Grounds for direct reviewby Supreme Court of trial court decision | RAP | 4.2(a) |
| Grounds for discretionary review |  |  |
| Of Court of Appeals decision | RAP | 13.3 |
| Of trial court decision | RAP | 2.3(b) |
| Guardian, right to personal restraint petition | RAP | 16.6(a) |
| Guardianship for adult, order establishing, appealable | RAP | 2.2(a) |
| Habeas corpus. See Personal restraint petition |  |  |
| Incompetency, order of, appealable See also Legal disability of party; Substitution of parties | RAP | 2.2(a) |
| Indictment, order dismissing, appealable | RAP | 2.2(b) |
| Indigent appeal allotment, credit to | RAP | 15.6 |
| Indigent party |  |  |
| Claim for expenses on behalf of |  |  |
| Allowance of | RAP | 15.5 |
| Invoice for | RAP | 15.4 |
| Costs of suit recoverable by | RAP | 14.3(c) |
| In personal restraint proceeding |  |  |
| Appointment of attorney for | RAP | 16.15(g) |
| Briefs and other papers of, charges of copying for | RAP | 16.15(g) |
| Statement of finances in petition by | RAP | 16.7(a) |
| Trial court rulings on indigency of, while review is pending | RAP | 7.2(g) |
| Form 12 RAP, Order of indigency |  |  |
| Form 13 RAP, Invoice of counsel for indigent party |  |  |
| Form 14 RAP, Invoice of court report-er-_Indigent case |  |  |
| See also Attorney for indigent party; Order of indigency |  |  |
| Information, order dismissing, appealable | RAP | 2.2(b) |
| Injunction |  |  |
| In force pending decision, terminated on issue of mandate | RAP | 8.6 |
| Issued to accomplish effective review | RAP | 8.3 |
| State officer, in action against, direct review of case brought to obtain | RAP | 4.2(a) |
| Interlocutory decision |  |  |
| Of appellate court, defined | RAP | 12.3(b) |
| Of Court of Appeals, review by Supreme Court of | RAP | 13.3(c) |
| Of trial court which may be appealed |  |  |
| Generally | RAP | 2.2(a) |
| By state, in criminal case | RAP | 2.2(b) |
| Of trial court subject to discretionary review |  |  |
| Interpretation of Rules of Appellate Procedure .............................. RAP 1.2(a) |  |  |
| Appended comments, as affecting | RAP | 18.24 |
| Employing word must, shall, should or will | RAP | 1.2(b) |
| Issues on motion for reconsideration, statement of | RAP | 12.4(c) |
| Issues presented for review |  |  |
| Amicus curiae brief, by motion to file | RAP | 10.6(b) |
| Direct review of trial court decision by Supreme Court, by statement of grounds for | RAP | 4.2(a),(b) |
| Discretionary review by Supreme Court of Court of Appeals decision denying discretionary review of trial court decision, by motion for | RAP | 13.3 |


| Discretionary review by Supreme Court of |  | Number | From Supreme Court |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Court of Appeals interlocutory deci- |  |  | Issue of, delayed . | RAP | 12.5(c) |
| sion, by motion for | RAP | 13.5(b) | Issue of, expedited | RAP | 12.5(c) |
| Notice of appeal from trial court decision, by | RAP | 2.4 | Stay of, pending appeal to United States Supreme Court | RAP | 12.6 |
| Notice for discretionary review of trial court decision, by | RAP | 2.4 | Mental incompetence. See Conservatorship |  |  |
| Petition for review |  |  | for adult, order establishing, appealable; |  |  |
| By answer to | RAP | 13.4(d) | Guardianship for adult, same, Legal dis- |  |  |
| By petitioner on | RAP | 13.4(b) | ability of party, proceedings authorized |  |  |
| Issues on review |  |  | pending substitution, in event of; Sanity |  |  |
| Assignments of error, as | RAP | 10.3 | hearing, order of commitment after, |  |  |
| As limited by law of the case doctrine | RAP | 2.5(c) | appealable |  |  |
| Raised by court | RAP | 12.1(b) | Modification of ruling of appellate court |  |  |
| Raised by party for first time on review | RAP | 2.5(a) | clerk. See Motion to modify ruling |  |  |
| Statement of |  |  | Modification of trial court decision |  |  |
| In civil appeal statement | RAP | 18.11(c) | By appellate court, effect of, when no su- |  |  |
| In notice of partial report of proceedings | RAP | 9.2(c) | persedeas | RAP | 12.8 |
| Joinder of parties |  |  | By trial court, procedure for, after review |  |  |
| Notice of appeal, in | RAP | 5.3(d),(i) | of case accepted | RAP | 7.2(e) |
| Notice for discretionary review, in | RAP | 5.3(d),(i) | Moot appeal or other review |  |  |
| In Supreme Court, on review of Court of Appeals decision | RAP | 13.7(d) | Motion in appellate court |  |  |
| Judgment of trial court |  |  | Affidavit in support of, serving and filing | RAP | 17.4(f) |
| Accepting benefit of, effect of | RAP | 2.5(b) | Content of, generally | RAP | 17.3 |
| Appealable | RAP | 2.2(a) | Copies of, number required | RAP | 17.4(g) |
| Appeal from order on post-trial motion |  |  | Decision on | RAP | 17.6 |
| includes appeal from, when | RAP | 2.4(c) | By clerk | RAP | 17.2(a) |
| Bond to supersede | RAP | 8.1 (b) | Forms of | RAP | 17.6 |
| Enforceable unless superseded | RAP | 7.2(c) | By judges | RAP | 17.2(a) |
| Notwithstanding verdict | CR | 50(c) | Objection to | RAP | 17.7(a) |
| Notwithstanding verdict, appeal from, includes ruling on motion for new trial | RAP | 2.4(d) | Referred by clerk to judges for Summary . . . . . . . . . . . . . | RAP | 17.2(b) $17.4(\mathrm{c})$ |
| Partial, appeal from, when multiple claims |  | 2.4 (d) | Emergency | RAP | 17.4(b) |
| included or multiple parties involved in |  |  | Filing of | RAP | 17.4(a) |
| case | RAP | 2.2(c) | Form of | RAP | 17.4(g) |
| Supplemental, award of appellate court costs in | RAP | 14.6(c) | Notice of |  |  |
| Jurisdiction |  |  | Regular hearing on | RAP | 17.4(a) |
| Of appellate court, lack of, as issue | RAP | 2.5(a) | Oral argument on | RAP | 17.5 |
| Of trial court |  |  | Response by opposing party to | RAP | 17.4(e) |
| After case accepted for review | RAP | 7.2 | Service of | RAP | 17.4(a) |
| Before case accepted for review | RAP | 7.1 | Service of, proof of | RAP | 17.4(a),(b) |
| Lack of, as issue . . . . . . . . . | RAP | 2.5(a) | Summary determination, subject to | RAP | 17.4(c) |
| See also Acceptance of review; Appellate court, authority to act in case; Transfer |  |  | Supporting papers for, serving and filing RAP 17.4(f) Time |  |  |
| of case; Trial court authority |  |  | Of hearing | RAP | 17.4(a) |
| Juvenile court proceeding, orders appealabe in | RAP | 2.2(a) | For response to Form 18 RAP, Motion | RAP | 17.4(e) |
| Law of the case doctrine, effect of, on subse- |  |  | Form 19 RAP, Notice of motion |  |  |
| quent review | RAP | 2.5(c) | Motion in brief |  |  |
| Legal disability of party, proceedings author- |  |  | Determined by judges | RAP | 17.2(a) |
| ized pending substitution, in event of . | RAP | 3.2(d) | Kinds of, authorized | RAP | 10.4(d) |
| Legislation. See Statute |  |  |  |  | 17.4(b) |
| Local law question certified, Supreme Court proceeding to answer | RAP | 16.16 | Motion for discretionary review of Court of Appeals decision |  |  |
| Mandamus, writ of, procedure superseded | RAP | 2.1(b) | Acceptance of review by Supreme Courton, when granted .............RAP13.6(b) |  |  |
| See Direct review by Supreme Court of |  |  |  |  |  |
| trial court decision, grounds for; Peti- |  |  | Content of | RAP | 17.3 |
| tion against state officer |  |  | Dismissal of, when not timely filed | RAP | 18.9(b),(c) |
| Mandate |  |  | Grounds for | RAP | 13.5(b) |
| Costs awarded in | RAP | 14.6(c) | Time for filing | RAP | 13.5(a) |
| From Court of Appeals |  |  | Time for filing, extension of | RAP | 18.8(b) |
| Issue of, delayed | RAP | 12.5(b) | Form 3 RAP, Motion for discretionary |  |  |
| Issue of, expedited | RAP | 12.5(b) | review |  |  |
|  |  | 18.11(h) | Motion for discretionary review of trial court decision |  |  |
| When issued | RAP | 12.5(b) |  |  |  |
| Defined | RAP | 12.5(a) | Acceptance of review upon granting | RAP | 6.2(a) |
| Effect of issuing | RAP | 12.2 | Content of . . | RAP | 17.3 |
|  |  | 12.7 | Decision on | RAP | 6.2(d) |
| Enforcement of, by trial court | RAP | 12.8 | Dismissal of, when not timely filed ... | RAP | 18.9(b),(c) |
| Enforcement of compliance with, by appellate court | RAP | 12.9(a) | By Supreme Court, statement of grounds <br> for ................................ . RAP 17.3(c) |  |  |
| Motion to recall | RAP | 12.9 | Time allowed to make Transfer of, from Supreme Court to Court of Appeals | RAP | 6.2(b) |
| Recall of | RAP | $\begin{aligned} & 12.9 \\ & 18.8(\mathrm{c}) \end{aligned}$ |  |  |  |
|  |  | 18.8(c) |  | RAP | 17.2(c) |


|  | Rule | Number |
| :---: | :---: | :---: |
| Form 3 RAP, Motion for discretionary review |  |  |
| Motion to dismiss review proceeding, | RAP | 18.9(c) |
| Motion to modify ruling |  |  |
| Delays mandate |  |  |
| Of Court of Appeals | RAP | 12.5(b) |
| Of Supreme Court | RAP | 12.5(c) |
| Determined by judges | RAP | 17.2(a) |
| Hearing on | RAP | 17.7 |
| Notice of hearing | RAP | 17.7 |
| Review of Court of Appeals decision on, |  |  |
| Service and filing of | RAP | 17.7 |
| Time to file | RAP | 17.7 |
| Form 20 RAP, Motion to modify ruling |  |  |
| Motion for order of indigency |  |  |
| Discretionary review of ruling on | RAP | 15.2(e) |
| Procedure for | RAP | 15.2 |
| Form 12 RAP, Order of indigency |  |  |
| Motion to recall mandate |  |  |
| Circumstances permitting | RAP | 12.9 |
| Determined by judges | RAP | 17.2(a) |
| Time for filing | RAP | 12.9(c) |
| Time for filing, extension of | RAP | 18.8(c) |
| Motion for reconsideration of appellate court decision |  |  |
| Answer to | RAP | 12.4(d) |
| Argument in | RAP | 12.4(c) |
| Circumstances in which permitted | RAP | 12.4(a),(h) |
| Decided by judges | RAP | 17.2(a) |
| Delays mandate |  |  |
| Of Court of Appeals | RAP | 12.5(b) |
| Of Supreme Court | RAP | 12.5(c) |
| Grant of, action taken by court on | RAP | 12.4(g) |
| Length of | RAP | 12.4(e) |
| Oral argument of | RAP | 12.4(f) |
| Points raised in, statement of | RAP | 12.4(c) |
| Time to file | RAP | 12.4(b) |
| Time to file, extension of | RAP | 18.8(b) |
| Motion in trial court |  |  |
| Affecting scope of appeal and time for appeal |  |  |
| To amend judgment | RAP | 2.4(a) |
|  |  | 5.2(e) |
| For arrest of judgment | RAP | 2.4(c) |
|  |  | 5.2(e) |
| For new trial | RAP | 2.4(c) |
|  |  | 5.2(e) |
| For reconsideration | RAP | 2.4(c) |
|  |  | 5.2(e) |
| Multiple claims, partial judgment in case in- |  |  |
| Multiple counts, partial judgment in case including, when appealable | RAP | 2.2(c) |
| Multiple parties |  |  |
| Failure of one of, to join. in review, effect |  |  |
| Partial judgment in case involving, when |  |  |
| Must, sense of word, in rules | RAP | 1.2(b) |
| Narrative report of proceedings |  |  |
| Content and form of | RAP | 9.3 |
| Objections to | RAP | 9.5(a) |
| Proposed amendments to | RAP | 9.5(a) |
| Submission of, to trial judge | RAP | 9.5(b) |
| See also Report of proceedings |  |  |
| Nominal party, defined | RAP | 14.2 |
| Notice of appeal from Court of Appeals decision |  |  |
| Acceptance of review by Supreme Court |  |  |
| Delay in issue of mandate on filing . . . | RAP | 12.5(b) |
| Dismissal of proceeding when not timely filed | RAP | 18.9(b),(c) |
| Time for filing | RAP | 13.2(b) |
| Time for filing, extension of | RAP | 18.8(b) |


| Form 8 RAP, Notice of Appeal (Court of Appeals decision) | e | Number |
| :---: | :---: | :---: |
|  |  |  |
| Notice of appeal from trial court decision |  |  |
| Acceptance of review on filing | RAP | 6.1 |
| Address of attorneys for all parties included in | RAP | 5.3(c) |
| Address of defendant in criminal case included in | RAP | 5.3(c) |
| After review in same case has been accepted | RAP | 5.1 (f) |
| Amendment of | RAP | 5.3(h) |
| Consolidated cases, in | RAP | 5.3(e) |
| Content of | RAP | 5.3(a) |
| Cross review, by party seeking | RAP | 5.1(d) |
| Filing, by appellant | RAP | 5.1(a) |
| Filing, by clerk | RAP | 5.4 |
| Filing for defendant in criminal case, by clerk | RAP | 5.3(j) |
| Form of, defect in | RAP | 5.3(b),(f) |
| Joinder of parties in | RAP | 5.3(d),(i) |
| By respondent, as affecting scope of review | RAP | 2.4(a) |
| Scope of review, as determining | RAP | 2.4 |
| Separate, directed to both Court of Appeals and Supreme Court, effect of | RAP | 5.3(g) |
| Service of | RAP | 5.4 |
| Time for filing | RAP | 5.2 |
| Time for filing, extension of | RAP | 18.8(b) |
| Form 1 RAP, Notice of appeal (trial court decision) |  |  |
| Notice that decision is superseded without bond | RAP | 8.1(c) |
| Notice for discretionary review |  |  |
| Address of attorneys for all parties included in | RAP | 5.3(c) |
| Address of defendant in criminal case included in | RAP | 5.3(c) |
| After review of same case accepted | RAP | 5.1(f) |
| Amendment of | RAP | 5.3(h) |
| Cases in which, permitted | RAP | 5.1(a) |
| Consolidated cases, in | RAP | 5.3(e) |
| Content of | RAP | 5.3(b) |
| Cross review, filing of, by party seeking | RAP | 5.1(d) |
| Filing, by clerk .................... . | RAP | 5.4 |
| Filing, by party giving | RAP | 5.1 (a) |
| Filing for defendant in criminal case, by clerk | RAP | 5.3() |
| Form of, defect in, effect of | RAP | 5.3(b),(f) |
| Joinder of parties in | RAP | 5.3(d),(i) |
| By respondent, as affecting scope of review | RAP | 2.4(a) |
| Scope of review, as determining . . . . . | RAP | 2.4 |
| Separate, directed to Court of Appeals and |  |  |
| Service of | RAP | 5.4 |
| Time for filing | RAP | 5.2(b) |
| Time for filing, extension of | RAP | 18.8(b) |
| Form 2 RAP, Notice for discretionary review |  |  |
| Notice of filing report of proceedings . . . | RAP | 9.5(a) |
| Notice of hearing motion |  |  |
| Minimum time for giving | RAP | 17.4(a),(b) |
| Service of Form 19 RAP, Notice of motion | RAP | 17.4(a),(b) |
| Notice of intention to file pro se supplemental brief | RAP | 10.1(d) |
| Form 7 RAP, Notice of intent to file pro se supplemental brief |  |  |
| See also Brief pro se, in criminal case |  |  |
| Notice of partial report of proceedings and |  |  |
| Notice of settlement conference | RAP | 18.11(e) |
| Objections to cost bill Form 11 RAP, Objections to cost bill | RAP | 14.5 |
| Oral argument |  |  |
| Amicus curiae, by | RAP | 11.2(b) |
| Attending, consequence of party not .. | RAP | 11.4(e) |


| Attorney's fees and expenses, request for, included in | Rule | Number |  | Rule | Number <br> 16.15(e) |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | RAP | 18.1(d) | Costs in <br> Decision, form in | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 16.15(e) \\ & 16.15(\mathrm{~d}) \end{aligned}$ |
| Conduct of | RAP | 11.5 | Initial consideration in | RAP | 16.11 |
| Order of presenting | RAP | 11.4 (c) | Motion in | RAP | 16.15(a) |
| Party who may present | RAP | 11.2(a) | Oral argument in | RAP | 16.11(c) |
| In personal restraint proceeding | RAP | 16.11(c) |  |  | 16.15(c) |
| Postponement of | RAP | 11.3(b) | Parties to | RAP | 16.6 |
| Submission of case without | RAP | 11.6 | Reference to Superior Court in | RAP | 16.11(b) |
| Time allowed party for | RAP | 11.4(a) |  |  | 16.12 |
| Time and place of | RAP | 11.3(a) | Release from confinement in | RAP | 16.15(b) |
| Oral argument of motion |  |  | Response in | RAP | 16.9 |
| Generally | RAP | 17.5 | Supreme Court review of decision in | RAP | 16.14 |
| For reconsideration | RAP | 12.4(f) | See also Brief in personal restraint pro- |  |  |
| By telephone | RAP | 17.5(e) | ceeding; Order of indigency Record of |  |  |
| Order of Indigency . |  |  | reference hearing; Reference hearing; |  |  |
| In personal restraint proceeding | RAP | 16.15(f),(g) | Time to file-Personal restraint |  |  |
| Motion for | RAP | 15.2(a) | petition |  |  |
| Review of | RAP | 15.2(g) | Petition against state officer |  |  |
| Terms of | RAP | 15.2(d) | Hearing by clerk on | RAP | 16.2(d) |
| Form 12 RAP, Order of indigency |  |  | Jurisdiction of Supreme Court on | RAP | 16.2(a) |
| See also Indigent party |  |  | Procedure in Supreme Court to commence |  |  |
| Order of trial court |  |  | action on | RAP | 16.2 |
| Appealable |  |  | Form 16 RAP, Petition against state |  |  |
| Of arrest, in civil case | RAP | 2.2(a) | officer |  |  |
| In arrest of judgment | RAP | 2.2(a),(b) | Petition for review of Court of Appeals |  |  |
| Of commitment after sanity hearing | RAP | 2.2(a) |  |  |  |
| Declaring adult mentally incompetent | RAP | 2.2(a) | Acceptance of review on, when granted | RAP | 13.6(b) |
| Determining delinquency | RAP | 2.2(a) | Answer to | RAP | 13.4 (d) |
| Determining dependency | RAP | 2.2(a) | Copies of, reproduced | RAP | 13.4(g) |
| On motion for new trial | RAP | 2.2(a),(b) | Dismissal of, when not timely filed | RAP | 18.9(b),(c) |
| On motion to vacate judgment | RAP | 2.2(a),(b) | Form of | RAP | 13.4 (e) |
| Of public use and necessity | RAP | 2.2(a) | Grounds for | RAP | 13.4(b) |
| Post-trial, appealed, when considered as |  |  | Length of | RAP | 13.4(f) |
| appeal from judgment .... | RAP | 2.4(c) | Mandate, delay of, on filing | RAP | 12.5(b) |
| Original action in appellate court. See Per- |  |  | Oral argument on | RAP | 13.4(h) |
| sonal restraint proceeding |  |  | Reply to answer on | RAP | 13.4(d) |
| Petition against state officer; Special |  |  | Service of papers, on | RAP | 13.4(g) |
| proceedings, defined |  |  | Time for filing | RAP | 13.4(a) |
| Parent, right to personal restraint petition | RAP | 16.6(a) | Time for filing, extension of | RAP | 18.8(b) |
| Parental rights, order depriving person of, appealable See also Adoption |  |  | Form 9 RAP, Petition for review |  |  |
|  | RAP | 2.2 | Petition for writ of habeas corpus. See Personal restraint petition |  |  |
| Partial verbatim report of proceedings. See |  |  | Petitioner |  |  |
| Verbatim report of proceedings, partial |  |  | Defined | RAP | 3.4 |
| Parties <br> Addition of, by trial court, to enforce mandate |  |  | For purpose of briefs, in event of cross review | RAP | 10.1(f) |
|  | RAP | 12.8(d) | For purpose of oral argument, in event of |  |  |
| Designation of, in appellate court proceeding | RAP | 3.4 | cross review <br> Post-conviction relief. See Personal restraint | RAP | 11.4(c) |
| Multiple, appeal from partial judgment in case involving | RAP | 2.2(c) | petition; Review of trial court decision Post-judgment motion in trial court, proce- |  |  |
| In personal restraint proceeding | RAP | 16.6 | dure for, after review of case accepted | RAP | 7.2(e) |
| Published instructions to jury | CR | 51(d)(2) | Post-trial motion, effect of, on time allowed |  |  |
| See also Joinder of parties; Substitution of parties |  |  | to seek review <br> Prohibition, writ of, procedure superseded | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 5.2(\mathrm{e}) \\ & 2.1(\mathrm{~b}) \end{aligned}$ |
| Party. See Appellant; Indigent party; Nominal party; Petitioner; Respondent |  |  | See Direct review by Supreme Court of trial court decision, grounds for; Dis- |  |  |
| Penalties for violation of rules. See Sanctions Personal restraint petition |  |  | cretionary review of trial court decision; Petition against state officer |  |  |
| Content and style of | RAP | 16.7(a) | Proof of service | RAP | 18.5(b) |
| Filing of | RAP | $\begin{aligned} & 16.5 \\ & 16.8(b) \end{aligned}$ | Property, interest acquired in reliance on trial court decision | RAP | 12.8(c) |
| Filing fee | RAP | 16.8(a) | Pro se supplemental brief in criminal case |  |  |
| Grounds for | RAP | 16.4(c) | Authorized | RAP | 10.3(d) |
| Oath | RAP | 16.7(a) | Length of | RAP | 10.4(b) |
| Person who makes | RAP | 16.6(a) | See also Brief; Notice of intention to file |  |  |
| Respondent in | RAP | 16.6 | pro se supplemental brief |  |  |
| Response to | RAP | 16.9 | Public funds |  |  |
| Second | RAP | 16.4(d) | Allowed for indigent's case .......... | RAP | 15.2(d) |
| Service of | RAP | 16.8(c) | Paid in personal restraint proceeding | RAP | 16.15(f) |
| Standard form provided for | RAP | 16.7(b) | Recovered in indigent's case | RAP | 15.6 |
| Transfer to Superior Court of | RAP | 16.11(a) | Public officer |  |  |
| Form 17 RAP, Personal restraint petition |  |  | Ceasing to hold office, substituting succes- |  |  |
| Personal restraint proceeding |  |  | sor for, as party | RAP | 3.2(f) |
| Consideration by panel in | RAP | $\begin{aligned} & 16.11(c) \\ & 16.13 \end{aligned}$ | Removal of, proceeding for . . . . . . . . . . See state officer | RAP | 16.1(f) |


|  | $\begin{aligned} & \text { Rule } \\ & \text { RAP } \end{aligned}$ | Number $2.1 \text { (b) }$ |
| :---: | :---: | :---: |
| Quo warranto, writ of, procedure superseded See Direct review by Supreme Court of trial court decision, grounds for; Petition against state officer |  |  |
| Reconsideration |  |  |
| Action taken by appellate court on granting motion for | RAP | 12.4(g) |
| Motion for, in trial court, affecting scope of appeal and time for appeal | RAP | $\begin{aligned} & 2.4(c) \\ & 5.2(e) \end{aligned}$ |
| See Motion for reconsideration of appellate court decision |  |  |
| Record of reference proceeding |  |  |
| Findings of fact by reference court as part of | RAP | 16.12 |
| Transcription of hearing as part of | RAP | 16.13 |
| Record on review |  |  |
| Composition of | RAP | 9.1 |
| Correcting or supplementing | RAP | 9.9 |
|  |  | 9.10 |
| References to, in brief | RAP | 10.4(f) |
| Temporary transmittal by appellate court |  |  |
| Transmittal by trial court of | RAP | 9.8(a) |
| Record on review of Court of Appeals deci- |  |  |
| Reference hearing |  |  |
| In personal restraint proceeding |  |  |
| Conduct of | RAP | 16.12 |
| Duty to initiate | RAP | 16.12 |
| Findings of fact upon conclusion of | RAP | 16.12 |
| Judge assigned to conduct, qualification |  |  |
| Petitioner, right to be present at | RAP | 16.12 |
| Pretrial discovery before | RAP | 16.12 |
| Subpoena of witness to appear at | RAP | 16.12 |
| When ordered | RAP | 16.11(b) |
| Where held | RAP | 16.12 |
| On petition against state officer | RAP | 16.2(d) |
| See also Record of reference proceeding |  |  |
| Release of person in custody. See Criminal proceeding, release of defendant by trial court; Personal restraint proceeding, release from confinement in |  |  |
| Remittitur. See Mandate |  |  |
| Removal of public officer, proceeding for | RAP | 16.1(f) |
| Reply brief |  |  |
| Content of | RAP | 10.3(c) |
| Length of | RAP | 10.4(b) |
| Time to file | RAP | 10.2(d) |
| See also Brief |  |  |
| Report of proceedings |  |  |
| Abbreviation for, in brief | RAP | 10.4(f) |
| Approval by trial court judge of | RAP | 9.5(b) |
| Correcting or supplementing, procedure for |  |  |
| After transmittal to appellate court . | RAP | 9.10 |
| Before transmittal to appellate court | RAP | 9.9 |
| Filing and serving copy of | RAP | 9.5(a) |
| Forms of | RAP | 9.1 (b) |
| Notice of filing | RAP | 9.5(a) |
| Use by counsel of copy of | RAP | 9.5(c) |
| See also Agreed report of proceedings; Narrative report of proceedings; Verbatim report of proceedings |  |  |
| Respondent |  |  |
| Defined | RAP | 3.4 |
| Notice of appeal by | RAP | 5.1(d) |
| Notice for discretionary review by | RAP | 5.1(d) |
| For purpose of brief, in event of cross review | RAP | 10.1(f) |
| For purpose of oral argument, in event of |  |  |
| Scope of review afforded to | RAP | 2.4(a) |
| Restraint of person, defined | RAP | 16.4(b) |
| Reversal of trial court decision |  |  |


|  | Rule | Number |
| :---: | :---: | :---: |
| By Court of Appeals, as ground for appeal to Supreme Court | RAP | 13.2(a) |
| Effect of, when trial court decision was not superseded | RAP | 12.8 |
| Review |  |  |
| Accelerated | RAP | 17.8 |
| Defined | RAP | 2.1 (a) |
| Review of Court of Appeals decision |  |  |
| Briefs on | RAP | 13.7(a) |
| Methods for seeking | RAP | 13.1(a) |
| Procedure on | RAP | 13.7(a) |
| Record on | RAP | 13.7(a) |
| Scope of | RAP | 13.7 |
| Review of ruling made by clerk | RAP | $\begin{aligned} & 13.3(\mathrm{e}) \\ & 17.7 \end{aligned}$ |
| Review of trial court decision |  |  |
| Accept benefits of trial court decision, right to, when seeking | RAP | 2.5(b) |
| Aggrieved party entitled to seek | RAP | 3.1 |
| Defined | RAP | 2.1 (a) |
| As matter of right, termed appeal | RAP | 2.1 (a) |
| Methods for seeking | RAP | 2.1(a) |
| By permission of appellate court, termed |  |  |
| Scope of, generally | RAP | 2.4 |
| Sought by respondent | RAP | 2.4(a) |
| Withdrawal of, voluntary | RAP | 18.2 |
| See Dismissal of review proceeding |  |  |
| Review, writ of, procedure abolished See Discretionary review of Court of Appeals decision; Discretionary review of trial court decision | RAP | 2.1 (b) |
| Rules of Appellate Procedure |  | 7.2(f) |
| Application to civil and criminal proceedings | RAP | 1.1 (e) |
| Citation of | RAP | 18.21 |
| Court rules superseded by | RAP | 1.1 (g) |
| Court rules listed | RAP | 18.22(b) |
| Statutes |  |  |
| Enacted after adoption of rules, effect of | RAP | 1.1(h) |
| Superseded by | RAP | 1.1(h) |
| Listed | RAP | 18.22(b) |
| Ruling, defined See also Clerk of appellate court, ruling by | RAP | 12.3(c) |
| Sanctions |  |  |
| Brief failing to comply with rules, for | RAP | 10.7 |
| Brief, for late filing of | RAP | 10.2(h) |
| Delay by attorney or court reporter in indigent's case, for | RAP | 15.5(b) |
| Delay in claiming expenses of indigent party, for | RAP | 15.4(f) |
| Delay, for use of rules for ........... | RAP | 18.9(a) |
| Extension of time, subject to | RAP | 18.8(d) |
| Objections to | RAP | 18.9(d) |
| Payment for report of proceedings, for failing to arrange | RAP | 9.2(d) |
| Shortening of time, subject to | RAP | 18.8(d) |
| For violation of rules | RAP | 18.9 |
| Waiver of rules, subject to | RAP | 18.8(d) |
| Sanity hearing,order of commitment after, appealable | RAP | 2.2(a) |
| Security |  |  |
| Required of party seeking benefit of trial court decision and review $\qquad$ | RAP | 2.5(b) |
| To supersede decision | RAP | 8.1 (b) |
| See also Bond; Supersedeas |  |  |
| Separation of previously consolidated cases, |  |  |
| Service |  |  |
| Of brief | RAP | 10.5(b) |
| Of civil appeal statement | RAP | 18.11(b) |
| Of description of partial report of proceedings | RAP | 9.2(c) |
| Of designation of clerk's papers and exhibits | RAP | 9.6 |


| By mail, time allowed, generally | Rule RAP | Number 18.6(b) | Objection to trial court ruling on, in ap- | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Of motion and notice of hearing | RAP | 17.4(a) | pellate court | RAP | 8.1 (d) |
| Of notice of appeal | RAP | 5.4 | Trial court ruling on, while review pending | RAP | 7.2(h) |
| Of notice for discretionary review | RAP | 5.4 | Supreme Court |  |  |
| Of papers upon party, generally | RAP | 18.5(a) | Acceptance of review of Court of Appeals |  |  |
| Of personal restraint petition | RAP | 16.8(c) | decision, by | RAP | 13.6 |
| Of petition against state officer | RAP | 16.2(b) | Appeal to, from Court of Appeals decision, |  |  |
| Proof of | RAP | 18.5(b) | when accepted | RAP | 13.2 |
| Of report of proceedings | RAP | 9.5(a) | Decision of, becomes final, when | RAP | 12.7(b) |
| Of response to motion | RAP | 17.4(e) | Direct review of trial court decision by | RAP | 4.2 |
| Of statement of issues, when partial report of proceedings ordered | RAP | 9.2(c) | Discretionary review of Court of Appeals decision by | RAP | 13.3 |
| Settlement conference |  |  | Discretionary review of trial court deci- |  |  |
| Attendance at | RAP | 18.11 (g) | sion, cases in which considered by | RAP | 4.2 |
| Notice of | RAP | 18.11 (e) | Local law question, proceedings upon cer- |  |  |
| Order following | RAP | 18.11 (h) | tification by United States court of | RAP | 16.16 |
| Subject matter of | RAP | 18.11 (g) | Review of Court of Appeals decision by, |  |  |
| Shall, sense of word, in rules | RAP | 1.2(b) | methods of seeking | RAP | 13.1(a) |
| Should, sense of word, in rules | RAP | 1.2(b) | Review of Court of Appeals decision by, |  |  |
| Signature on papers | RAP | 18.7 | on petition for review | RAP | 13.4 |
| Special proceedings, defined | RAP | 1.1(c) | Review of Court of Appeals interlocutory |  |  |
| State officer |  |  | decision by | RAP | 13.5 |
| Direct review of trial court decision, in action against | RAP | 4.2(a) | Statement of grounds for direct review by | RAP | $\begin{aligned} & \text { 4.2(b) } \\ & 17.3(b) \end{aligned}$ |
| Original action against, in Supreme Court | RAP | 16.2 | Transfer of case by, from one appellate |  |  |
| Substitution of party, in action involving | RAP | 3.2(f) |  | RAP | 4.2(c) |
| Form 16 RAP, Petition against state officer |  |  | Suspended sentence, revocation of | RAP | 4.3 $7.2(f)$ |
| Statement of arrangements, for transcribing report of proceedings | RAP | 9.2(a) | Surety <br> On bond | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $8.4$ |
| Form 15 RAP, Statement of arrangements |  |  | Objection to sufficiency of Time | RAP | 8.4(c) |
| Statement of facts. See Record on review; Report of proceedings |  |  | Time Allowed, as affected by |  |  |
| Statement of grounds for direct review | RAP | 4.2(b) | Death, legal disability, or loss of interest | RAP | 3.2(c) |
|  |  | 17.3(c) | Motion for order of indigency | RAP | 15.2(a) |
| Form 4 RAP, Statement of grounds for |  |  | Notice of settlement conference | RAP | 18.11(f) |
| direct review |  |  | Computation of | RAP | 18.6 |
| Statement of issues on review |  |  | Enlargement of, by court | RAP | 18.8 |
| In civil appeal statement | RAP | 18.11 (c) | Service by mail, allowance of for | RAP | 18.6(b) |
| In notice of partial report of proceedings | RAP | 9.2(c) | Shortening of, by court | RAP | 18.8(a) |
| Statute |  |  | Terms imposed for enlarging or shortening | RAP | 18.8(d) |
| Appellate rule supersedes, extent to which | RAP | 1.1(g) | Time allowed- Record on review |  |  |
| In conflict with rule, when effective ... | RAP | 1.1 (h) | To designate clerk's papers and exhibits to |  |  |
| Requiring security as condition of review, |  |  | be included in .......... | RAP | 9.6 |
| effect of ....... | RAP | 2.5(b) | To transmit to appellate court | RAP | 9.8(a) |
| Superseded by Rules of Appellate Procedure, listed | RAP | 18.22(b) | Time allowed-Report of proceedings Narrative |  |  |
| Unconstitutional, trial court decision that, |  |  | Amendments to, to propose | RAP | 9.5(a) |
| direct review of | RAP | 4.2(a) | Objections to, to make | RAP | 9.5(a) |
| Stay of mandate | RAP | 12.5 | Partial verbatim |  |  |
|  |  | 12.6 | To file and serve description of, and |  |  |
| Stay or proceeding,trial court ruling on, while review pending | RAP | 7.2(h) | statement of issues <br> To file and serve description of additions | RAP | 9.2(c) |
| Stipulation to dismiss review proceeding | RAP | 18.2 |  | RAP | 9.2(c) |
| Substitution of parties |  |  | To serve and file | RAP | 9.5(a) |
| By appellate court, when directed | RAP | 3.2(a) | To submit to trial judge | RAP | 9.5(a) |
| Duty to move for | RAP | 3.2(b) | Trial judge, to disapprove | RAP | 9.5(c) |
| Motion for, where made | RAP | 3.2(c) | Verbatim |  |  |
| Procedure pending | RAP | 3.2(d) | Amendments to, to propose | RAP | 9.5(a) |
| Public officer, in case involving | RAP | $3.2(\mathrm{f})$ | Objections to, to make | RAP | 9.5 (a) |
| Time limits | RAP | $3.2(\mathrm{e})$ | Transcription of, to order | RAP | 9.2(a) |
| Superior Court |  |  | Time to file-Brief |  |  |
| Decision of, which may be reviewed | RAP | 2.3(a) | Of amicus curiae | RAP | 10.2(f) |
| Reference to |  |  | In answer to amicus curiae | RA | 10.2(g) |
| In personal restraint proceeding | RAP | 16.11(b) | Of appellant or petitioner | RAP | 10.2(a) |
| In proceeding against state officer .. | RAP | 16.2(d) | Pro se supplemental | RAP | 10.2(e) |
| Transfer to |  |  | Reply, of appellant or petitioner | RAP | 10.2(d) |
| Of personal restraint petition | RAP | 16.11(a) | Of respondent, in civil case | RAP | 10.2(b) |
| Of petition against state officer | RAP | 16.2(d) | Of respondent, in criminal case | RAP | 10.2(c) |
| See Trial court, passim |  |  | See also Time to file-Personal restraint |  |  |
| Supersedeas |  |  | proceeding |  |  |
| Bond for | RAP | 8.1(b) | Time to file-Civil appeal statement |  |  |
| Mandate terminates | RAP | 8.6 | Answer | RAP | 18.11(d) |
| Notice that decision is superseded without | RAP | 8.1 (c) | Statement <br> Time to file | RAP | 18.11(b) |


| Attorney's affidavit in support of request for | Rule RAP | Number 18.1(c) | Form of, when at public expense Index of . . . . . . . . . . . . . | Rule <br> RAP <br> RAP | Number 9.2(g) <br> 9.2(e) |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Cost bill for | RAP | 14.4 | For indigent party, portions of, authorized |  |  |
| For indigent party, invoice for | RAP | $\begin{aligned} & 15.4 \\ & 16.15(\mathrm{~g}) \end{aligned}$ | at public expense <br> Jury instructions and proposed jury in- | RAP | 15.2(b) |
| Objections to cost bill for | RAP | 14.5 | structions included in | RAP | 9.2(b) |
| Time to file-Motion |  |  | Objections to | RAP | 9.5(a) |
| For discretionary review |  |  | Partial |  |  |
| Of Court of Appeals decision | RAP | 13.5(a) | Description of parts included in | RAP | 9.2(c) |
| Of trial court decision | RAP | 6.2(a) | Objection to omission of matter in | RAP | 9.2(c) |
| Generally | RAP | 17.4(a),(b) | Procedure for furnishing | RAP | 9.2(c) |
| To modify ruling of clerk | RAP | 17.7 | Statement of issues, when ordered | RAP | 9.2(c) |
| For order of indigency | RAP | 15.2(a) | Time allowed to arrange for | RAP | 9.2(a) |
| Notice of | RAP | 17.4(a),(b) | Transcription of |  |  |
| Papers in support of | RAP | 17.4(f) | Duty to arrange for | RAP | 9.2(a) |
| For reconsideration | RAP | 12.4(b),(h) | Obligation to pay for | RAP | 9.2(a) |
| Response to | RAP | 17.4(e) | Statement of arrangements for | RAP | 9.2(a) |
| Time to file-_Notice of appeal |  |  | Form 15 RAP, Statement of arrangements |  |  |
| As affected by motion for order of indigency | RAP | 15.2(a) | See also Report of proceedings Violation of rule. See Sanctions |  |  |
| As affected by post-trial motion . . . . . | RAP | 2.4(c) | Waiver |  |  |
| Of Court of Appeals decision | RAP | 13.2 | Of rule, authority for | RAP | 1.2(c) |
| After partial judgment in case with multiple claims, counts or parties | RAP | 2.2(c) | Of rule subject to terms | RAP | 18.8 18.8 (d) |
| Of trial court decision . . . . . . . . . . . . . | RAP | 5.2 | Washington State Law Library, copies of |  |  |
| Time to file notice for discretionary review of trial court decision | RAP | 5.2 | briefs to . . . . . . . . . . Will, sense of word, in rules | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 10.5(\mathrm{~b}) \\ & 1.2(\mathrm{~b}) \end{aligned}$ |
| As affected by motion for order of indigency | RAP | 15.2(a) | Withdrawal Of appeal or other review proceeding | RAP | 18.2 |
| Time to file notice of intention to file pro se supplemental brief | RAP | 10.1(d) | Of attorney for defendant in criminal case Of attorney for indigent party | RAP RAP | 18.3 $15.2(f)$ |
| Time to file_Personal restraint petition |  |  | Writ of habeas corpus. See Personal restraint petition |  |  |
| Invoice for indigent expenses ........ | RAP | 16.15(g) | petition <br> Writ procedure |  |  |
| Petitioner's brief . . . | RAP | 16.10(a) |  |  |  |
| Petitioner's reply brief | RAP | 16.10(a) | For review of Court of Appeals decision, abolished |  |  |
| Respondent's brief | RAP | 16.10(b) | abolished | RAP | 13.1(b) |
| Response to petition | RAP | 16.9 | For review of trial court decision, abolish- |  |  |
| Time to file-Petition for review |  |  | ed <br> See Discretionary review of Court of Ap- | RAP | 2.1 (b) |
| Answer to Petition on | RAP | 13.4(e) | See Discretionary review of Court of Appeals decision; Discretionary review of |  |  |
| Petition on . . . . . . . . . . . . . . . . . . . | RAP | 13.4(a) | trial court decision; State officer, origi- |  |  |
| Time to file statement of arrangements,for transcribing report of proceedings ... | RAP | 9.2(a) | nal action against, in Supreme Court |  |  |
| Time to file statement of grounds for direct review | RAP | 4.2(b) | Appearance |  |  |
| Title to property acquired in reliance on trial court decision | RAP | 12.8(c) | Mental proceedings <br> First court appearance | MPR | 31 |
| Transcript. See Clerk's papers; Record on review; Report of proceedings |  |  | Preliminary appearance | MPR | 32 |
| Transfer of case |  |  | Appellant |  |  |
| From one appellate court to another | RAP | 4.3 | Defined | RAP | 3.4 |
| Objection to . . . . . . . . . . . . . . . . . | RAP | 17.7 | For purpose of brief, in event of cross-appeal | RAP | 10.1(f) |
| From Supreme Court to Court of Appeals | RAP | $\begin{aligned} & 4.2(c) \\ & 16.3(c) \end{aligned}$ | For purpose of oral argument, in event of cross-appeal | RAP | 11.4(c) |
| From Supreme Court to trial court |  |  |  |  |  |
| Of petition against state officer | RAP | 16.2(d) | Application |  |  |
| Of personal restraint petition | RAP | 16.11 | Court order, manner | CR | 7(b)(1) |
| Trial court authority |  |  |  |  |  |
| To act after case accepted for review | RAP | 7.2 | Arbitration and Award |  |  |
| To act before case accepted for review | RAP | 7.1 | Affirmative defense, pleading | CR | 8(c) |
| To enforce mandate of appellate court | RAP | 12.8(b) |  |  |  |
|  |  | 14.6(c) | Argument |  |  |
| Trial court decision. See Decision of trial court |  |  | Appeal In brief | RAP | 10.3(a) |
| Unconstitutionality, trial court decision of, direct review of | RAP | 4.2(a) | On issue raised by court sua sponte In motion | RAP RAP | 12.1(b) $17.3(\mathrm{a})$ |
| United States court, question of local law |  |  | In motion for discretionary review | RAP | 17.3(b) |
| certified by, proceedings on . . . . . . . . | RAP | 16.24 | In personal restraint petition | RAP | 16.7(a) |
| United States Supreme Court, appeal to, stay of mandate pending $\qquad$ | RAP | 12.6 | In petition for review <br> See also Appeal, Oral argument; Oral ar- | RAP | 13.4(d) |
| Vacating judgment, order, in criminal proceeding, appealable | RAP | 2.2(b) | gument of motion Plaintiff, adverse party, following instruc- |  |  |
| Verbatim report of proceedings |  |  | tions to jury . . . . . . . . . . . . . . . . . . . | CR | 51(g) |
| Amendments proposed to | RAP | 9.5(a) |  |  |  |
| Copies of, number required | RAP | 9.2(a) | Arraignment |  |  |
| Evidence to be included in | RAP | 9.2(b) | Counsel |  |  |
| Form of | RAP | 9.2(f) | Procedure | CrR | 4.1(b) |




Index to Parts I-IV

|  | Rule | Number |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Committee of Law Examiners |  |  | Cost |  |  |
| Admission to practice, duties | APR | 5A,B | Appeal <br> See also Appeal |  |  |
| Compensation |  |  | Award of . . . . . | RAP | 14.6(a) |
| Estate, probate matters | SPR | 98.12W | Court which makes | RAP | 14.1(b) |
| Estate, probate matters | SPR | 98.12W | In mandate or supplemental judgment | RAP | 14.6(c) |
| Complainant |  |  | Objection to | RAP | 14.6(b) |
|  |  |  | Party entitled to | RAP | 14.2 |
| Discipline of attorney, duties | DRA | 2.7 | When made . . | RAP | 14.1(a) |
| Complaint |  |  | Bill |  |  |
|  |  |  | Filed with appellate courtObjections to . . . . . . | RAP | 14.4 |
| Child, form of petition to take charge of | JuCR | 2.1 |  | RAP | 14.5 |
| Derivative action by shareholder | CR | 23.1 | Remanded for new trial, when case | RAP | 14.4(b),(c) |
| Filing |  |  | Form 10 RAP, Cost bill |  |  |
| By plaintiff | CR | 3(a) | Form 11 RAP, Objections to cost bill |  |  |
| Default | CR | 5(d)(2) | Default of judgment . . . . . . . . . . . . . . | CR | 55(b)(4) |
| Limitation | CR | 5(d)(3) | Discipline of attorneys | DRA | VII |
| Nonpayment | CR | 5(d)(4) | Entry by superior court clerk | CR | 78(e) |
| Time | CR | 5(d)(1) | Expenses allowed as | RAP | 14.3 |
| Joinder | DRA | 3.1(a)(1) | Indigent party |  |  |
| Names of parties included in title of action | CR | 10(a)(1) | Claim for expenses on behalf of |  |  |
| Pleading, answer | CR | 7(a) | Allowance of | RAP | 15.5 |
| Service |  |  | Invoice for | RAP | 15.4 |
| Foreign country |  |  | Costs of suit recoverable by | RAP | 14.3(c) |
| manner | CR | 4(i)(1) | In personal restraint proceeding |  |  |
| proof | CR | 4(i)(2) | Appointment of attorney for | RAP | 16.15(g) |
| With summons, filing | CR | 4(d)(1) | Briefs and other papers of, charges of |  |  |
| Third party | CR | 7(a) | copying for . . . . . . . . . . . . . . . | RAP | 16.15(g) |
|  |  |  | Statement of finances in petition by . | RAP | 16.7(a) |
| Computation of Time |  |  | Trial court rulings on indigency of, while RAP |  |  |
| Appellate courts | RAP | 18.6 | review is pending | RAP | 7.2(g) |
| Superior court | CR | 6(a) | Form 12 RAP, Order of indigency Form 13 RAP, Invoice of counsel for indi- |  |  |
| Conclusions of Law |  |  | gent party |  |  |
| Default judgment | CR | 55(b)(2) | Form 14 RAP, Invoice of court report- |  |  |
| Signing, notice . . | CR | 52(c) | er-_Indigent case |  |  |
| Unnecessary, when | CR | 52(a)(5) | See also Attorney for indigent party; Order of indigency |  |  |
| Condition Precedent Pleadings, how stated | CR | 9(b) | On dismissal of proceeding at instance of party who sought review <br> Power of appellate court to act upon, after | RAP | 18.2 |
|  |  |  | mandate issued . . . . . . . . . . . . . . . | RAP | 12.7(c) |
| Confession |  |  | Security | CR | 7(d) |
| Criminal Case See Criminal Case |  |  | Statutory authority | CR | 54(d) |
| Defendant information, court responsibility | CrR | 3.5(b) |  |  |  |
| Defendant's rights when statement ruled admissable | CrR | 3.5(d) | Counsel |  |  |
| Judgment | CR | 58(e) | Assignment, exception | CrR | 3.1(d) |
| Record, court duty | CrR | 3.5(c) | Right |  | 3.1(d) |
| Requirement, hearing time | CrR | 3.5(a) | Availability of lawyer, exceptions | CrR | 3.1(c) |
| Consideration |  |  | Mental proceedings | MPR | 2.1 |
|  |  |  | Proceedings . . . . | CrR | 3.1(a) |
| Pleading, failure of | CR | 8(c) | Service other than | CrR | 3.1 (f) |
| Constitution |  |  | Counterclaim |  |  |
| Right preserved for jury trial | CR | 38(a) | See also Claim |  |  |
|  |  |  | Acquired after pleading | CR | 13(e) |
| Contempt |  |  | Against state | CR | 13(d) |
| Affidavits filed in bad faith | CR | 56(g) | Amendment, set up by | CR | 13(f) |
| Divulging results of appeal | SAR | 12 | Answer, when presented | CR | 12(a) |
| Failure |  |  | Compulsory, pleading | CR | 13(a) |
| To obey subpoena | CR | 45(f) | Dismissal of action |  |  |
|  |  |  | Involuntary | CR | 41(c) |
| Contract |  |  | Voluntary | CR | 41(a) |
| Capacity of person to sue | CR | 17(a) | Exceeding opposing claim | CR | 13(c) |
| Capacity of person to sue |  | (a) | Interpleader, defendant . . | CR | 22(a) |
| Contributory Negligence |  |  | Joinder of additional parties | CR | 13(h) |
| Affirmative defense, pleading | CR | 8(c) | Judgment |  |  |
| Co-party |  |  | Summary | CR | S5(d) $56(\mathrm{a})$ |
|  |  |  | Mature, supplemental pleading | CR | 13(e) |
| Notice of appeal, how given | RAP | 5.3 | Multiple, judgment on part .. | CR | 54(b) |
|  |  |  | Omission | CR | 13(f) |
| Corporation |  |  | Permissive, pleading | CR | 13(b) |
| Capacity to sue or be sued | CR | 9 | Plaintiff may bring in third party | CR | 14(b) |


|  | Rule | Number |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Pleading |  |  | Chief judge |  |  |
| Contents | CR | 8(a) | Acting, duties | CAR | 9 |
| Reply | CR | 7(a) | Assignment of judges to panels | CAR | 8 |
| Presentation by defense | CR | 12(b) | Business apportionment | CAR | 7 |
| Separate trial, judgment | CR | 13(i) | Opinion filing time determination | CAR | 14 |
| Service upon numerous defendants | CR | 5(c) | Procedural matters | CAR | 6 |
| Setoff |  |  | Selection, determination | CAR | 8 |
| Against assignee | CR | 13(j) | Clerk |  |  |
| Other rules | CR | 13(h) | Compliance with administrator | CAR | 23 |
| Summons unnecessary | CR | 4(a) | Duties oath . . . . . . . . . . . . . | CAR | 16 |
| Trial, separate | CR | 42(b) | Forwards disposition of criminal cases to State Patrol | CAR | 25 |
| Court |  |  | Contempt . . | CAR | 11 |
| Admonitions to jury | CR | 47(h) | Criminal case disposition, report to State Pa - |  |  |
| Commissioner | CR | 53.2 | trol | CAR | 25 |
| Contempt |  |  | Decisions |  |  |
| Acts designated | SAR | 12 | See also Opinions |  |  |
|  | CAR | 12 | Appealable to Supreme Court | RAP | 13.2(a) |
| Failure to obey subpoena | CR | 45(f) | Discretionary review of | RAP | 13.3 |
| Content of affidavit in bad faith | CR | 56(g) | Becomes final, when | RAP | 12.7(a) |
| Discharging jury | CR | 49(c),(k) | Terminating review, petition for review of | RAP | 13.4 |
| En banc See Supreme Court |  |  | Decrees final | CAR | 3 |
| Entry of default | CR | 55(c) | Divisions | CAR | 4 |
| Examination of jurors | CR | 47(a) | Counties included in | RAP | 4.1 (b) |
| Failure of session not to affect proceeding | CR | 6(c) | Judges |  |  |
| Federal, certificate procedure | RAP | 16.16. | Assignment to panels | CAR | 8 |
| Finding of fact when no jury | CR | 52(a)(1) | Chief See Chief judge |  |  |
| Hearing, order for new trial | CR | 59(d) | Number required for disposition | CAR | 6 |
| Independent action | CR | 60(c) | Selection of chief judge | CAR | 8 |
| Intervention | CR | 24(b)(2) | Senior to act when | CAR | 10 |
| Irregular proceedings | CR | 59(a) | Transfer when | CAR | 21 |
| Joinder, not feasible, when | CR | 19(b) | Judgment |  |  |
| Juvenile See Juvenile Court |  |  | See also Opinion |  |  |
| Lacking jurisdiction, dismissal of action | CR | 12(h) | Final | CAR | 3 |
| Order |  |  | Jurisdiction |  |  |
| In conduct of class action | CR | 23(d) | Authority to act in case, generally | RAP | 7.3 |
| Pleading |  |  | Of Court of Appeals decision ... | RAP | 13.6 |
| May allow amendment to conform to evidence | CR | 15(b) | Of trial court decision, by appellate court, defined | RAP | 6.1 |
| May have certain matter stricken | CR | 12(f) |  |  | 6.2 |
| Proceedings |  |  | Transfer of case |  |  |
| When jury has agreed | CR | 49(e) | From one appellate court to another | RAP | 4.3 |
| Recess during deliberation | CR | 49(d) | Objection to | RAP | 17.7 |
| Receiving verdict | CR | 49(k) | From Supreme Court to Court of Ap- |  |  |
| Reporter |  |  | peals . . . . . . . . . . . . . . . . . . . | RAP | 4.2(c) |
| Appellate court |  |  |  |  | 16.3(c) |
| Arranging payment to, for verbatim report | RAP | 9.2(a) | From Supreme Court to trial court Of petition against State officer | RAP | 16.2(d) |
| Charges by, for preparing record for in- |  |  | Of personal restraint petition .. | RAP | $16.11$ |
| digent party, how claimed . . . . . . | RAP | 15.4(b),(d) | Law clerks | CAR | 16 |
| Form 14 RAP, Invoice of court report- |  |  | Law librarian | CAR | 18 |
| er-_Indigent case |  |  | Memorial exercises | CAR | 20 |
| Superior court, electronic recording | CR | 80(b) | Minutes | CAR | 13 |
| Speedy trial, responsibility . . . . . . . . . | CrR | 3.3(a) | Opinion, filing, signing | CAR | 14 |
| Stipulations | CR | 2A | Personal restraint, Division of, in which peti- |  |  |
| Substitution of parties, order | CR | 25(a)(1) | tion filed . . . . . . . . . . . . . . . . . . . . . . | RAP | 16.8(b) |
| Supplemental pleading | CR | 13(e) | Personnel | CAR | 16 |
| Time |  |  | Process, style | CAR | 2 |
| Computation | CR | 6(a) | Report on criminal cases | CAR | 25 |
| Enlargement or extension | CR | 6(b) | Reporter | CAR | 17 |
| Trial |  |  | Seal | CAR | 1 |
| Granting new trial, statement of reasons | CR | 59(f) | Secretaries | CAR | 16 |
| Issues, how tried | CR | 39(-) | Service |  |  |
| Rule . . . . . . . . . . . . . . . . . . . . . . . | CR | 39(b) | Of brief | RAP | 10.5(b) |
| Vacancy in office not to affect proceedings | CR | 6(c) | Of civil appeal statement | RAP | 18.11(b) |
| Verdict, special . . . . . . . . . . . . . . . . . . | CR | 49(a) | Of description of partial report of proceedings | RAP | 9.2(c) |
| Court of Appeals |  |  | Of designation of clerk's papers and ex- |  |  |
| Acting chief judge | CAR | 9 | hibits .................... | RAP | 9.6 |
| Adjournments ... | CAR | 5 | By mail, time allowed, generally | RAP | 18.6(b) |
| Administrator, fiscal services, budgetary planning, statistics, bond |  |  | Of motion and notice of hearing Of notice of appeal | RAP RAP | $17.4(\mathrm{a})$ 5.4 |
| planning, statistics, bond . . . . . . . . . . <br> Authority | CAR | 23 6 | Of notice of appeal . . . . . . . . . | RAP | 5.4 5.4 |
| Bailiff . | CAR | 19 | Of papers upon party, generally | RAP | 18.5(a) |
| Business apportionment | CAR | 7 | Of personal restraint petition | RAP | 16.8(c) |
| Causes, transfer | CAR | 21 | Of petition against State officer | RAP | 16.2(b) |

## Index to Parts I-IV

| Proof of | Rule <br> RAP | $\begin{aligned} & \text { Number } \\ & \text { 18.5(b) } \end{aligned}$ | Setoff | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Of report of proceedings | RAP | 9.5(a) | Against assignee | CR | 13(j) |
| Of response to motion . | RAP | 17.4(e) | Other rules .... | CR | 13(k) |
| Of statement of issues, when partial report |  |  | Summons unneccesary | CR | 4(a) |
| of proceedings ordered .......... | RAP | 9.2(c) | Trial, separate | CR | 42(b) |
| Sessions | CAR. |  |  |  |  |
| Trial court decisions reviewed by See also Decision of appellate court | RAP | 4.1(a) | Cross Claimant Judgment by default | CR | 55(d) |
| Creditor |  |  | Cross Examination |  |  |
| Judgment, examination of persons | CR | 69(b) | Deponent allowed when | CR | 27(a)(2) |
| Receivership, notice | CR | 66(c) | Trial, scope .......... | CR | 43(b) |
| Criminal Case |  |  | Cross Review |  |  |
| Appeal |  |  | Defined | RAP | 5.1 (d) |
| Address of defendant in, duty of attorney to furnish | RAP | 5.3(c) | See also under Appeal: Appellant, for purpose of briefs, for purpose of oral argu- |  |  |
| Decisions in, appealable by State | RAP | 2.2(b) | ment; Petitioner, for purpose of briefs, for |  |  |
| With multiple counts, when partial judgment appealable in | RAP | 2.2(c) | purpose of oral argument; Respondent, notice of appeal by, notice for discretion- |  |  |
| Notice of appeal for defendant in Address to be included in | RAP | 5.3(c) | ary review by, for purpose of briefs, for purpose of oral argument |  |  |
| Clerk to file | RAP | 5.3(j) |  |  |  |
| Notice for discretionary review for defendant in |  |  | Custody Mental proceedings |  |  |
| Address to be included in Clerk to file | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | $\begin{aligned} & 5.3(\mathrm{c}) \\ & 5.3(\mathrm{j}) \end{aligned}$ | Authorization . | CR | 2.2 |
| Release of defendant by trial court in Objection to trial court ruling upon, in appellate court | RAP | 8.2(b) | -D-- |  |  |
| While review pending | RAP | 7.2 (f) |  |  |  |
| Revocation of deferred or suspended sen- |  | 8.2(a) | Substitution of parties | CR | 25(a) |
| tence during ......... | RAP | $7.2(\mathrm{f})$ |  |  |  |
| Rules of Appellate Procedure apply to | RAP | 1.1(e) | Debtor ${ }_{\text {Garnishment, service upon }}$ |  |  |
| Indigent, appeal Claim for expenses on behalf of |  |  | Judgment, examination by creditor | $\begin{gathered} \text { SPR } \\ \text { CR } \end{gathered}$ | 69(b) |
| Allowance of | RAP | 15.5 |  |  |  |
| Invoice for | RAP | 15.4 | Decision |  |  |
| Costs of suit recoverable by | RAP | 14.3(c) | Of appellate court |  |  |
| In personal restraint proceeding |  |  | Based on issues in briefs | RAP | 12.1 |
| Appointment of attorney for | RAP | 16.15(g) | To be on merits of case | RAP | 1.2 |
| Briefs and other papers of, charges of copying for | RAP | 16.15(g) | On motion, forms of Recall of mandate | RAP | 17.6 |
| Statement of finances in petition by . | RAP | 16.7(a) | To correct error in | RAP | 12.9(b) |
| Trial court rulings on indigency of, while |  |  | To enforce compliance with | RAP | 12.9(a) |
| review is pending ............... | RAP | 7.2(g) | Reconsideration of | RAP | 12.4(a),(h) |
| Form 12 RAP, Order of indigency |  |  | When final | RAP | 12.7 |
| Form 13 RAP, Invoice of counsel for indigent party |  |  | See also Mandate; Reconsideration Of trial court |  |  |
| Form 14 RAP, Invoice of court report- |  |  | Accepting benefit of, as limiting right of |  |  |
| er--Indigent case |  |  | review | RAP | 2.5(b) |
| See also Attorney for indigent party; Or- |  |  | Appealable | RAP | 2.2 |
| der of indigency |  |  | Defined | RAP | 2.1 (a) |
| Juvenile court, decline of jurisdiction | JrCR | $\begin{aligned} & 6.1 \mathrm{et} \\ & \text { seq. } \end{aligned}$ | Effect of, until superseded <br> Made after review of case has been ac- | RAP | 7.2(c) |
| Report on disposition |  |  | cepted, procedure to seek review of | RAP | 5.1(f) |
| In Court of Appeals | CAR | 25 | Modification of by appellate court, effect |  |  |
| In Superior Court | AR | 1 | of, when it was not superseded .... | RAP | 12.8 |
| Supreme Court | SAR | 22 | Reversal of by appellate court, effect of, when it was not superseded | RAP | 12.8 |
| Cross Claim |  |  | Reviewable by Court of Appeals ..... | RAP | 4.1 (a) |
| See also Claim |  |  | Reviewable at discretion of appellate court | RAP | 2.3 |
| Against coparty, pleading | CR | 13(g) | Reviewable by Supreme Court directly | RAP | 4.2(a) |
| Answer, when presented | CR | 12(a) | See also Order of trial court |  |  |
| Defendants, numerous ... | CR | 5(c) | List of pending decisions | CR | 79(f) |
| Defense, presentation | CR | 12(b) | Terminating review |  |  |
| Dismissal of action, involuntary | CR | 41 (c) | By Court of Appeals, review by Supreme |  |  |
| Interpleader, defendant | CR | 22(a) | Court of | RAP | 13.3(d) |
| Joinder of additional parties | CR | 13(h) | Defined | RAP | 12.3(a) |
| Judgment, summary | CR | 56(a) | Time limit | CR | 52(e) |
| Multiple, judgment on part | CR | 54(b) |  |  |  |
| Pleading |  |  | Decree |  |  |
| Answer | CR | 7(a) | Court of appeals | CAR | 3 |
| Contents . . . | CR | 8(a) | Divorce, entry | SPR | 94.04(d) |
| Seperate trial, judgment | CR | 13(i) | Entry by superior court clerk | CR | 78(e) |

\begin{tabular}{|c|c|c|c|c|c|}
\hline Supreme court, final \& \[
\begin{gathered}
\text { Rule } \\
\text { SAR }
\end{gathered}
\] \& \begin{tabular}{l}
Number \\
3
\end{tabular} \& Admissible in evidence Appeal on judgment \& \begin{tabular}{l}
Rule \\
CR \\
CR
\end{tabular} \& \begin{tabular}{l}
Numbe
27(a)(4) \\
27(b)
\end{tabular} \\
\hline Default \& \& \& Prevention of failure, delay of justice \& CR \& 27(a)(3) \\
\hline Entry \& \& \& Persons before whom may be taken \& CR \& \\
\hline Motion, pleading after, notice \& CR \& 55(a) \& Subpoena \& \& \\
\hline Of judgment \& CR \& 55(b) \& Authority, place of examination, foreign, \& \& \\
\hline Judgment, entry \& CR \& 55(b) \& local \& CR \& 45(d) \\
\hline Setting aside .. \& CR \& 55(c) \& Issuance \& CR \& 45(a)(3) \\
\hline \& \& \& Superior court clerk, receipt, publication Taken \& CR \& 78(d) \\
\hline \begin{tabular}{l}
Defendant \\
Absence, voluntary, effect
\end{tabular} \& CrR \& 3.4(b) \& How \& CrR \& 4.6(c) \\
\hline Appearance ........... \& CR \& 4(d)(4) \& When \& CrR \& 4.6(a) \\
\hline Criminal case \& \& \& Taking \& \& \\
\hline Appeal, filing notice of \& CrR \& 101.20W \& Disqualification for interest \& CR \& 28(c) \\
\hline Designated ........... \& CR \& 17(-) \& Foreign country \& CR
CrR \& 28(b) \\
\hline Dismissal of action \& CR \& 41(b)(3) \& Notice \& CrR
CrR \& 4.6 (b)
\(4.6(\mathrm{~d})\) \\
\hline Interpleader \& CR \& 22(a) \& Use ...... \& CR

Cr \& 4.6(d)
$28(-)$ <br>
\hline Joinder \& \& \& Within United States \& CR \& 28(a) <br>
\hline Permissive \& CR \& 20(a) \& Testimony \& \& <br>
\hline Person needed for just adjudication \& CR \& 19(a) \& Perpetuation \& CR \& 27(a)(1) <br>
\hline Joint . . . . . . . . . . . . . . . . . . . . \& CR \& 20(d) \& Use .......... \& CR \& 32(a) <br>
\hline Name unknown in pleading caption \& CR \& 10(a)(2) \& Written questions \& CR \& 31 <br>
\hline Numerous, service upon \& CR \& 5(c) \& \& \& <br>
\hline Present ${ }^{\text {Failure, arrest }}$ \& CrR \& 3.4(c) \& Detention \& \& <br>
\hline Neccessary when \& CrR \& 3.4(a) \& Mental proceedings \& \& <br>
\hline Summary judgment, motion \& CR \& 56(b) \& Authorization \& MPR \& 2.2 <br>
\hline Summons \& \& \& Probable cause hearing \& \& <br>
\hline Service upon \& CR \& 3(a) \& Notice \& \& 2.4(a) <br>
\hline Written acceptance \& CR \& 4(g)(4) \& Procedure \& MPR \& 2.4(b) <br>
\hline Third party \& \& \& \& \& <br>
\hline Defenses \& CR \& 14(a) \& Discharge in Bankruptcy \& \& <br>
\hline When he may summon \& CR \& 14(a) \& Affirmative defense, pleading \& CR \& 8(c) <br>
\hline Defense \& \& \& Discipline of Attorney \& \& <br>
\hline Affirmative, pleading \& CR \& 8(c) \& Association defined \& DRA \& 11.1(c) <br>
\hline Consolidation in motion \& CR \& 12(g) \& Authority \& DRA \& 2.1 (d) <br>
\hline Denial, pleading, form \& CR \& 8(b) \& Board defined \& DRA \& 11.1(d) <br>
\hline Motion, those made by listed \& CR \& 12(b) \& Board of governors \& \& <br>
\hline Pleading \& \& \& Inactive status \& \& <br>
\hline Affirmative \& CR \& 8(c) \& reinstatement \& DRA \& 10.2 <br>
\hline Denials \& CR \& 8(b) \& transfer \& DRA \& 10.1 <br>
\hline Responsive, to be asserted \& CR \& 12(b) \& Local administrative committees to ap- \& \& <br>
\hline When presented \& CR \& 12(a) \& \& DRA \& 2.1 <br>
\hline Preliminary hearing \& CR \& 12(d) \& Reinstatement petition \& \& <br>
\hline Question of law, fact in common \& CR \& 24(b)(2) \& action on \& DRA \& 8.6 <br>
\hline Waiver \& CR \& 12(h) \& filed with hearing \& DRA \& 8.1 <br>
\hline \& \& \& investigation \& DRA \& 8.4 <br>
\hline Abolished \& CR \& 7(c) \& Trial committees, to appoint \& DRA \& <br>
\hline \& \& \& Compensation of committees \& DRA \& 11.4(a) <br>
\hline Denial \& \& \& Complainant, duty \& DRA \& 2.7 <br>
\hline Conditions precedent \& CR \& 9(c) \& Convicted of felony \& \& <br>
\hline Pleading ......... \& CR \& 8 \& Reinstatement answer to petition \& DRA \& 9.2 (d) <br>
\hline \& \& \& costs \& DRA \& 9.2 (g) <br>
\hline Dependent or Delinquent See Juvenile Court \& \& \& hearing \& DRA \& 9.2 (f) <br>
\hline \& \& \& petition, notice to answer \& DRA \& 9.2 (b) <br>
\hline Deposit \& \& \& petition, notice to answer, service \& DRA \& 9.2 (c) <br>
\hline Money in court \& CR \& 67 \& service of answers to petition \& DRA \& 9.2 (e) <br>
\hline \& \& \& suspension by court ..... \& DRA \& 9.2(a) <br>
\hline Deposition \& \& \& Suspension \& \& <br>
\hline Admissability, objections \& CrR \& 4.6(e) \& automatic, exception \& DRA \& 9.1 (a) <br>
\hline Authorization, subpoena \& CR \& 45(d)(1) \& duration \& DRA \& 9.1 (b) <br>
\hline Disqualification \& \& \& hearing notice \& DRA \& 9.1 (e) <br>
\hline Interest \& CR \& 28(c) \& investigation \& DRA \& 9.1 (d) <br>
\hline Effect of taking, using \& CR \& 32(c) \& petition, Supreme Court decision \& DRA \& 9.1 (g) <br>
\hline Examination \& \& \& reinstatement petition \& DRA \& 9.1 (c) <br>
\hline Place \& CR \& 45(d)(2) \& requirements, procedure \& DRA \& 9.1(f) <br>
\hline Facts not appearing on record \& CR \& 43(e)(1) \& Cost, expense \& \& <br>
\hline Foreign, local action \& CR \& 45(d)(4) \& Additional, verified statement \& DRA \& 7.1(b) <br>
\hline Hearing for discipline of attorney \& DRA \& 3.2 (i) \& Paid before attorney reinstated \& DRA \& 7.3 <br>
\hline Local, foreign action \& CR \& 45(d)(4) \& Disciplinary board \& \& <br>
\hline Not allowed in jury room \& CR \& $51(\mathrm{~h})$ \& Action ... \& DRA \& 5.6 <br>
\hline Oral examination ...... \& CR \& 30 \& Censure, reprimand \& \& <br>
\hline Perpetuation of testimony \& \& \& acceptance, record retained \& DRA \& 5.6(d) <br>
\hline
\end{tabular}

Index to Parts I-IV


|  | Rule | Number | Matters not subject to disclosure | Rule CrR | Number$4.7(f)$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |
| Guardian appointment | DRA | 4.1 | Medical, scientific reports | CrR | 4.7(a) |
| Hearing |  |  | Methods . . . . . . | CR | 26(a) |
| in abeyance | DRA | 4.2(c) | Procedure, stipulations | CR | 29 |
| to determine | DRA | 4.2(a) | Prosecutor's obligations | CrR | 4.7(a) |
| Made inactive bar member | DRA | 4.2(f) | Protective orders | CR | 26(c) |
| Notice to guardian | DRA | 4.1(a) | Regulations | CrR | 4.7(b) |
| Submission of record to supreme court | DRA | 4.2(d) | Response supplementation | CR | 26(e) |
| Mental incompetence |  |  | Scope | CR | 26(b) |
| Inactive |  |  | Sequence, timing | CR | 26(d) |
| bar member | DRA | 10.1 |  |  |  |
| status, effective date, review | DRA | 10.1(d) | Discharge |  |  |
| Reinstatement See Reinstatement |  |  | When | CrR | 8.8 |
| Panel defined | DRA | 11.1(e) |  |  |  |
| Papers typewritten, printed | DRA | 11.2 | Dismissal |  |  |
| Petition for rehearing . . . | DRA | 6.6 | Action, voluntary | CR | 41(a) |
| Pleadings |  |  | Counterclaim, cross claim, third party claim | CR | 41(c) |
| Formal complaint |  |  | Involuntary effect | CR | 41(b) |
| amendments | DRA | 3.1(a)(5) | On motion of court | CrR | 8.3(b) |
| answer form, contents | DRA | 3.1(a)(3) | On motion of prosecution | CrR | 8.3(d) |
| contents | DRA | 3.1 (a)(1) | Receivership, court order required | CR | 66(b) |
| extension of time to answer | DRA | 3.1 (a)(7) |  |  |  |
| limit on time to answer | DRA | 3.1(a)(6) | Dissent |  |  |
| notice to answer | DRA | 3.1(a)(2) | Discipline of attorney, board member | DRA | 5.6(c) |
| service | DRA | 3.1 (b) |  |  |  |
| Mailing | DRA | 3.1 (b)(4) | Divorce |  |  |
| Notice to answer, service | DRA | 3.1(b)(1) | Approval of order by attorney of record | SPR | 94.04W(e) |
| Permissible | DRA | 3.1(a) | Decree, entry . . . . . . . . . . . . . . . . . . . | SPR | 94.04W(d) |
| Service | DRA | 3.1 (b) | Default |  |  |
| Proceedings after hearing |  |  | Filing fee | SPR | 94.04W(c) |
| Additional hearing . | DRA | 5.3 | Order of service | SPR | 94.04W(a) |
| Notices . . . . . . . . . . . . . . . . . . . | DRA | 5.1 | Findings, conclusions | CR | 52(a)(1) |
| Statement of support or opposition | DRA | 5.2 11.6 | Order of default, service | SPR | 94.04W(a) |
| Records confidential | DRA | 11.6 | Subpoena of witness .. | SPR | 94.04W(b) |
| Rehearing petition | DRA | 6.6 | Subpoena of witness |  |  |
| Reinstatement |  |  | Docket |  |  |
| After hearing . . . . . . . | DRA | 10.2(b)(4) | Adjournment | CR | 40(a)(3) |
| Cost, expense to be paid | DRA | 7.1 | Jury trial, designated | CR | 39(a) |
| Denial, review | DRA | 10.2(b)(5) | Jury trial, designated |  |  |
| Generally | DRA | 10.2 |  |  |  |
| Hearing by board | DRA | 10.2(b)(3) |  |  |  |
| Investigation ... | DRA | $10.2(\mathrm{~b})(2)$ 8.4 | Discipline of attorney, inspection Genuineness | DRA | 3.2(j) |
| Notice of hearing | DRA | 8.5(a) | Admission, effect | CR | 36(b) |
| Petition |  |  | Refusal to admit, expenses | CR | 37(c) |
| filing | DRA | 8.2 | Request for admission | CR | 36(a) |
| generally | DRA | 10.2 |  |  |  |
| time limit | DRA | 8.1 | Domestic Relations | CR | 52(a)(1) |
| verified | DRA | 10.2(b) | Findings, conclusions, required | CR | S2(a)(1) |
| Procedure, requirements | DRA | 8.5 |  |  |  |
| Statement for, against | DRA | 8.5(b) | Duress |  |  |
| Representation of respondent by former bar president, member of board | DRA 11.5 |  | Affirmative defense, pleading | CR | 8(c) |
| Residence defined | DRA | 11.1 |  |  |  |
| State bar counsel |  |  | Errors, See under Appeal: Assignments of error |  |  |
| Functions | DRA | 2.5 |  |  |  |
| Represents association | DRA | 3.2(d) |  |  |  |
| Supreme court |  |  | Estate |  |  |
| Attorney convicted of felony, granting, denial of petition | DRA | 9.2(e) | Administrator Compensation | SPR | 98.12W |
| Hearing . . . . . . . . . . . . . . . . . . . . . | DRA | 6.5 | Attorney, compensation | SPR | 98.12W |
| Suspension for conviction of felony |  |  | Claim SPR 98.16W (b) |  |  |
| See Convicted of felony |  |  | Minor | SPR | 98.16W(b-d) |
| Trial committee |  |  | Settlement | SPR | 98.08W |
| Appointment | DRA | 2.2 | Executor |  |  |
| Compensation | DRA | 11.4 | Compensation | SPR | 98.12W |
| Hearing panel See Hearing panel |  |  | Guardian SPR 98.16W(a) |  |  |
| Term of office | DRA | 2.2(b) | Ad litem, appointed for minor | SPR | 98.16W(a) |
|  |  |  | Compensation ............ | SPR | 98.12W |
| Discovery |  |  | Minor |  |  |
| Defendant's obligations | CrR | 4.7(b) | Expenditures allowed | SPR | 98.20W |
| Disclosure, additional upon request, specifi- | CrR | 4.7(c) | Fund, deposit ............... | SPR SPR | 98.16W(e) 98.16W(a) |
| Directionary disclosure . . . . . . . . . . . . . . | CrR | 4.7(e) | Receiver |  |  |
| Failure to make, sanctions | CR | 37 | Compensation | SPR | 98.1 2W |
| Material held by others | CrR | 4.7(d) | Report, filing, hearing | SPR | 98.10W |


|  | Rule | Number | --F-- | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Estoppel Affirmative defense, pleading | CR | 8(c) |  |  |  |
| Ethics See Professional Ethics; Judicial Ethics |  |  | Fact Matters of, comment by judge | CR | 51(j) |
| Evidence |  |  |  | CR | 8(c) |
| Comments on | CR | $51(2)$ | Affirmative defense, pleading |  |  |
| Excluded, record, offer of proof | CR | 43(c) |  |  |  |
| Inadmissible, introducing | CPE |  | Federal Court | RAP | 16.16 |
| Injunction, notice, contents | CR | 43(e)(2) | Certification of question to State Supreme |  |  |
| Jury to retire with, exceptions Juvenile court | CR | 51(h) | Court .......................... |  |  |
| Fact-finding hearing, rules of evidence apply | JuCR | 4.4 | Filing <br> Application for admission to practice | APR | 2C,3B4 |
| Prosecuting attorney to present evidence Motion based on facts | JuCR | 4.4 | Complaint |  | 2C,3B4 |
| Motion based on facts not appearing of record | CR | 43(e)(1) | Fee ... | $\begin{aligned} & \mathrm{CR} \\ & \mathrm{CR} \end{aligned}$ | 5(d)(3-4) 5(d)(1-2) |
| Newly discovered |  |  | Time limit | CR | 4(d)(1) |
| Grounds for new trial <br> Relief from judgment | $\begin{aligned} & \text { CR } \\ & \text { CR } \end{aligned}$ | $\begin{aligned} & 59(a) \\ & 60(b) \end{aligned}$ | Discipline of attorney, findings, conclusions, |  |  |
| Persons not parties ... | CR | 34(c) | Failure recommendations of hearing panel | CR | 5(d)(2) |
| Procedure | CR | 34(b) | Fee in divorce action | SPR | 94.04W(c) |
| Scope | CR | 34(a) | Limitation | CR | 5(d)(3) |
| Subpoena, command to produce | CR | 45(b) | Motion | RAP | 7.4(a) |
| Testimony |  |  | Nonpayment of judgment | CR | 5(d)(4) |
| At later trial, report, proof | CR | 43(h) | Note of issue | CR | 40(a)(4) |
| Multiple examinations | CR | 43(a)(2) | Opinions | CAR | 14 |
| Oral, in open court | CR | 43(a)(1) |  | SAR | 14 |
|  |  | 47(a) | Petition |  |  |
| Examination | CR |  | For reinstatement of attorney | DRA | 8.2 |
| Jurors |  |  | For review of Court of Appeals decision |  |  |
| Mental |  |  |  | RAP | 13.4(a) |
| Findings, copy upon request | CR | 35(b)(1) | Time for filing, extensions of | RAP | 18.8(b) |
| Order to submit . . . . . . | CR | 35(a) | For writ of habeas corpus: See under Ap- |  |  |
| Waiver of privilege by examining party | CR | 35(b)(2) | peal: Personal restraint petition |  |  |
| Multiple, testimony . . . . . . . . . . . . . . . . | CR | 43(a)(2) | Pleading |  | 5(c)(3-4) |
| Physical |  |  | Fee | CR |  |
| Findings, copy upon request | CR | 35(b)(1) | Time | CR | 5(d)(1-2) |
| Order to submit . . . . . . . | CR | 35(a) | Summons | CR | 3(a) |
| Waiver of privilege by examining party | CR | $35(\mathrm{~b})(2)$ | Time Generally |  |  |
| Place . . . . . . . . . . . . . . . . . . | CR | 45(d)(2) | Wenerally ${ }_{\text {With }}$ court, defined | $\begin{aligned} & \text { CR } \\ & \text { CR } \end{aligned}$ | 5(d)(1) 5(e) |
| Trial, scope | CR | 43(b) | With court, defined | CR |  |
|  |  |  | Findings |  |  |
| Unnecessary |  |  | Judgment, without | CR | 52(d) |
| Generally | $\begin{gathered} C r R \\ C R \end{gathered}$ | $\begin{aligned} & 8.6 \\ & 46 \end{aligned}$ | Findings and ConclusionsRequired when $\ldots .$. | CR | 52(a)(1) |
| When |  |  |  |  |  |
| Execution |  |  | Findings of Fact |  |  |
| On original judgment, unless superseded | RAP | $7.2(\mathrm{c})$ | Def ault judgment | CR |  |
| Procedure ............ | CR | 69(a) | Duties of court when no jury | CR | 52(a)(1) |
| Supplemental proceedings | CR | 69(b) | Judgment, amendment .... | CR | 52(b) |
|  |  |  | Proposed, not necessary for review | CR | 52(a)(3) |
| Executor | SPRSPR | $\begin{aligned} & 98.08 \mathrm{~W} \\ & 98.12 \mathrm{~W} \end{aligned}$ | Signing ....... | CR | 52(c) |
| Claim by, settlement |  |  |  |  |  |
| Compensation |  |  | Foreign Law Determination | CR | 44.1 |
| Exhibit |  |  |  |  |  |
|  |  |  | Form |  |  |
| Designation of, as part of record on appeal |  |  | Federal certificate procedure | RAP | 16.16 |
| By appellant or petitioner | RAP | 9.6 | Petition to take charge of child | JuCR | 2.1 |
| By opposing party .............. | RAP | 9.6 | Proposed instructions to jury | CR | 51(c) |
| Disposal of, by appellate court | RAP | 18.4 |  |  |  |
| Return of |  |  | Formal Complaint |  |  |
| To party | RAP | 18.4(b) | Discipline of attorney | DRA | 3.1(a) |
| To trial court, on remand for further proceedings | RAP | 18.4(a) | Forma Pauperis Personal restraint proceedings |  |  |
| Transmittal of, to appellate court |  |  |  | RAP | 16.15 |
| Assembly for | RAP | 9.7 (c) |  |  |  |
| Undue expense of | RAP | 9.8 (b) | FraudAffirmative defense, pleadingJudgment, relief | $\begin{aligned} & \mathrm{CR} \\ & \mathrm{CR} \end{aligned}$ |  |
| Use of, in oral argument | RAP | 11.5(d) |  |  | $\begin{aligned} & 8(\mathrm{c}) \\ & 60(\mathrm{~b}) \end{aligned}$ |
| Part of pleading, for all purposes ....... | CR | 10(c) |  |  |  |


| Pleading, statement | Rule CR | Number 9(b) |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  | Hearing Panel |  |  |
| Fraudulent Conveyances Joinder of remedies | CR |  | Ability of attorney to practice |  |  |
|  |  | 17(b) | Determination | DRA | 10.1 |
|  |  |  | Hearing procedure | DRA | 10.1 |
|  |  |  | Appointment | DRA | 2.3(a) |
|  |  |  | Chairman |  |  |
|  |  |  | Administration of oath | DRA | 3.2(h) |
| Garnishment |  |  | Appointed | DRA | 2.3(d) |
| Applicability of rule | SPR | 91.04(1)(f) | Fixes date of hearing | DRA | 3.2(b) |
| Judgment, satisf action | CR | 64 | Continuity | DRA | 2.3(e) |
| Objections . . . . . . . | SPR | 91.04W(c) | Discipline of attorney, procedure after | DRA | V |
| Setting aside | SPR | 91.04W(b) | Disqualification ................. . | DRA | 3.2(e) |
| Writ of |  |  | Duties | DRA | 2.3(b) |
| Irregularities | SPR | 91.04W(b) | Filing findings, conclusions, recommenda- |  |  |
| Service |  |  | tions | DRA | 2.3(b) |
| method | SPR | 91.04W(a) | Location change | DRA | 2.3(a) |
| proof of | SPR | $91.04 \mathrm{~W}(\mathrm{e})$ | Pleadings, formal complaint |  |  |
|  |  |  | Contents . . . . . . . . . . . . | DRA | 3.1 (a) |
| Guardian |  |  | Notice of answer | DRA | 3.1(a)(2) |
| Ad litem |  |  |  |  |  |
| Appointed for minor in estate, probate matters | SPR | 98.16W(a) | Heir, Unknown Pleading, caption | CR | 10(a)(3) |
| Attorney | DRA | 4.1 (a) |  |  |  |
| Incompetent person | CR | 17(c)(3) | Holidays |  |  |
| Infant | CR | 17(c)(2) | Court sessions | CR | 77(e) |
| Authorization of expenditures for minor | SPR | 98.20W | Effect upon time computation | CR | 6(a) |
| Compensation |  |  |  |  |  |
| Application | SPR | 98.12W | Husband and Wife |  |  |
| Discipline of attorney |  |  | Joinder |  |  |
| Appointment | DRA | 4.1 | Of parties, exceptions | CR | 19(e) |
| Fee | DRA | 11.4(b) | Permissive . . . . . . | CR | 20(c) |
| For respondent attorney | DRA | 4.1 |  | CR | 8 |
| --H-- |  |  | Appellate court |  |  |
| Habeas Corpus |  |  |  |  |  |
| Personal restraint petition | RAP | $\begin{aligned} & 16.3- \\ & 16.15 \end{aligned}$ | IllegalityAffirmative defense, pleading |  |  |
| Service | CrR | $8.4$ | Affirmative defense, pleading | CR | 8(c) |
|  |  |  | Incompetence |  |  |
| Hearing Claim by minor against estate | SPR | 98.16W(b) | Adverse party, perpetuation of testimony Attorney | CR | 27(a)(2) |
| Consolidation, joint | CR | 42(a) | Grounds | DRA | I |
| Cost bill on appeal . | RAP | 14.4 | Hearing | DRA | 3.2 |
| Declaratory judgment | CR | 57 | Mental | DRA | 4.2 |
| Determination of confession | CrR | 3.5 | Capacity to sue, be sued | CR | 17(c) |
| Discipline of attorney |  |  | Mental, attorney . . . . . | DRA | 4.2 |
| Procedure generally . . . . . . . . . . | DRA | III | Substitution of parties | CR | 25(b) |
| Reinstatement, convicted of felony | DRA | 9.2 |  |  |  |
| En banc See Supreme Court |  |  | Indictment |  |  |
| Injunction, preliminary . . . | CR | $65(9),(2)$ | Bill of particulars | CrR | 2.1 (e) |
| Issues of law ..... . | DR | 40(a)(2) | Contents, nature | CrR | 2.1 (b) |
| Mental proceedings Commitment |  |  | Information, amendment | CrR | 2.1 (d) |
|  | MPR | 3.4(b) | Surplusage | CrR | 2.1 (c) |
| Procedure . . . . . . . . . . | MPR | $3.4(\mathrm{~b})$ $3.4(\mathrm{a})$ | Use . . . . . | CrR | 2.1(a) |
| Verdict | MPR | 3.4(c) | Warrant |  |  |
| Conditional release and revocation or modification |  |  | Amendment when Execution . . . . | CrR CrR | $\begin{aligned} & 2.2(f)(1) \\ & 2.1(d)(1) \end{aligned}$ |
| modification ${ }_{\text {Burden of proof . . . . . . . . . . . . . . . }}$ | MPR | 4.5(a) | Issuance in lieu of warrant | CrR | 2.2(b) |
| Waiver . . . . . | MPR | 4.5(b) | New, issuance | CrR | 2.2(f)(2) |
| Initial detention | MPR | $4.5(\mathrm{~b})$ | Requisites | CrR | 2.2(c) |
| Notice | MPR | 2.4(a) | Return .. | CrR | 2.2(e) |
| Procedure | MPR | 2.4(b) | When issued | CrR | 2.2(a) |
| Motion to dismiss review proceeding | RAP | 18.9(c) | Indigent |  |  |
| New trial |  |  |  |  |  |  |  |
| Motion | CR | 59(e) | Representation | APR | 7B |
| Order for | CR | 59(d) |  |  |  |
| Preliminary defense on pleading | CR | 12(d) | Indigent Appeal Allotment |  |  |
| Receivership . . . . . . . . . . . . . . . | CR | 66(e) | Credit to . . . | RAP | 15.6 |
| Subpoena | CR | 45(e) |  |  |  |
| Superior court, matters considered | CR | 16(a) | Indigent Party |  |  |
| Temporary restraining order | CR | 65(b) | Claim for expenses on behalf of |  |  |
| To be continued in open court . . . . . . . . | CR | 77(j) | Allowance of . . . . . . . . . . . . . . . . . . | RAP | 15.5 |



| Permission | Rule CR | $\begin{aligned} & \text { Number } \\ & \text { 20(c) } \end{aligned}$ | Execution, proceedings supplementary to, in | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Not feasible | CR | 19(b) | aid of | CR | 69(a) |
| Notice of appeal, in | RAP | 5.3(d),(i) | Final |  |  |
| Notice for discretionary review, in | RAP | 5.3 (d),(i) | Relief |  |  |
| Of defendants | CrR | 4.3(b) | granted | CR | 54(c) |
| Of defense | CrR | 4.3(a) | reasons | CR | 60(b) |
| Permissive |  |  | Stay of proceedings | CR | 62(a) |
| Generally | CR | 20(a) | Findings |  |  |
| Separate trials | CR | 20(b) | Of fact, amendment | CR | 52(b) |
| Persons needed for just adjudication | CR | 19 | Without | CR | 52(d) |
| Prerogative of board of governors in discipline of attorney | DRA | VIII | Garnishment Generally | SPR CrR | $\begin{aligned} & 91.04 \mathrm{~W}(\mathrm{~d}) \\ & 7.3 \end{aligned}$ |
| Related offenses, joining failure . ....... | CrR | 4.3(c) | Interest on | CR | 58(g) |
| Reasons for being nonjoinder | CR | 19(c) | Lien | CR | 58(i) |
| Remedies | CR | 17(b) | Motion |  |  |
| Supreme Court, on review of Court of Appeals decision | RAP | 13.7(d) | Alter, amend <br> Alternative <br> For on pleadings | CR CR CR | $\begin{aligned} & 59(\mathrm{~h}) \\ & 59(\mathrm{i}) \\ & 12(\mathrm{c}) \end{aligned}$ |
| Judge |  |  | Notwithstanding verdict | CR | 50 (b) |
| Canons of judicial ethics See Judicial Ethics |  |  | New charge after arrest of | CrR | 7.4(c) |
| Code of judicial conduct See Judicial Conduct |  |  | Not fully adjudicated ... <br> Notice to opposing counsel | $\begin{aligned} & \text { CR } \\ & \text { CR } \end{aligned}$ | $\begin{aligned} & 56(\mathrm{~d}) \\ & 54(\mathrm{f})(2) \end{aligned}$ |
| Comment on matter of fact | CR | 51(j) | Notwithstanding verdict | CR | 50(c) |
| Conduct See Judicial Conduct |  |  | Appeal from, includes ruling on motion for new trial | RAP | 2.4(d) |
| Disability |  |  | Offer of | CR |  |
| During trial ....... | CrR | 6.11 (a) | Partial, appeal from, when multiple claims |  |  |
| During non-jury trial | $\mathrm{CrR}^{\text {cher }}$ | 6.11 (b) | included or multiple parties involved in | RAP | 2.2(c) |
| Generally ....... | CrR | 63(b) | Pleading statement | CR | 9(e) |
| Duties, generally See Judicial Ethics |  |  | Preparation, time, failure | CR | 54(e) |
| False statements concerning, prohibited | CPR | DR8-102 | Presentation, time | CR | $54(\mathrm{f})(1)$ |
| Judicial Ethics See Judicial Ethics |  |  | Relief | CR |  |
| Pending decisions to be called to attention of | CR | 79(f) | Reopening | CR | ${ }_{59}^{59}(\mathrm{~g})$ |
| Powers in superior court . . . . . . . . . . . . | CR | 63, | Revival <br> Rulings on alternate motions in arrest of | CR | 58(1) |
|  | CR SAR | 77(c) | judgment or for a new trial | CrR | 7.4(d) |
| Supreme court See Supreme Court | SAR |  | Satisfaction |  |  |
| Vacancy not to affect proceeding | CR | 6(c) | Generally | CR | 58(h) |
| Visiting, powers | CR | 77(c)(8)(B) | Seizure of person, property | CR | 64 |
|  |  |  | Separate counterclaims, cross claims | $\begin{aligned} & \text { CR } \\ & \text { CR } \end{aligned}$ | $\begin{aligned} & 13(\mathrm{i}) \\ & 70 \end{aligned}$ |
| Judgment |  |  | Stay on motion for | CR | 62(b) |
| Accepting benefit of, effect of | RAP | 2.5(b) | Summary | CR | 56 |
| Against state | CR | 55(e) | Supplemental, award of appellate court costs |  |  |
| Appeal |  |  | in | RAP | 14.6(c) |
| Allowed when | RAP | 2.2(a) | Supreme court, final | SAR | 3 |
| Bond See Appeal |  |  | Time for motion | CrR | 7.4(b) |
| Depositions for perpetuation of testimony | CR | 27(b) | Vacation procedure | CR | 60(e) |
| From order on post-trial motion includes appeal from, when | RAP | 2.4(c) | When affidavit unavailable | CR | 56(f) |
| Arrest | CrR | 7.4(a) | Judicial Conduct |  |  |
| Assignment | CR | 58(f) | Activities |  |  |
| Bond to supersede | RAP | 8.1 (b) | Avocational | CJC | 5A |
| By confession | CR | 58(e) | Civic, charitable | CJC | 5B |
| Claim, multiple | CR | 54(b) | Engaging in for law, legal system and jus- |  |  |
| Class action | CR | 23(c)(3) | tice administration improve | CJC | 4 |
| Clerical mistakes, correction | CR | 60(a) | Extra-judicial, regulation to reduce con- |  |  |
| Creditor may examine debtor | CR | 69(b) | flict | CJC | 5 |
| Declaratory, procedure | CR | 57 | Fiduciary | CJC | 5D |
| Default |  |  | Financial | CJC | SC |
| After elapse of one year | CR | 55(f) | Political, restrictions | CJC | 7 |
| Amount certain ...... | CR | 55(b)(1) | Compensation for quasi-judicial, extra-ju- |  |  |
| Demand | CR | 54(c) | dicial activities, report | CJC | 6 |
| Entry | CR | 55(b) | Compliance with code |  |  |
| Plaintiff, counter claimant, cross claimant | CR | 55(d) | Effective date | CJC | Pream. 2 |
| Defined | CR | 54(a)(1) | Required | CJC | Pream. 1 |
| Divorce action, approval by attorney of record | SPR | $94.04 \mathrm{~W}(\mathrm{e})$ | Conduct Avoidance of impropriety | CJC | 2 |
| Enforceable unless superseded | RAP | 7.2(c) | Integrity, independence of judiciary upheld | CJC | 1 |
| Entry |  |  | Disqualification |  |  |
| By superior court clerk | CR | 78(e) | For questionable impartiality | CJC | 3 C |
| Effective time | CR | 58(b) | Remittal | CJC | 3D |
| Notice | CR | 58(c) | Duties |  |  |
| When | CR | 58(a) | Performed impartially, diligently | CJC | 3 |
| Estate, probate, claims by minor | SPR | 98.16W(c) | Political |  |  |


| Activity, restrictions | Rule <br> CJC | Number <br> 7 | Trial See Trial | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Conduct generally | CJC | 7A | Verdict |  |  |
| Campaign conduct | CJC | 7B | Correction of informal | CR | 49(i) |
| Responsibilities |  |  | Generalanswer to interrogatories to accompany, |  |  |
| Adjudicative | CJC | 3A |  |  |  |
| Administrative | CJC | 3B | instructions <br> defined | CR | 49(b) |
|  |  |  |  | CR | 49(-) |
| Jurisdiction |  |  | Manner of giving | CR | 49(f) |
| See also under Appeal: Acceptance of review; |  |  | Special | CR | 49(a) |
| Appellate court, authority to act in case; |  |  | View of premises | CR | 47(g) |
| Transfer of case; Trial court authority |  |  |  | CrR | 6.9 |
| Certificate procedure | RAP | 16.16 | Waiver, failure to serve on demand | CR | 38(d) |
| Defendant, right to challenge | CR | 4(d)(4) |  |  |  |
| Juvenile court, decline of | JuCR | 6.1 et seq. | Juvenile Court |  |  |
| Juvenile court, of | JuCR | 1.2 | Admission to detention | JuCR | 3.2 |
| Original ..... | CR | 77(a) | Arrest of child | JuCR | 3.1 |
| Of appellate court, lack of, as issue | RAP | 2.5(a) | Child under twelve | JuCR | 7.4 |
| Of trial court |  |  | Citation petition | JuCR | 2.1 |
| After case accepted for review | RAP | 7.2 | Complaints, referral | JuCR | 2.2 |
| Before case accepted for review | RAP | 7.1 | Counsel, right to | JuCR | 7.2 |
| Lack of, as issue | RAP | 2.5(a) | Decline of jurisdiction |  |  |
| Purpose, construction | CrR | 1.2 | hearing | JuCR | 6.4 |
| Rule, effect | CrR | 1.3 | investigation for | JuCR | 6.3 |
| Rules governing . . . . . . | CrR | 1.1 | notice of hearing | JuCR | 6.2 |
| Superior court, obtaining | CR | 3(c) | scheduling hearing | JuCR | 6.1 |
|  |  |  | traffic cases, in . . . | JuCR | 6.5 |
| Juror |  |  | Defined | JuCR | 1.2 |
| Alternate | CR | 47(b) | Detention prior to disposition |  |  |
| Alternative | CrR | 6.5 | admission to | JuCR | 3.2 |
| Challenge | CR | 47(e) | arrest of child | JuCR | 3.1 |
| Communication with, investigation of, pro- |  |  | notice of preliminary hearing | JuCR | 3.5 |
| hibited | CPR | DR7-108 | notice to parent or custodian | JuCR | 3.3 |
| Examination | CR | 47(a) | preliminary detention hearing | JuCR | 3.6 |
| Ill, procedure when | CR | 47(b) | release from detention | JuCR | 3.8 |
| Note-taking by | CrR | 6.8 | release on citation | JuCR | 3.9 |
| Number in civil case | CR | 49(g) | time limitations on | JuCR | 3.4 |
| Oath | CR | 47(f) | waiver of preliminary hearing | JuCR | 3.7 |
| Orientation | CrR | 6.2 | Direct to court hearing . . . . . . | JuCR | 5.4 |
|  |  |  | Disposition hearing |  |  |
| Jury <br> Admonitions to |  |  | deferred findings | JuCR | 5.3 |
|  | CR | 47(h) | direct to court hearing | JuCR | 5.4 |
|  | CrR | 6.6 | findings and conclusions | JuCR | 5.3 |
| Advisory | CR | 39(c) | judge's statement | JuCR | 5.3 |
| Assess amount of recovery | CR | 49(j) | notice and summons | JuCR | 5.1 |
| Care of . . . . . . . . . . | CR | 47(i) | social study and social file | JuCR | 5.2 |
| Custody . . . . . . . . . . . . . . . . . . . . . . . | CrR | 6.7 |  | JuCR | 5.3 |
| Deliberation, instructions and evidence al- |  |  | Fact-finding hearing 5.3 |  |  |
| Demand for | CR | 38(a) | disposition | JuCR | 4.4 |
| Discharge | CR | 49(c),(k) | evidence | JuCR | 4.4 |
|  |  | 6.10 | facts not disputed | JuCR | 4.5 |
| Fee |  |  | findings of fact | JuCR | 4.4 |
| Notice of settlement, refund, forfeit | CR | 38(e) | issue . . . . . . . | JuCR | 4.3 |
| On demand | CR | 38(b) | notice and summons | JuCR | 4.2 |
| Impaneling | CR | 47(d) | proof, degree of | JuCR | 4.4 |
| Instructions |  |  | prosecuting attorney, duty of | JuCR | 4.4 |
| Delivery by court, argument | CR | 51 (g) | scheduling . . . . . . . . . . . . | JuCR | 4.1 |
| Further | CR | 51 (i) | Intake |  |  |
| Objections, procedure | CR | 51(f) | informal adjustment | JuCR | 2.5 |
| Option to adopt local rule | CR | 51(d) | interview . . . . . . . | JuCR | 2.3 |
| Proposed |  |  | petitions | JuCR | 2.1 |
| disregarding | CR | 51(e) | procedure | JuCR | 2.4 |
| form . . . . | CR | $51(\mathrm{c})$ | referral of complaints | JuCR | 2.2 |
| submission | CR | 51(b) | Jurisdiction |  |  |
| time for submission | CR | 51(a) | decline of | JuCR | 6.1 et seq. |
| Published | CR | 51(d) | defined | JuCR | 1.2 |
| Less than twelve | CR | 48 | Notice |  |  |
| May be polled | CR | 49(h) | decline of jurisdiction hearing | JuCR | 6.2 |
| Mental Proceedings |  |  | disposition hearing | JuCR | 5.1 |
| Commitment proceedings |  |  | fact-finding hearing | JuCR | 4.2 |
| procedure for demand | MPR | 3.3(b) | rights of intaken child . | JuCR | 2.4 |
| when available ....... | MPR | 3.3(a) | to parent of detention of child | JuCR | 3.3 |
| Misconduct, ground for new trial | CR | 59(a) | Petition |  |  |
| None, court to find facts | CR | 52(a)(1) | alleging delinquency | JuCR | 2.1 |
| Oath | CR | 47(f) | informal adjustment in lieu of | JuCR | 2.5 |
| Selection | CrR | 6.3 | Scope of rules . . . . . . . . . . . | JuCR | 1.1 |


|  | Rule | Number |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Self-incrimination and right to counsel |  |  |  |  |  |
| right to counsel . . . . . . . . . . . . . . . | JuCR | 7.2 | Appointment | DRA | 2.2(a) |
| right to remain silent | JuCR | 7.1 | Compensation | DRA | 11.4(a) |
| waiver of rights | JuCR | 7.3 | Service at pleasure of Board of Governors | DRA | 11.7 |
| Social study | JuCR | 5.2 | Term of office . . . . . . . . . . . . . . . . . . . . | DRA | 2.2(b) |
|  | JuCR | 5.3 |  |  |  |
|  |  |  | - - M - |  |  |
|  |  |  | Managing Agent |  |  |
| Laches |  |  | Refusal to testif $y$, penalties | CR | 43(f)(3) |
| Affirmative defense, pleading | CR | 8(c) | Witness, notice . . . . . . . . | CR | 43(f)(1) |
| Law Clerk See Admission to Practice |  |  | Mandamus |  |  |
|  |  |  | Writ of, procedure superseded | RAP | 2.1 (b) |
| Law Librarian |  |  | See Direct review by Supreme Court of trial |  |  |
| Duties, selection | $\begin{aligned} & \text { SAR } \\ & \text { CAR } \end{aligned}$ | $\begin{aligned} & 18 \\ & 18 \end{aligned}$ | court decision, grounds for; Petition against State officer |  |  |
| Lawyer, See Attorney |  |  | Mandate |  |  |
|  |  |  | Costs awarded in | RAP | 14.6(c) |
| Legal Interns |  |  | From Court of Appeals |  |  |
| Court appearances, when | APR | 9(D)(3)(4) | Issue of, delayed | RAP | 12.5(b) |
| License to practice law |  |  | Issue of, expedited | RAP | 12.5(b) |
| Application, procedure | APR | 9(B)(2) |  |  | 18.11(h) |
| Issuance . . . . . . . . . | APR | 9(B)(2)(d) | When issued | RAP | 12.5(b) |
| Limitations | APR | 9(A) | Defined | RAP | 12.5(a) |
| Renewal | APR | 9(E)(1) | Effect of issuing | RAP | 12.2 |
| Revocation | APR | 9(E)(2) |  |  | 12.7 |
| Term | APR | 9(E)(1) | Enforcement of, by trial court | RAP | 12.8 |
| Qualifications | APR | 9(B)(1) | Enforcement of compliance with, by appel- |  |  |
| Renumeration | APR | 9(D)(7) | late court ... | RAP | 12.9(a) |
| Scope of practice | APR | 9(C) | Motion to recall | RAP | 12.9 |
| Supervising attorney, requirements | APR | 9(D) | Recall of | RAP | $\begin{aligned} & 12.9 \\ & 18.8(\mathrm{c}) \end{aligned}$ |
| Letters Rogatory |  |  | From Supreme Court RAP $12.5(\mathrm{c})$ |  |  |
| Depositions, taken in foreign country | CR | 28(v) | Issue of, delayed | RAP | 12.5(c) |
| Service in foreign country . . . . . . . . | CR | 4(i)(1) | Stay of, pending appeal to United States |  |  |
| License |  |  | Supreme Court | RAP | 12.6 |
| Affirmative defense, pleading | CR | 8(c) | When issued | RAP | 12.5(c) |
| Legal interns <br> Term, renewal and revocation | APR | 9(E)(1)(2) | Mental Examination See Examination |  |  |
| Lien |  |  | Mental Incompetence <br> See under Appeal: Conservatorship for adult, order establishing, appealable; Guardianship for adult, same, Legal disability of party, proceedings authorized pending substitution, in event of; Sanity hearing, order of commitment after, appealable |  |  |
| Cessation, extension | CR | 58(k) |  |  |  |
| Commencement | CR | 58(j) |  |  |  |
| Judgment | CR | 58(i) |  |  |  |
| Lis Pendens | CR |  |  |  |  |
|  | CR |  |  |  |  |
|  |  |  | Mental Proceedings Conditional release |  |  |
| List of Pending Decisions <br> County clerk to maintain | CR | 79(f) |  |  |  |
|  |  |  | Apprehension or detention |  |  |
| Litigation |  |  | order, petition, service of | MPR | 4.3 |
| Avoiding acquisition of interest | CPR | DR5-103 | Commencement of new proceedings | MPR | 4.4 |
|  |  |  | Hearing to find nonadherence to terms | MPR | 4.5 |
| Local Administrative Committee |  |  | Initial detention petition | MPR | 4.4 |
| Appointment | DRA | 2.1(a) | Notice of conditions | MPR | 4.1 |
| Chairman appointed | DRA | 2.1 (b) | Petition for revocation of | MPR | 6.5 |
| Compensation | DRA | 11.4(a) | Confidentiality of proceedings | MPR | 1.3 |
| Cooperation with | DRA | 2.6 | Continuance, postponement | MPR | 1.2 |
| Duties | DRA | 2.1 (c) | Detention alternative | MPR | 1.4 |
|  |  |  | Initial detention |  |  |
|  |  |  | Authorization and notice of detention Court files, right to copy | MPR | 2.2 |
| Confidential, becomes records of associa- |  |  |  | MPR | 2.3 |
| Confidential, becomes records of associa- tion . . . . . . . . . . . . . . . . . . . | DRA | 2.1(c)(3) | Juvenile court proceedings . . . . . . . . . | MPR | 2.2A |
| Settlement, compromise, restitution . . . | DRA | 2.1 (d) | Notice of emergency detention . . . . . . | MPR | 2.5 |
| Time, form | DRA | 2.1(c)(3) | Petition . . . . . . . . . . . . . . . . | MPR | 6.1 |
| Trivial matters | DRA | 2.1 (d) | Probable cause hearing | MPR | 2.4 |
| Service at pleasure of Board of Governors | DRA | 11.7 | Summons . . . . . . . . | MPR | 2.1 |
| Special circumstances | DRA | 2.1 (e) | Ninety or one hundred eighty day commitment |  |  |
| Term of office . . . . . . . . . . . . . . . . . . . | DRA | 2.1 (b) |  |  |  |


|  | Rule | Number |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| First court appearance | MPR | 3.1 | Paper size | CR | 10(d) |
| Hearing | MPR | 3.4 | Pleadings, judgment | CR | 12(c) |
| Jury demand | MPR | 3.3 | Response by opposing party to | RAP | 17.4(e) |
| Preliminary appearance | MPR | 3.2 | Rules | CrR | 8.2 |
| Notice |  |  | Service |  |  |
| Generally | MPR | 1.1 | Generally | RAP | 17.4(a) |
| Of release | MPR | 1.1(b) | Proof of | RAP | 17.4(a),(b) |
| To prosecutor | MPR | 1.1(a) | Required, when | CR | 5(a) |
| Petition |  |  | Subpoena, production of evidence | CR | 45(b) |
| Fourteen day involuntary treatment | MPR | 6.2 | Summary determination, subject to | RAP | 17.4(c) |
| Initial detention | MPR | 6.1 | Supported by affidavits, papers to be used by |  |  |
| Initial involuntary detention of minors | MPR | 6.1A | moving parties | CR | 7(b) |
| Ninety day involuntary treatment . . . One hundred eighty day involuntary treat- | MPR | 6.3 | Supporting papers for, serving and filing Time | RAP | 17.4(f) |
| ment | MPR | 6.4 | Time For notice to be served . . . . . . . . . . . | CR | 6(d) |
| Revocation of conditional release | MPR | 6.5 | Of hearing | RAP | 17.4(a) |
| Venue |  |  | For response to | RAP | 17.4(e) |
| Conditional release hearing | MPR | 5.2 | To strike material from pleading | CR | 12(f) |
| Generally | MPR | 5.1 | Vague, ambiguous | CR | 12(e) |
| Release of records | MPR | 5.3 | Verdict, directed Form 18 RAP, Motion | CR | 50(a) |
| Minor |  |  | Form 19 RAP, Notice of Motion |  |  |
| Adoption | SPR | 93.04W |  |  |  |
| Adverse party, perpetuation of testimony | CR | 27(a)(2) |  |  |  |
| Capacity to sue, be sued | CR | 17(b) | --N-- |  |  |
| Claim by, against estate | SPR | $98.16 \mathrm{~W}(\mathrm{~b}-\mathrm{d})$ |  |  |  |
| Estate, probate, guardian ad litem appointed | SPR | 98.16W(a) | Nonjoinder |  |  |
| Judgment, relief because of erroneous proceedings | CR | 60(b) | Not grounds for dismissal of action Pleading, reasons | $\begin{aligned} & \text { CR } \\ & \text { CR } \end{aligned}$ | $\begin{aligned} & 21 \\ & 19(c) \end{aligned}$ |
| Misjoinder <br> Not grounds for dismissal of action | CR | 21 | Nonresident Service upon | CR | 5(b)(3) |
| Motion |  |  | Notice |  |  |
| See also various entries under Appeal, Motions for, etc. |  |  | Appeal From Court of Appeals decision |  |  |
| Affidavit in support of, serving and filing | RAP | 17.4(f) | Acceptance of review by Supreme Court | RAP |  |
| Generally | CR | 59(i) | Delay in issue of mandate on fling | RAP | 12.5(b) |
| Notwithstanding verdict, order for new trial | CR | 50(c) | Dismissal of proceeding when not timely filed | RAP | 18.9(b),(c) |
| Application to court for an order | CR | 7(b) | Time for filing | RAP | 13.2(b) |
| Content of, generally | RAP | 17.3 | Time for filing, extension of | RAP | 18.8(b) |
| Copies of, number required | RAP | 17.4(g) | Form 8 RAP, Notice of Appeal (Court |  |  |
| Decision on | RAP | 17.6 | of Appeals decision) |  |  |
| By clerk | RAP | 17.2(a) | From trial court decision |  |  |
| Forms of | RAP | 17.6 | Acceptance of review on filing | RAP | 6.1 |
| By judges | RAP | 17.2(a) | Address of attorneys for all parties in- |  |  |
| Objection to | RAP | 17.7(a) | cluded in . . . . . . . . . . . . . . . . . | RAP | 5.3(c) |
| Referred by clerk to judges for | RAP | 17.2(b) | Address of defendant in criminal case |  |  |
| Summary | RAP | 17.4(c) | included in | RAP | 5.3(c) |
| Default, failure to appeal | CR | 55(a)(1) | After review in same case has been ac- |  |  |
| Defenses |  |  | cepted | RAP | 5.1(f) |
| Must be consolidated | CR | 12(g) | Amendment of | RAP | 5.3(h) |
| Permitted by listed | CR | 12(b) | Consolidated cases, in | RAP | 5.3(e) |
| Dismissal of action by clerk | CR | 41(b)(2) | Content of | RAP | 5.3(a) |
| Emergency | RAP | 17.4(b) | Cross review, by party seeking | RAP | 5.1 (d) |
| Evidence, hearing | CR | 43(e)(1) | Filing, by appellant | RAP | 5.1(a) |
| Filing of | RAP | 17.4(a) | Filing, by clerk | RAP | 5.4 |
| Form of | RAP | 17.4(g) | Filing for defendant in criminal case, by |  |  |
| Intervention | CR | 24(c) | clerk | RAP | 5.3(j) |
| Judgment |  |  | Form of, defect in | RAP | 5.3(b),(f) |
| Alter, amend | CR | 59(h) | Joinder of parties in | RAP | 5.3(d),(i) |
| Notwithstanding verdict | CR | 50(b) | By respondent, as affecting scope of re- |  |  |
| Procedure on vacation | CR | 60(e)(1) | view | RAP | 2.4(a) |
| Relief, time | CR | 60(b) | Scope of review, as determining | RAP | 2.4 |
| Summary | CR | 56 | Separate, directed to both Court of Ap- |  |  |
| New trial |  |  | peals and Supreme Court effect of | RAP | 5.3(g) |
| Hearing | CR | 59(e) | Service of | RAP | 5.4 |
| Limit | CR | 59(j) | Time for filing | RAP | 5.2 |
| Stay of proceedings | CR | 62(b) | Time for filing, extension of ...... | RAP | 18.8(b) |
| Time, extension .. | CrR | 7.6(b) | Form 1 RAP, Notice of appeal (trial |  |  |
| Notice of |  |  | court decision) |  |  |
| Emergency hearing on | RAP | 17.4(b) | For discretionary review |  |  |
| Regular hearing on . . . . . . . . . . . . . . | RAP | 17.4(a) | Address of attorneys for all parties in- |  |  |
| Oral argument on .. | RAP | 17.5 | cluded in . . . . . . . . . . . . . . . . . . | RAP | 5.3(c) |


|  | Rule | Number | - - - | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Address of defendant in criminal case included in | RAP | 5.3(c) |  |  |  |
| After review of same case accepted | RAP | 5.1(f) |  |  |  |
| Amendment of | RAP | 5.3(h) |  |  |  |
| Cases in which, permitted | RAP | 5.1 (a) | Oath |  |  |
| Consolidated cases, in | RAP | 5.3(e) | Depositions |  |  |
| Content of . . . . . . . | RAP | 5.3(b) | Before whom taken | CR | 28 |
| Cross review, filing of, by party seeking | RAP | 5.1 (d) | Judge, pro tempore | SAR | 21(2) |
| Filing, by clerk . . . . . . . . . . . . . . . | RAP | 5.4 | Supreme court clerk ... Witnesses, superior court | SAR CR | $16(4)$ $43(d)$ |
| Filing, by party giving | RAP | 5.1 (a) | Witnesses, superior court |  | 43(d) |
| Filing for defendant in criminal case, by clerk | RAP | 5.3(j) | ObjectionCivil causes8.7 |  |  |
| Form of, defect in, effect of | RAP | 5.3(b),(f) | Civil causes . . . . . | CrR CR | 8.7 $51(f)$ |
| Joinder of parties in . . . . . . . . . . . | RAP | 5.3(d),(i) | Pleading . . . . . . | CR | 12(a) |
| By respondent, as affecting scope of review | RAP | 2.4(a) | Sustained by court | CR | 43(c) |
| Scope of review, as determining .... | RAP | 2.4 | Officer, Deposition |  |  |
| Separate, directed to Court of Appeals and Supreme Court, effect of | RAP | 5.3(g) | Before whom taken | CR | 28 |
| Service of | RAP | 5.4 | Official Document or Act |  |  |
| Time for filing | RAP | 5.2(b) | Pleading, statement . . | CR | 9(d) |
| Time for filing, extension of | RAP | 18.8(b) |  |  |  |
| Form 2 RAP, Notice for discretionary review |  |  | Omnibus Hearing |  |  |
| Of filing report of proceedings | RAP | 9.5(a) | Continuance | CrR | 4.5(e) |
| Of hearing motion |  |  | Memorandum | CrR | 4.5(h) |
| Minimum time for giving | RAP | 17.4(a),(b) | Motion |  |  |
| Service of | RAP | 17.4(a),(b) | By defendant | CrR | 4.5(h)(I) |
| Form 19 RAP, Notice of motion |  |  | By plaintiff | CrR | 4.5(h)(II) |
| Of intention to file pro se supplemental |  |  | Generally | CrR | 4.5 (d) |
| brief | RAP | 10.1(d) | Record | CrR | 4.5(f) |
| Form 7 RAP, Notice of intent to file pro |  |  | Required when | CrR CrR | $4.5(\mathrm{a})$ $4.5(\mathrm{~g})$ |
| See also Brief pro se, in criminal case |  |  | Time . . . | CrR | 4.5(b) |
| Of partial report of proceedings and issues | RAP | 9.2(c) | Opinion |  |  |
| Notice of settlement conference | RAP | 18.11(e) |  |  |  |  |
| That decision is superseded without bond | RAP | 8.1 (c) | Federal certification procedure Filing . . . . . . . . . . . . | $\begin{aligned} & \text { RAP } \\ & \text { SAD } \end{aligned}$ | $16.16$ $14$ |
| Citation and notice to appear, juveniles . . | JuCR | 2.1 | Filing | CAR | 14 |
| Class action | CR | 23(c)(3) | Judge pro tempore | SAR | 21(4) |
| Creditors, receivership | CR | 66(c) | Per curiam . . . . . | SAR | 14 |
| Default |  |  |  | CAR | 14 |
| After elapse of year | CR | 55(f)(1) | Signed, exception | SAR | 14 |
| Motion | CR | 55(a)(3) |  |  |  |
| Dismissal of action, involuntary | CR | 41(b)(2) | Order |  |  |
| Entry of judgment | CR | 58(c) | Appealable |  |  |
| Findings of fact to defeated parties | CR | 52(c) | Declaring adult mentally incompetent | RAP | 2.2(a) |
| Injunction |  |  | Determining delinquency | RAP | 2.2(a) |
| Application | CR | 43(e)(2) | Determining dependency | RAP | 2.2(a) |
| Preliminary | CR | 65(a)(1) | In arrest of judgment | RAP | 2.2(a),(b) |
| Judgment |  | (a)(1) | Of arrest, in civil case .. | RAP | 2.2(a) |
| Opposing counsel | CR | 54(f)(2) | Of commitment after sanity hearing | RAP | 2.2(a) |
| Procedure on vacation | CR | 60(e)(2) | On motion for new trial .... On motion to vacate judgment | RAP RAP | 2.2(a),(b) 2.2(a),(b) |
| Juvenile court |  |  | Of public use and necessity . | RAP | 2.2(a) |
| Citation and notice to appear | JuCR | 2.1 | Bond See Appeal |  |  |
| Decline of jurisdiction hearing | JuCR | 6.2 | Class action, conduct | CR | 23(d) |
| Disposition hearing | JuCR | 5.1 | Default, service | SPR | 94.04W(a) |
| Fact finding hearing | JuCR | 4.2 | Defined | CR | 54(a)(2) |
| Rights of intaken child | JuCR | 2.4 | Depositions |  |  |
| To parent of detention of child . . . . . . | JuCR | 3.3 | Perpetuation of testimony may prevent |  |  |
| Mental Proceedings |  |  | failure, delay of justice . . . . . . . | CR | 27(a)(3) |
| General | MPR | 1.1 | Determination whether class action to be |  |  |
| Release | MPR | 1.1(b) | maintained ..... | CR | 23(c)(1) |
| To prosecutor | MPR | 1.1(a) | Dismissed action ..... | CR | $41 \text { (d) }$ |
| Initial detention |  |  | Divorce action, approval Exception . . . . . . . . | SPR CR | $94.04 \mathrm{~W}(\mathrm{e})$ 46 |
| Probable cause hearing | MPR | 2.4(a) | IndigencyIn personal restraint proceeding |  |  |
| Receivership |  |  |  |  |  |  |
| Request for special . . . . . . . . . . . . . . . | CR | 66(d) | Motion for . . . . . . . . . . . . . | RAP | 15.2(a) |
| Service | CR | 66(e) | Review of | RAP | 15.2(g) |
| Settlement by attorney | CR | 41(e) | Terms of | RAP | 15.2(d) |
| Temporary restraining order | CR | 65(b) | Form 12 RAP, Order of indigency |  |  |
| Trial, issues | CR | 40(a) | See also Indigent party |  |  |
| Witness | CR | 43(f)(1) | New trial |  |  |


|  | Rule CR | Number 59 |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | CR | 59(d) |  |  |  |
| Statement of reasons | CR | 59(f) | Personal Restraint Proceeding |  |  |
| Post-trial, appealed, when considered as appeal from judgment | RAP | 2.4(c) | Consideration by panel in . | RAP | $\begin{aligned} & 16.11(\mathrm{c}) \\ & 16.13 \end{aligned}$ |
| Preparation | CR | 54(e) | Costs in | RAP | 16.15 (e) |
| Relief | CR | 60 | Decision, form in | RAP | 16.15(d) |
| Restraining, injunction | CR | 65(d) | Initial consideration in | RAP | 16.11 |
| Service by telegraph | CR | 5(b) | Motion in | RAP | 16.15(a) |
| Show cause ...... | CR | 60(e)(3) | Oral argument in | RAP | 16.11(c) |
| Substitution of parties | CR | 25(a)(1) |  |  | 16.15(c) |
| Superior court |  |  | Parties to | RAP RAP | 16.6 <br> 16.11(b) |
| Clerk | CR | 78(c) | Reference to Superior Court in | RAP | $\begin{aligned} & \text { 16.11(b) } \\ & 16.12 \end{aligned}$ |
| Pretrial | CR | 16(b) |  |  |  |
| Service, required when | CR | 5(a) | Release from confinement in Response in .......... | $\begin{aligned} & \text { RAP } \\ & \text { RAP } \end{aligned}$ | 16.9 16.9 |
| Notice, hearing, duration | CR | 65(b) | Response in <br> Supreme Court review of decision in | RAP |  |
| Security | CR | 65(c) | Supreme Court review of decision in .... |  |  |
| When notice to adverse party not required | CR | 65(b) | See also Brief in personal restraint proceeding; Order of indigency; Record of refer- |  |  |
| Ordinance <br> Pleading, statement | CR | 9(i) | ence hearing; Reference hearing; Time to file-Personal restraint petition |  |  |
|  |  |  | Petition |  |  |
| --P-- |  |  | Against state officer |  |  |
| --P-- |  |  | Hearing by clerk on | RAP | 16.2(d) |
|  |  |  | Jurisdiction of Supreme Court on | RAP |  |
| Party |  |  | Procedure in Supreme Court to commence |  |  |
| See also under Appeal: Joinder of parties; Substitution of parties |  |  | action on <br> Form 16 RAP, Petition against State | RAP | 16.2 |
| Addition of, by trial court, to enforce mandate | RAP | 12.8(d) | officer <br> Juveniles |  |  |
| Adverse See Adverse Party |  |  | Alleging delinquency | JuCR | 2.1 |
| Agreement with other incivic action | CR | 2A | Informal adjustment in lieu of | JuCR | 2.5 |
| Change in claim against | CR | 15(c) | Mental Proceedings |  |  |
| Co-party See Co-party |  |  | Fourteen day involuntary treatment | MPR | 6.2 |
| Designation of, in appellate court proceeding | RAP | 3.4 | Initial detention | MPR | 6.1 |
| Joinder of | CR | 20 | Ninety day involuntary treatment | MPR | 6.3 |
| Multiple, appeal from partial judgment in case involving | RAP | 2.2(c) | One hundred eighty day involuntary treatment | MPR | 6.4 |
| Multiple stay of judgment | CR | 62(h) | Proceedings for conditional release and re- |  |  |
| Personal restraint proceeding | RAP | 16.6 | vocation or modification |  |  |
| Substitution |  |  | petition and order of apprehension and |  |  |
| Death |  |  | detention .......... | MPR | 4.3 |
| partial abatement | CR | 25(a)(2) | petition for initial detention | MPR | 4.4 |
| procedure | CR | 25(a)(1) | Perpetuation of testimony | CR | 27(a)(1) |
| Incompetency | CR | 25(b) | Personal restraint | RAP | 16.3- |
| Transfer of interest | CR | 25(c) |  |  | 16.15 |
| Third See Third Party |  |  | Receivership | CR | 66(d) |
| Third See Thid Pary |  |  | Rehearing, discipline of attorney | DRA | XV N |
|  |  |  | Reinstatement of attorney | DRA | VII |
| Affirmative defense, pleading | CR | 8(c) | Review of Court of Appeals decision | DRA | 10.2 |
|  |  |  | Acceptance of review on, when granted | RAP | 13.6(b) |
| Perpetuation of Testimony |  |  | Answer to . . . . . . | RAP | 13.4(d) |
| Action, power of court | CR | 27 (c) | Copies of, reproduced | RAP | $13.4(\mathrm{~g})$ |
| Appeal on judgment, deposition | CR | $27(\mathrm{~b})$ | Dismissal of, when not timely filed | RAP | 18.9(b),(c) |
| Deposition, admissible in evidence | CR | $27(\mathrm{a}$ (4) | Form of ...................... | RAP | 13.4(e) |
| Notice, service | CR | 27(a)(2) | Grounds for | RAP | 13.4(b) |
| Petition | CR | 27(a)(1) | Length of | RAP | 13.4(f) |
| Prevention of failure, delay in justice order, |  |  | Mandate, delay of, on filing | RAP | 12.5(b) |
| examinatio | CR | 27(a)(3) | Oral argument on | RAP | 13.4(h) |
|  |  |  | Reply to answer on | RAP | 13.4(d) |
| Personal Restraint Petition |  |  | Service of papers, on | RAP | 13.4(g) |
| Content and style of | RAP | 16.7(a) | Time for filing | RAP | 13.4(a) |
| Filing of ......... | RAP | $\begin{aligned} & 16.5 \\ & 16.8(b) \end{aligned}$ | Time for filing, extension of Form 9 RAP, Petition for review | RAP | 18.8(b) |
| Filing fee | RAP | 16.8(a) |  |  |  |
| Grounds for | RAP | 16.4(c) | Petitioner |  |  |
| Oath | RAP | 16.7(a) | Defined | RAP | 3.4 |
| Person who makes | RAP | 16.6(a) |  |  |  |
| Respondent in | RAP | 16.6 | Plaintiff |  |  |
| Response to | RAP | 16.9 | Application for judgment | CR | 55(b)(3) |
| Second | RAP | 16.4(d) | Argument to jury | CR | 51(g) |
| Service of | RAP | 16.8(c) | Claims against, interpleader | CR | 22(a) |
| Standard form provided for | RAP | 16.7(b) | Complaint, service ..... | CR | 4(d)(1) |
| Transfer to Superior Court of | RAP | 16.11(a) | Defendant as third party | CR | 14(a) |
| Form 17 RAP, Personal restraint petition |  |  | Designated ........... | CR | 17(-) |



## Index to Parts I-IV




## Index to Parts I-IV

| Papers upon party, generally Personal restraint petition . | Rule RAP RAP | $\begin{aligned} & \text { Number } \\ & \text { 18.5(a) } \\ & \text { 16.8(c) } \end{aligned}$ | Taking Time limit | Rule APR APR | $\begin{aligned} & \text { Number } \\ & \text { 5F } \\ & \text { 5C } \end{aligned}$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Petition |  |  |  |  |  |
| Petition against State officer | RAP | 16.2(b) | State Bar Counsel |  |  |
| Perpetuation of testimony | CR | 27(a)(2) | Employed | DRA | V |
| Pleadings |  |  | Represents association | DRA | IX D |
| Copies | CR | 5(a),(c), |  |  |  |
|  | CR | 10(e) | Statement of Fact |  |  |
| Discipline of attorney | DRA | 3.1 (b) | See under Appeal: Record on review; Report |  |  |
| Proof of . . . . . . . . . | RAP | 18.5(b) | of proceedings |  |  |
| Report of proceedings | RAP | 9.5(a) |  |  |  |
| Required for awarding costs in default judgment | CR | 55(b)(4) | Statute <br> Computation of tim | CR | 6(a) |
| Response to motion | RAP | 17.4(e) | Computation of time . Conflict with civil rules | CR | $81(\mathrm{~b})$ |
| Statement of issues, when partial report of proceedings ordered |  | 9.2(c) | Injunctive relief | CR | 65(e) |
| Receivership, notice of . . . . . . . . . . . . . | $\begin{aligned} & \mathrm{CR} \\ & \mathrm{CR} \end{aligned}$ | 66(e) | Interpleader . . . . . . . . | CR | 38(a) |
| Required when ..... |  | 5(a) | Jury trial, right preserved . . . . . . . . . . . . . . Juvenile court rules to supplement . . | $\underset{\text { JuCR }}{\text { CR }}$ | 38(a) |
| Show cause order on vacation of judgment | CR | 60(e)(3) | Juvenile court rules to supplement Of frauds, affirmative defense, pleading Of limitations, affirmative defense, pleading | CR | 8(c) |
| Subpoena |  |  |  | CR | 8(c) |
| Deposition, failure to serve | CR | 30(g)(2) | Private, pleading . . . . . . . . . . . . . . . . | CR | 9(j) |
| Summons |  | 45(c) |  |  |  |
|  |  | 4(i) | Service of papers other than summons, pro- cess . . . . . . . . . . . . . | CR | 5(f) |
| Manner . . . . | CR | 4(d) | Tolling . . . . . . . . . . | CR | 3(b) |
| Methods | CR | 3(a) | Vacation of judgment | CR | 60(e)(4) |
| On joint defendants | CR | 20(d) |  |  |  |
| Proof | CR | 4(g) | Stay of Proceeding |  |  |
| Publication | CR | 4(c) | Automatic, when | CR | 62(a) |
| Sheriff | CR | 4(c) | Motion for new trial, judgment | CR | 62(b) |
| Telegraph, manner | CR | 5(h) | Other | CR | 62(f) |
| Territorial limits | CR | 4(f) | Trial court ruling on, while review pending | RAP | 7.2(h) |
| Upon attorney | CR | 5(b)(1) |  |  |  |
| Writ of garnishment |  |  | Stipulations |  |  |
| Method | SPR | 91.04W(a) | Superior court procedure, effect | CR | 2A |
| Proof | SPR | 91.04W(e) |  |  |  |
|  |  |  | Subpoena |  |  |
| Session |  |  | Deposition |  |  |
| Court of appeals | $\begin{aligned} & \text { CAR } \\ & \text { SAR } \end{aligned}$ | 3 | Authority, place of examination, foreign, |  |  |
| Supreme court, time, place |  | 3 | local | CR | 45(d) |
|  |  |  | Foreign for local action | CR | 45(d)(3) |
| Settlement |  |  | Issuance | CR | 45(a)(3) |
| Attorney to notify court | CR | 41(e) | Local for foreign action | CR | 45(d)(4) |
| Outside court | CR | 38(e) | Discipline of attorney | DRA | 3.2(h) |
|  |  |  | Evidence, command to produce | CR | 45(b) |
| Severance |  |  | Failure to obey deemed contempt | CR | 45(f) |
| Motion |  |  | Form | CR | 45(a)91) |
| Court authority to act | CrR | 4.4(e) | Generally | CrR | 4.8 |
| Timeliness, waiver | CrR | 4.4(a) | Hearing | CR | 45(e) |
| Of defendants | CrR | 4.4(c) | Issuance in criminal case | CrR | 4.8 |
| Of offenses | CrR | 4.4(b) | Service |  |  |
|  |  |  | Territorial limits | CR | 4(f) |
| Shareholder |  |  | Who may | CR | 45(c) |
| Derivative action | CR | 23.1 | Trial | CR | 45(e) |
|  |  |  | Witnesses | CR | 45(a) |
| Sheriff |  |  |  |  |  |
| Attachment, endorsement of writ | SPR | 90.04W | Suits |  |  |
| Summons |  |  | Capacity of parties to sue | CR | 17(a) |
| Proof of service | CR | 4(g)(1) | Class actions | CR | 28 |
| Service | CR | 4(c) |  |  |  |
|  |  |  | Summons |  |  |
| Show Cause |  |  | See also Indictment Process |  |  |
| Vacation of judgments | CR | 60(e)(3) | Contents <br> Failure to appear | CR | 4(b)(1) |
|  |  |  |  | CrR | 2.2(2) |
| State Bar Association |  |  | Form | CR | 4(b)(2) |
| Admission |  |  | Issuance | CR | 4(a) |
| See also Admission to Practice |  |  | Joint defendant | CR | 20(d) |
| For educational purposes | APR | 8 | Method of commencing action | CR | 3(a) |
| Chairman of the disciplinary board, appointment of hearing panel | DRA | 2.3(a) | New, issuance Process, deemed | CrR CR | 2.2(f)(2) $4(-)$ |
| Legal internsLicense to practice law |  |  | Publication, proof | CR | 4(g)(3) |
|  |  |  |  |  | Service |  | (8)(3) |
| application, approval | APR | 9(B)(2)(c) | By sheriff | CR | 4(c) |
| Membership required, exception | APR | 7 | Filing complaint | CR | 4(d)(1) |
| Oath of attorney |  |  | Foreign country |  |  |
| Form | APR | 5G | manner | CR | 4(i)(1) |


| proof | Rule CR | $\begin{aligned} & \text { Number } \\ & \text { 4(i)(2) } \end{aligned}$ | Interrogatory, to parties, procedure | Rule CR | Number 33 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Generally | CrR | 2.1 (d)(2) | Intervention in action .......... | CR | 24 |
| Out of state | CR | 4(e) | Joinder |  |  |
| Personal, in state | CR | 4(d)(2) | Of claims | CR | 18(a) |
| Proof | CR | 4(g) | Of remedies | CR | 18(b) |
| Publication |  |  | Permissive | CR | 20 |
| application for judgment | CR | 55(b)(3) | Persons needed for just adjudication | CR | 19 |
| authorized .... | CR | 4(d)(3) | Judge |  |  |
| proof | CR | 4(g)(3) | Disability | CR | 63(b) |
| Return | CR | 4(g) | Powers | CR | 77(c) |
| Territorial limits | CR | 4(f) | Judgment |  |  |
| Mental proceedings |  |  | Amendment | CR | 59 |
| Initial detention | MPR | 2.1 | Declaratory | CR | 57 |
| Third party brought in | CR | 14(a) | Default | CR | 55 |
|  |  |  | Directed verdict | CR | 50 |
| Superior Court |  |  | Entry | CR | 58 |
| See also Court |  |  | For specific acts | CR | 70 |
| Action |  |  | Generally | CR | 54 |
| Against nonresident | CR | 82(a) | Not withstanding verdict, appeal | CR | 50(c) |
| Brought in wrong county | CR | 82(b) | Offer of | CR | 68 |
| Dismissal | CR | 41 | On garnishment | SPR | 91.04W(d) |
| Effect |  |  | Relief | CR | 60 |
| of effective date of civil rules | CR | 86 | Summary | CR | 56 |
| of tolling statute | CR | 3(b) | Jurisdiction |  |  |
| Form | CR | (b) | Defendant right to challenge | CR | 4(d)(4) |
| Lis pendens | CR | 3(d) | Obtaining | CR | 3(c) |
| Method | CR | 3(a) | Original | CR | 77(a) |
| Adjournment | CR | $77(\mathrm{~g})$ | Juror |  |  |
| Adoption report | SPR | 93.04W | Note taking | CR | 47(j) |
| Appeal from | RAP | 2.3(a) | Orientation | CrR | 6.2 |
| Appearance, voluntary | CR | 4(d)(4) | Jury |  |  |
| Applicability of civil rules | CR | 81(a) | Closing | CR | 47 |
| Assignment of cases | CR | 40 | Instructions, deliberation | CR | 51 |
| Authorization of estate expenditures for minor | SPR | 98.20W | Less than twelve Verdict | $\begin{aligned} & \text { CR } \\ & \text { CR } \end{aligned}$ | $\begin{aligned} & 48 \\ & 49 \end{aligned}$ |
| Civil rules |  |  | Local rules |  |  |
| Applicability | CR | 81(a) | Adoption | CR | 83(a) |
| Conflict with statutes | CR | 81(b) | Copies | CR | 83(c) |
| Effective dates | CR | 86 | Format | CR | 83(b) |
| Official abbreviation | CR | 85 | Mail registered, certified | CR | $5(\mathrm{~g})$ |
| Scope | CR | 1 | Mental proceedings See Mental Proceedings |  |  |
| Title | CR | 85 | Method of placing trial actions on calendar | CR | 40(b) |
| Class actions | CR | 23 | Misjoinder, nonjoinder | CR | 21 |
| Clerk |  |  | Moneys, deposit in court | CR | 67 |
| Books, records kept by | CR | 79 | Oath | CR | 43(d) |
| Powers, duties | CR | 78 | Official record, proof | CR |  |
| Report of disposition of criminal case | Ar | 1 | Open always | CR | 77(d) |
| Commissioners | CR | 53.2 | Order |  |  |
| Complaint, filing time | CR | 5(d)(1) | Pretrial | CR | 16(b) |
| Conclusions | CR | 52 | Relief | CR | 60 |
| Conflict of statutes, rules | CR | 81(b) | Service required, when | CR | 5(a) |
| Consolidation | CR | 42 | Perpetuation of testimony | CR | 27 |
| Cost, statutory authority | CR | 54(d) | Pleading |  |  |
| Counterclaims, pleading | CR | 13 | Allowed, form of motion | CR | 7 |
| Report of disposition forwarded to State |  |  | Amended, supplemental | CR | 15 |
| Patrol | AR | 1 | Form | CR | 10 |
| Cross claims, pleading | CR | 13 | General rules | CR | 8 |
| Decisions | CR | 52 | Signing | CR | 11 |
| Default | CR | 55 | Special matters | CR | 9 |
| Defenses, objections | CR | 12 | Pretrial procedure, formulating issues | CR | 16 |
| Depositions, persons before whom may be taken | CR | 28 | Process Amendment | CR | 4(h) |
| Establishment of times, places of business | CR | 77(k) | Territorial limits | CR | 4(f) |
| Evidence | CR | 43 | Powers | CR | 77(b) |
| Exceptions, unnecessary when | CR | 46 | Receivership proceedings | CR | 66 |
| Execution | CR | 69 | Reference to |  |  |
| Findings of fact | CR | 52 | In personal restraint proceeding | RAP | 16.11(b) |
| Forwards disposition of criminal cases to State Patrol | AR | 1 | In proceeding against State officer .... References, powers, duties .......... | RAP CR | $16.2(\mathrm{~d})$ 53.1 |
| Garnishment |  |  | Reporter, electronic recording | CR | 80(b) |
| Judgment on | SPR | $91.04 W$ (d) | Seal | CR | 77(h) |
| Setting aside | SPR | $91.04 W$ (b) | Security, proceedings against | CR | 65.1 |
| Hearing, matters considered | CR | 16(a) | Seizure of person, property | CR | 64 |
| Holidays | CR | $77($ e) | Separate trial ........... | CR | 42 |
| Injunction | CR | 65 | Service, filing of pleadings, other papers | CR | 5 |
| Interpleader ......................... | CR | 22 | Sessions |  |  |


|  | Rule | Number |  | Rule | Number |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Times | CR | 77(f) | Deputies | SAR | 16(2) |
| More than one judge | CR | $77(\mathrm{i})$ | Duties | SAR | 16(6) |
| Stay of proceedings to enforce judgment | CR | 62 | Oath | SAR | 16(4) |
| Stipulations, procedure, effect | CR | 2A | Office hours | SAR | 16(5) |
| Submission on briefs | CR | 77(1) | Powers, duties | SAR | 16 |
| Subpoena | CR | 45 | Responsible for court of appeals clerk | CAR | 22 |
| Substitution of parties | CR | 25 | Contempt, acts designated | SAR | 12 |
| Summer recess | CR | 77(h) | Decision |  |  |
| Summons |  |  | Becomes final, when | RAP | 12.7(b) |
| Contents | CR | 4(b)(1) | Concurrence of judges | SAR | 6 |
| Form | CR | 4(b)(2) | Decree, final .......... | SAR | 3 |
| Issuance | CR | 4(a) | Department |  |  |
| Method of commencing action | CR | 3(a) | Chief justice coordinator | SAR | 8 |
| Process, deemed | CR | 4(-) | Number of judges to be present | SAR | 6 |
| Service |  |  | One designated | SAR | 6 |
| foreign country | CR | 4(i) | Powers | SAR | 6 |
| personal | CR | 4(d)(2) | Two designated | SAR | 6 |
| proof | CR | 4(g) | Direct review of trial court decision by | RAP | 4.2 |
| publication | CR | 4(d)(3) | Discretionary review of Court of Appeals de- |  |  |
| with complaint | CR | 4(d)(1) | cision by ........................ | RAP | 13.3 |
| Sheriff to serve Third party practice | CR CR | 4(c) | Discretionary review of trial court decision, |  |  |
| Time |  |  | Grant, denial of petition for reinstatement of | RAP | 4.2 |
| Computation | CR | 6(a) | attorney convicted of felony | DRA | 9.2(e) |
| Enlargement or extension | CR | 6(b) | Grant of authority to discipline attorneys | DRA | 1.1 |
| Transfer to |  |  | Time, place ..................... | SAR | 4 |
| Of personal restraint petition | RAP | 16.11(a) | Upon discipline of attorney | DRA | 6.5-6.6 |
| Of petition against State officers | RAP | 16.2(d) | Judge |  |  |
| Trial |  |  | Assignment | SAR | 6 |
| Defined ... | CR | 38(-) | Four per department | SAR | 6 |
| Jury docket | CR | 39 59 | Interchangeable .... | SAR | 6 |
| New | CR | 59 | Junior, minutes of business meetings | SAR | 13 |
| Venue | CR | $82(\mathrm{a})$ | Order of court, hearing en banc .... | SAR |  |
| Verdict, directed Vesting title | CR | 50 70 | Pro tempore . ................ | SAR | 21 |
| Vesting title | CR | 70 | Senior, right to act | SAR | 10 |
|  |  |  | Seniority determination | SAR | 11 |
| Supersedeas |  |  | Judgment |  |  |
|  | RAP |  | Final | SAR | 3 |
| Mandate terminates ${ }^{\text {Notice that decision is superseded without }}$ | RAP |  | Law librarian |  |  |
| Notice that decision is superseded without bond, as | RAP | 8.1(c) | Duties Selection | $\begin{aligned} & \text { SAR } \\ & \text { SAR } \end{aligned}$ | $\begin{aligned} & 18(a-f) \\ & 18 \end{aligned}$ |
| Objection to trial court ruling on, in appel- |  |  | Legal interns |  |  |
| late court ...... | RAP | 8.1(d) | License to practice law |  |  |
| Trial court ruling on, while review pending | RAP | 7.2(h) | issuance ......... | APR | 9(B)(2)(d) |
|  |  |  | renewal | APR | 9(E)(1) |
| Supreme Court review of Court of Appeals |  |  | revocation | APR | 9(E)(2) |
| Acceptance of review of Court of Appeals decision, by | RAP | 13.6 | Local law question, proceedings upon certifcation by United States court of | RAP | 16.16 |
| Acting chief justice | SAR | 9 | Memorial exercises .................. . | SAR |  |
| Acts declared contempt of court | SAR | ${ }_{5}^{12}$ | Mental illness of attorney | DRA | 4.1(b),4.2 |
| Adjournment ........... | SAR | 5 E | New trial, motion for ruling | ${ }_{\text {CrR }}$ | 7.6 |
| Admission to practice order .......... | APR | 5E | Notice of appeal .......... | SAR | 4 |
| Appeal to, from Court of Appeals decision, when accepted | RAP | 13.2 | Opinions | SAR | 14 |
| Appointment of guardian for respondent at- |  |  | Determination Filing . . . . | SAR |  |
| torney | DRA | $4.1(\mathrm{~b}),$ 4.2(b) | Per curiam | SAR | 14 |
| Bailiff, appointment, duties | SAR | 19 | Signed, exception | SAR | 14 |
| Books, records ... | SAR | 16(7) | Process, style ..... | SAR | 2 |
| Business meetings, minutes | SAR | 13 | Reinstatement of attorney, review | DRA | 10.2(b)(5) |
| Chief justice |  |  | Reporter |  |  |
| Acting . | SAR | 9 | Appointment | SAR | 17(1) |
| judge | SAR | 6 | Duties | SAR | 17(2-6) |
| Choice of | SAR | 8 | Salary | SAR | 17(1) |
| Coordinator between departments | SAR | 8 | Reporting of criminal cases | SAR | 22 |
| Determination of opinions | SAR | 4 | Review |  |  |
| Duties | SAR | 8 | Inactive status of attorney | DRA | 10.1(d) |
| Executive officer | SAR | 8 | Of court of appeals decision |  |  |
| Order of court, hearing en banc | SAR | 7 | Interlocutory | RAP | 13.5 |
| Sit, preside in both departments | SAR | 6 | Methods of seeking | RAP | 13.1(a) |
| Clerk |  |  | Petition for review | RAP | 13.4 |
| Acting as attorney | SAR | 16(3) | Rules on appeal See Appeal |  |  |
| Appointment | SAR | 16(1) | Seal | SAR | 1 |
| Bond | SAR | 16(4) | Session, time, place | SAR | 4 |
| Books, records | SAR | 16(7) | Statement of grounds for direct review by | RAP | 4.2(b) |
| Compensation | SAR | 16(1) |  |  | 17.3(b) |


| Transfer of case by, from one appellate court |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |
| Writ, procedure superseded |  | 4.3 | Adverse party may bring issue | CR | 40(a)(5) |
|  | RAP | 2.1 (b) | By jury | CrR | 6.1(a) |
|  |  |  | Case not fully adjudicated on motion | CR | 56(d) |
| Sureties |  |  | Change of judge . . . . . . . . . . . . . . | CR | 40(f) |
| On bond | RAP | 8.4 | Civil cases, criminal case priority | CrR | 3.3(c) |
| Objection to sufficiency of | RAP | 8.4(c) | Criminal, preference over civil | CR | 40(c) |
| Proceedings against | CR | 65.1 | Conduct . . . . . . | CPR | DR7-106 |
|  |  |  | Consent, both parties for a jury | CR | 39(c) |
|  |  |  | Consolidation of actions . . . . | CR | 42(a) |
|  |  |  | Continuance when | CrR | 3.3(e) |
|  |  |  | Continuances, absence of evidence, procuring | CR | 40(e) |
| Temporary Injunction See Injunction |  |  | Court Issues, how tried | CR | 39(-) |
|  |  |  | May disregard proposed instructions when | CR | 51(e) |
| Territorial Limits <br> Process $\qquad$ | CR | 4(f) | Rule | CR | 39(b) |
|  |  |  | Criminal charge, dismissal with prejudice | CrR | 3.3(f) |
|  |  |  | Defined | CR | 38(-) |
| Testimony |  | $\begin{aligned} & 2.6, \\ & 2.1(\mathrm{c})(5) \\ & 43(\mathrm{~h}) \end{aligned}$ | Dismissal of action, involuntary | CR | 41(b)(1) |
| Discipline of attorney, perpetuation | DRA |  | Examination |  |  |
| Evidence, at later trial, report, proof | CR |  | tions . . . . . . . . . . . . . . . . . . . . . . . . . | CR | 43(f)(2) |
| Interrogatory See Interrogatory |  |  | Scope | CR | 43(b) |
| Perpetuation of See Perpetuation of Testimony |  |  | Evidence Excluded, offer of proof | CR | 43(c) |
| Retrial, nonjury cases | CR | 43(j) | Testimony at former | CR | 43(i) |
| Trial |  |  | Injunction, preliminary, consolidated withhearing . . . . . . . . . . . . . . . . . . . |  |  |
| Former witness, admission | CR | 43(i) |  | CR | 65(a)(2) |
| Multiple examinations | CR | 43(a)(2) | Issue |  |  |
| Oral in open court | CR | 43(a)(1) | Of fact | CR | 40(a)(1) |
|  |  |  | Of law | CR | 40(a)(2) |
| Third Party |  |  | Judge |  |  |
| Answer | CR | 7(a) | Disability | CR | 63(b) |
| Claim |  |  | Jury |  |  |
| See also Claim |  |  | Advisory | CR | 39(c) |
| Contents of pleading | CR | 8(a) | Demand for, fee | CR | 38(b) |
| Defense presentation | CR | 12(b) | Docket . . . . . | CR | 39(a) |
| Dismissal of action, involuntary | CR | 41(c) | Issue, how tried . . . . . . . . . . . . . . . . | CR | 39(-) |
| Trial, separate . . . . . . . . . . | CR | 42(b) | Motion for directed verdict not a waiver | CR | 50(a) |
| Complaint . . . | CR | 7(a) | Return of fee, forfeit | CR | $38(e)$ $38(\mathrm{a})$ |
| Defendant as plaintiff | CR | 14(a) | Right preserved . . . | CR | $38(a)$ $38(\mathrm{c})$ |
| Tort case, not applicable when | CR | 14(c) | Specification of issues | CR | 38(c) |
| When plaintiff may bring in .. | CR | 14(b) | Waiver . . . . . . . . . . . . . . . . . . . | CR | $38(\mathrm{~d})$ $49(\mathrm{a})$ |
| Time |  |  | Less than twelve | CrR | 6.1(b) |
|  |  |  | New |  |  |
| See also Filing, Service, and under Appeal: Time for filing |  |  | Affidavit, time Grounds | CrR | 7.6(c) |
| Computation |  |  | for reconsideration. | CR | 59(a) |
| Appellate courts | RAP | 18.6 | new See new grounds | CR | S9) |
| Generally | CrR | 8.1 | Motion |  |  |
| Superior court | CR | 6(a) | notwithstanding verdict | CR | 50(c) |
| Enlargement or extension by court | CR | 6(b) | time . . . . . . . . . . . | CR | 59(b) |
| Holiday, effect on computation | CR | 6(a) | Nonjury, further testimony | CR | 43(j) |
| New, motion disposition | CrR | 7.6(e) | Reopening judgment ..... | CR | 59(g) |
|  |  |  | Return of statement of facts, exhibits | SAR | 16(9) |
| Tolling StatuteCivil action | CR |  | Stay on motion for | CR | 62(b) |
|  |  | 3(b) | New grounds |  |  |
|  |  |  | Generally | CrR | 7.6(a) |
| Tort Case |  |  | Motion, time | CrR | 7.6(b) |
| Third party | CR | 14(c) | Reasons, statement | CrR | 7.6(d) |
|  |  |  | Nonjury, further testimony in new trial | CR | 43(j) |
| Town |  |  | Notice, not of issue | CR | 40(a)(1) |
| Pleading existence | CR | 9(h) | Objection sustained | CR | 43(c) |
|  |  |  | Periods excluded . . . . . . . . . . . . . . . . . | CrR | 3.3(d) |
| Traffic Cases Juvenile court, decline of jurisdiction |  |  | Pleadings may be amended to conform to evidence | CR | 15(b) |
| Juvenile court, decline of jurisdiction | JuCR | 6.5 | Preferences . . . . . . . . . . . . . . . . . . . . . . | CR | 40(c) |
|  |  |  | Proceeding when jury has agreed | CR | 49(e) |
| Transcript |  |  | Publicity . . . . . . . . . . . . . . . . | CPR | DR7-107 |
| See under Appeal: Clerk's papers; Record on review; Report of proceedings |  |  | Refusal to testify, penalties | CR | 43(f)(3) |
|  |  |  | Resetting | CR | 40(d) |
|  |  |  | Separate |  |  |
| Transfer of Interest |  |  | Allowed when | CR | 42(b) |
| Substitution of parties . . . . . . . . . . . . . . | CR | 25(c) | Counterclaims, cross claims | CR | 13(i) |

## Index to Parts I-IV

| Permissive joinder | Rule CR | $\begin{aligned} & \text { Number } \\ & \text { 20(b) } \end{aligned}$ | Local administrative committee | $\begin{gathered} \text { Rule } \\ \text { DRA } \end{gathered}$ | Number IV H |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Speedy, court responsiblility | CrR | 3.3(a) | Oath |  |  |
| Subpoena |  |  | Material, regulations | CrR | 6.13 |
| Hearing, trial | CR | 45(e) | Not included on grounds of interest | CrR | 6.12(d) |
| Issuance . . . | CR | 45(a)(2) | Superior court | CR | 43(d) |
| Testimony |  |  | Persons incompetent to testify | CrR | 6.12(c) |
| Evidence at later trial, report, proof | CR | 43(h) | Subpoena |  |  |
| Multiple examinations . . . . . . . . . . | CR | 43(a)(2) | Divorce action | SPR | 94.01 W(b) |
| Oral in open court | CR | 43(a)(1) | Form, issuance | CR | 45(a) |
| To be conducted in open court | CR | 77(j) | Testimony See also Testimony |  |  |
| - V |  |  | Unwilling, examination, scope Who may testify | $\begin{array}{r} \mathrm{CR} \\ \mathrm{Cr} R \end{array}$ | $\begin{aligned} & \text { 43(b) } \\ & 6.12(a) \end{aligned}$ |
| Venue |  |  | Writ |  |  |
| Change |  |  | See also under Appeal: Discretionary re- |  |  |
| Jury discharge | CrR | 5.2(c) | view of Court of Appeals decision; Dis- |  |  |
| Ordered when |  |  | cretionary review of trial court |  |  |
| improper county | CrR | 5.2(a) | decision; State officer, original action |  |  |
| on motion of party | CrR | 5.2(b) | against, in Supreme Court |  |  |
| Commencement of actions |  |  | Abolished, relief from judgment | CR | 60(d) |
| Right to change | CrR | 5.1(c) | Attachment, receipt by sheriff . . | SPR | 90.04W |
| Two or more counties | CrR | 5.1(b) | For review of Court of Appeals decision, |  |  |
| Where commenced | CrR | 5.1(a) | abolished . . . . . . . . . . . . . . . . . . . | RAP | 13.1(b) |
| Mental Proceedings |  |  | For review of trial court decision, abolished | RAP | 2.1(b) |
| Challenge to detention | MPR | 5.4 | Garnishment |  |  |
| Conditional release hearing | MPR | 5.2 | Irregularities | SPR | 91.04W(b) |
| General | MPR | 5.1 | Service |  |  |
| Release of records | MPR | 5.3 | method | SPR | 91.04W(a) |
| Objection of joined party | CR | 19(a) | proof . . | SPR | $91.04 \mathrm{~W}(\mathrm{e})$ |
|  |  |  | Service, telegraph | CR | 5(h) |
| Verdict |  |  | Report of disposition of criminal case | AR | 1 |

# RULES FOR COURTS OF LIMITED JURISDICTION 



## JUSTICE COURT ADMINISTRATIVE RULES (JAR)

(Formerly: Administrative Rules for Justice Court; General Rules for Courts of Limited Jurisdiction (J))

Table of Rules
Rule
JAR 1 Qualifying Examination of Lay Candidates for Justice of the Peace.
(a) Examining Committee.
(b) Committee Responsibilities.
(c) Unsuccessful Candidates.

JAR 2 Scope of Rules.
JAR 3 Definition of Terms.
JAR 4 Canons of Judicial Ethics.
JAR 5 Presiding Judge, Multiple Judge Justice Court District.
(a) Appointment.
(b) Duties.

JAR 6 Records: Separate Dockets-Contents.
JAR 7 Violation of Rules-Contempt-When.
JAR 8 Reporting of Criminal Cases.
(a) Report of Disposition.
(b) Report of Appeal.

Rule JAR 1 Qualifying Examination of Lay Candidates for Justice of the Peace.
(a) Examining Committee. The qualifying examination for lay candidates for justice of the peace under RCW 3.34.060(2)(c) shall be prepared and administered in each county in which the statute is in force by a committee composed of the Administrator for the Courts, the Executive Secretary of the Judicial Council, and the President of the Magistrates, Association, under the supervision of the Chief Justice of the Supreme Court. The Administrator for the Courts shall be the chairman of the committee.
(b) Committee Responsibilities. The committee shall:
(1) Study syllabus. Promulgate a syllabus for study by candidates to prepare them for the responsibilities of a justice of the peace. The syllabus shall include, but is not necessarily limited to, constitutional and statutory provisions and Supreme Court Rules relating to the conduct of justice of the peace courts, state statutes governing the operation of motor vehicles, basic rules of evidence, and rights of a criminal defendant.
(2) Examination. Prepare an examination to determine the level of proficiency of candidates on subjects included in the study syllabus. The examination shall require written responses to written interrogatories, and may also include an oral portion.
(3) Administration. Announce the time and place for the examination and provide for monitoring and security during the examination.
(4) Grading. Arrange for the grading of the examination papers and determine a level of adequate competence.
(5) Certification. Certify to the auditor of the county in which the applicant resides the names of those applicants qualified by examination for performing the duties of a justice of the peace.
(c) Unsuccessful Candidates. A candidate who fails to pass the qualifying examination may, on petition to the Committee, be given additional examinations at times and places set by the committee. [Adopted June 21, 1962, effective June 21, 1962.]

Rule JAR 2 Scope of Rules. These rules shall govern the procedure of civil, criminal, and traffic cases in all courts of limited jurisdiction inferior to the superior court. They shall be construed to secure the just, speedy, and inexpensive determination of every action. Failure to set forth herein any provisions of common law or statute, not inconsistent with these rules, shall not be construed as an implied repeal thereof. [Adopted February 13, 1963, effective July 1, 1963.]

Rule JAR 3 Definition of Terms. As used in these rules, unless the context clearly requires otherwise:
(1) "Court" means any court inferior to the superior court.
(2) "Judge" shall mean Justice of the Peace, Municipal Court Judge, Police Court Judge, and the judge of any court inferior to the superior court which may be hereafter established.
(3) "Oaths" include affirmations.
(4) "Prosecuting Attorney" or "prosecutor" includes deputy prosecuting attorneys, and city attorneys, corporation counsels, and their deputies and assistants.
(5) "Offenses against the State" shall, wherever ap= propriate, include offenses against a county or a city by virtue of violation of an ordinance or resolution.
(6) "City" shall be construed to include towns.
(7) "State" whenever appropriate, shall include a city or town. [Adopted February 13, 1963, effective July 1, 1963.]

Rule JAR 4 Canons of Judicial Ethics. (1) The Canons of Judicial Ethics as adopted by the Supreme Court of Washington shall apply to the judge of each court subject to these rules, whether or not such judge has been admitted to the bar. It shall be the obligation of each such judge to conduct his court and his professional and personal relationships in accordance with the same standards as are required of judges of courts of record, except that Canon 31, prohibiting judges from practicing law, shall not apply to attorney-justices of courts of limited jurisdiction who have been specifically authorized by statute to practice law.
(2) The taking of photographs in the courtroom or radio or television broadcasting or transmitting of judicial proceedings from the courtroom during the progress of judicial proceedings shall be governed by the Canons of Judicial Ethics. [Adopted February 13, 1963, amended June 14, 1963, effective July 1, 1963.]

## Rule JAR 5 Presiding Judge, Multiple Judge Justice Court District.

(a) Appointment. In all justice court districts having more than one judge, the judicial business of the district shall be supervised by one of those judges to be known as the "Presiding Judge," who shall be elected by the judges of such district for a term not to exceed one year subject to re-election. In the same manner, the judges shall elect another judge of said district to serve as Acting Presiding Judge during the temporary absence or disability of the Presiding Judge. Interim vacancies in the office of Presiding Judge or Acting Presiding Judge shall be filled as in the original election above described.

The Presiding Judge so elected shall send notice of the election of such Presiding Judge and Acting Presiding Judge to the Chief Justice of the Supreme Court on or before May 1, 1963, and thereafter on or before March 15 th of each year. If the judges of a district shall fail or refuse to elect and certify to the Chief Justice of the Supreme Court, the Supreme Court shall by appointment designate the Presiding Judge and Acting Presiding Judge.
(b) Duties. The duties of the Presiding Judge shall include the supervision of the business of the judicial district in such manner as to assure the expeditious and efficient handling of all cases and equal distribution of the work load among the several judges; assigning the justices of the peace to departments, if the court is departmentalized; presiding at meetings of the justices of the peace of the district; supervising the preparation and filing of reports required by statute or rule of court; and such other duties as may be assigned by statute or by rule. [Adopted February 13, 1963, effective July 1, 1963.]

Rule JAR 6 Records: Separate Dockets--Contents. (a) Every court having criminal jurisdiction shall keep such records as are required by law.
(b) Separate dockets shall be kept for criminal, traffic, civil, and small claims actions. In such dockets shall be entered:
(1) The title of all actions.
(2) The object of the action or proceeding.
(3) All filing, return, trial, and appearance dates.
(4) An abstract of every motion, rule, order and decision of the court.
(5) Every continuance, and for whom granted.
(6) All demands for a trial by jury, and by whom.
(7) The names of the jurors who appear and are sworn; the names of witnesses sworn, and at whose request.
(8) An abstract of the verdict of the jury when received and other proceedings in connection with the jury.
(9) An abstract of the judgment of the court and the amount thereof, and all costs granted in connection therewith.
(10) The time of issuing execution, and an account of the debt and costs, and the fees due to each person separately.
(11) The fact of a notice of appeal and the date thereof.
(12) Satisfaction of the judgment, or any money paid thereon and the date thereof.
(13) Such other entries as may be material. [Adopted February 13, 1963, effective July 1, 1963.]

Rule JAR 7 Violation of Rules- ContemptWhen. Any wilful failure to apply the provision of these rules in his court, the failure to amend or vacate local court rules contradictory to those herein set forth, or the continuation of practices expressly forbidden in these rules by the judge of any court subject thereto who has received actual notice of their adoption may be considered a contempt of the Supreme Court of Washington and punishable as such. [Adopted February 13, 1963, effective July 1, 1963.]

## Rule JAR 8 Reporting of criminal cases.

(a) Report of Disposition. Within five court days after the disposition by a court of limited jurisdiction of a felony or gross misdemeanor charge or misdemeanor charges which have been reported to the Washington State Patrol Section on Identification, whether the disposition be a plea of guilty or by deferral or suspension of imposition of sentence, or a finding of guilty, or not guilty after trial, or by a dismissal of the charge, the court clerk shall report such disposition to the Section on a disposition form approved by the Administrator for the Courts. When a sentence has been deferred or suspended, the report to the Section shall indicate the length of time over which such suspension or deferral is to be effective. At the conclusion of the time period for deferral or suspension of sentence, the court clerk shall forward an amended disposition form to the Section showing the actual disposition of the case.
(b) Report of Appeal. If an appeal is taken from the disposition made by a court of limited jurisdiction, the court clerk shall, within five court days of the taking of the appeal, notify the Section on an amended disposition form. In the event that the result of any proceeding changes or otherwise makes inaccurate the information forwarded on the original disposition report, the court
clerk shall prepare and forward to the Section a supplemental disposition report on a form approved by the Administrator for the Courts indicating thereon the information necessary to correct the current status of the disposition of charges against the subject maintained in the records of the Section. [Adopted Jan. 17, 1974, effective March 1, 1974.]

## JUSTICE COURT CIVIL RULES (JCR)

(Formerly: Civil Rules for Justice Court; Civil Rules for Courts of Limited Jurisdiction.)

Table of rules
I. Scope of rules--One form of action.

Rule
1 Scope of Rules.
2 One Form of Action.
II. Commencement of action; service of process, pleadings, motions and orders.

## Rule

Commencement of Action.
Process.
Service and Filing of Pleadings and Other Papers.
Time.

## Pleadings and motions.

Rule
Pleadings Allowed: Form of Motions.
General Rules of Pleading.
(Reserved).
Form of Pleadings.
Verification and Signing of Pleadings.
Defenses and Objections-When and How Presented-By Pleading or Motion_Motion for Judgement on Pleadings.

## Counterclaim and Cross-Claim.

13.04 Setoffs Against Assignees.

14 Third-Party Practice.
15 Amended and Supplemental Pleadings.
Garnishments.
IV. Parties.

Rule
Parties Plaintiff and Defendant; Capacity.
Joinder of Claims and Remedies.
Necessary Joinder of Parties.
Permissive Joinder of Parties.
Misjoinder and Nonjoinder of Parties.
Interpleader.
(Reserved).
Intervention.
Substitution of Parties.
V. Depositions and discovery.

Rule
26 Depositions Pending Action.
27-37 (Reserved).
VI. Trials.

Rule
8 Jury Trial.
39 Trial by Jury or by the Court.
40 Assignment of Cases for Trial-Judge, Disqualification.
41 Dismissal of Actions.
42 Consolidation; Separate Trials.
43 Evidence.
44 Proof of Official Record.
45 Subpoena.
46-50 (Reserved).
51 Instructions to Jury; Objections.
52 Findings by the Court.
53 (Reserved).

86.04 through 99.04 (Reserved).

## I. SCOPE OF RULES———ONE FORM OF ACTION

Rule
Scope of rules.
One form of action.
Rule 1 Scope of Rules. See Rule JAR 2. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 2 One Form of Action. There shall be one form of action to be known as "civil action." [Adopted Feb. 13, 1963, effective July 1, 1963.]

## II. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS AND ORDERS

## Rule

3 Commencement of action.
4 Process.
(a) Notice: Issuance.
(b) Notice: Form.
(c) Notice: Form.
(d) Notice: By whom served.
(e) Notice: Personal service.
(f) Notice: Service by publication and personal service out of the jurisdiction.
(g) Territorial limits of effective service.
(h) Return.
(i) Amendment.

5 Service and filing of pleadings and other papers.
(a) Service: When required.
(b) Same: How made.
(c) Filing
(d) Filing with the court defined.

6 Time.
(a) Computation.
(b) For motions-_Affidavits.

Rule 3 Commencement of Action. A civil action is commenced by filing with the court a complaint signed as required by Rule 11. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 4 Process.

(a) Notice: Issuance. Any person desiring to commence a civil action shall do so by filing a written complaint with the court, and when such complaint is so filed, upon payment of a fee, a notice shall issue.
(b) Notice: Form. (1) First. The first notice shall notify the defendant to appear in person, in writing, or by attorney on or before the time and at the place stated in the notice, which shall not be less than fifteen days or more than thirty days from the date the complaint was filed.
(2) Additional. Upon affidavit of the plaintiff or his attorney that service of the notice was not perfected, additional notices may be issued directing the defendant to appear in not less than fifteen days nor more than thirty days, provided that the maximum period of any return date shall not be more than ninety days from the date the complaint was filed.
(c) Notice: Form. The notice shall be signed by the judge or clerk and be substantially in the following form:
(NAME AND LOCATION OF COURT)

| Plaintiff vs. | No. $\qquad$ NOTICE OF SUIT |
| :---: | :---: |
| Defendant |  |

## To ---------------------------------( (Defendants)

On ............, 19.., above-named plaintiff(s) filed a claim against you, a copy of which is attached.

You are notified to appear in person or by attorney on or at any time before -.-.-.-.-. at the office of the clerk of the above entitled court at .....-.-- - (address of court) and admit or deny the above claim. If you deny any part of the claim, then the court clerk will set the case for trial at a future date.
If you fail to appear or to answer, judgment will be taken against you by default as demanded in the claim.
Issued:
(Name and address of plaintiff
or his attorney)
(Judge or Clerk)
(d) Notice: By Whom Served. Service of notice and complaint may be made by the sheriff or some constable of the county or district in which the court is located or by any citizen of the State of Washington over the age
of eighteen years and who is competent to be a witness and is not a party to the action.
(e) Notice: Personal Service. The notice shall be attached to the complaint and a copy of the notice and complaint shall be served together upon the defendant at least fourteen days before the return day stated in the notice. The plaintiff shall furnish the person making service with such copies as are necessary. Service shall be made within the territorial jurisdiction of the court as follows:
(1) If the action be against any county in this state, to the county auditor.
(2) If against any town or incorporated city in the state, to the mayor, manager or clerk thereof.
(3) If against a school district, to the clerk thereof.
(4) If against a railroad corporation, to any station, freight, ticket or other agent thereof.
(5) If against a corporation owning or operating sleeping cars, or hotel cars, to any person having charge of any of its cars or any agent found.
(6) If against a domestic insurance company, to any agent authorized by such company to solicit insurance.
(7) If against a foreign or alien insurance company as provided in RCW 48.05.200 and 48.05.210.
(8) If against a company or corporation doing any express business, to any agent authorized by said company or corporation to receive and deliver express matters and collect pay therefor.
(9) If the suit be against a company or corporation other than those designated in the preceding subdivisions of this section, to the president or other head of the company or corporation, secretary, cashier or managing agent of the company or corporation or branch or local office or to the secretary, stenographer or office assistant of such individuals.
(10) If the suit be against a foreign corporation or nonresident joint stock company, partnership or association doing business within this state, to any agent, cashier or secretary thereof.
(11) If against a minor under the age of 14 years, to such minor personally, and also to his father, mother, guardian, or if there be none within the jurisdiction then to any person having the care or control of such minor, or with whom he resides, or in whose service he is employed, if such there be.
(12) If against any person for whom a guardian has been appointed for any cause, then to such guardian.
(13) In all other cases, to the defendant personally, or by leaving complaint and notice at the house of his usual abode with some person of suitable age and discretion then resident therein.
(14) Whenever any domestic or foreign corporation, which has been doing business in this state, has been placed in the hands of a receiver and the receiver is in possession of any of the property or assets of such corporation, service of all process upon such corporation may be made upon the receiver thereof.

Service made in the modes provided in this rule 4(e) shall be taken and held to be personal service.
(f) Notice: Service by Publication and Personal Service Out of the Jurisdiction. (1) When the defendant cannot
be found within the territorial jurisdiction of the court (of which the return of the sheriff of the county in which the action is brought, that the defendant cannot be found in the county, is prima facie evidence), and upon the filing of an affidavit of the plaintiff, his agent, or attorney, with the court stating that he believes that the defendant is not a resident of the county, or cannot be found therein, and that he has deposited a copy of the notice (substantially in the form prescribed in this rule) and complaint in the post office, directed to the defendant at his place of residence, unless it is stated in the affidavit that such residence is not known to the affiant, and stating the existence of one of the cases hereinafter specified, the service may be made by publication of the notice by the plaintiff or his attorney in any of the following cases:
(i) When the defendant is a foreign corporation, and has property within the county;
(ii) When the defendant, being a resident of the county, has departed therefrom with intent to defraud his creditors, or to avoid the service of a notice and complaint, or keeps himself concealed therein with like intent;
(iii) When the defendant is not a resident of the county, but has property therein which has been brought under the control of the court by seizure or some equivalent act;
(iv) When the subject of the action is personal property in the county, and the defendant has or claims a lien or interest, actual or contingent, therein, and the relief demanded consists wholly, or partially, in excluding the defendant from any interest or lien therein;
(v) When the action is brought under RCW 4.08.160 and 4.08.170 to determine conflicting claims to personal property in the county.
(2) The publication shall be made in a newspaper authorized to publish a summons in superior court and shall not be published until after the filing of the complaint. The notice must be subscribed by the judge or clerk, it shall notify the defendant to appear in person or by attorney on a date certain, and it shall contain a brief statement of the object of the action. Said notice shall be published not less than once a week for 3 weeks prior to the time fixed for the hearing of the cause, which shall not be less than 4 weeks from the time of first publication of such notice; and publication shall be deemed complete on the seventh day following the last publication.

The notice shall be substantially in the following form:

## (Name and Location of Court)

| Plaintiff <br> vs. | No. --.-.-.-.-. |
| :--- | :--- |
| Defendant | Notice of Suit |


On .-........., 19_, above-named plaintiff(s) filed a claim against you.

You are notified to appear in person or by attorney on or at any time before .-......... at the office of the clerk of the above entitled court at .-.........- (address of court) and admit or deny the above claim. If you deny
any part of the claim, then the court clerk will set the case for trial at a future date.

If you fail to appear or to answer, judgment will be taken against you be default as demanded in the claim. (Insert here a brief statement of the object of the action.)

Issued:
(Name and address of plaintiff or his attorney)
(Judge or Clerk)
(3) Personal service on the defendant out of the territorial jurisdiction of the court shall be equivalent to service by publication, and the notice to the defendant out the the county shall contain the same as the notice by publication and shall require the defendant to appear at a time and place certain which shall not be less than 30 days from the date of service.
(4) Service made in the modes provided in this rule 4(f) shall not alone be taken and held to give the court jurisdiction over the person of the defendant. By such service the court only acquires jurisdiction to give a judgment which is effective as to property or debts attached or garnished in connection with the suit or other property which properly forms the basis of jurisdiction of the court. If the defendant appears in a suit commenced by such service the court shall have jurisdiction over his person. The defendant may appear specially and solely to challenge jurisdiction over property or debts attached or garnished or other property within the jurisdiction of the court.
(g) Territorial Limits of Effective Service. The complaint and notice may be served anywhere within the county or counties in which the district of the court is located.
(h) Return (1) The person serving the complaint and notice shall make proof of service thereof to the court promptly and in any event within the time during which the person served must respond to the notice.
(2) Proof of service shall be as follows:
(i) If served by the sheriff or his deputy or a constable, the return of the officer indorsed upon or attached to a copy of the notice; or
(ii) If served by any other person, his affidavit of service indorsed upon or attached to a copy of the notice; or
(iii) If served by publication, the affidavit of the printer, publisher, foreman, principal clerk or business manager of the newspaper showing the same, together with a printed copy of the notice as published; or
(iv) Written admission of the defendant indorsed upon a copy of the notice.

In case of service otherwise than by publication, the return, affidavit, or admission must state the time, place and manner of service.
(3) Costs shall not be awarded and a default judgment shall not be rendered unless proof of service is on file with the court.
(i) Amendment. At any time in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless
it clearly appears that material prejudice would result to the substantial rights of the party against whom the process issued. [Amd. Nov. 26, 1975, eff. Jan. 1, 1976; amd. Feb. 24, 1972, eff. July 1, 1972; adop. Feb. 13, 1963, eff. July 1, 1963.]

Rule 5 Service and Filing of Pleadings and Other Papers.
(a) Service: When Required. Every order required by its terms to be served, every written pleading subsequent to the original complaint, every written motion, and every written notice, appearance, demand, offer of judgment, or other paper shall be served upon all parties, but no service need be made on parties in default for failure to appear except that pleadings asserting new or additional claims for relief against them shall be served upon them in the manner provided for service of notice and complaint in Rule 4.
(b) Same: How Made. Whenever under these rules service of papers other than the complaint and notice is required or permitted the rules governing the manner of service of such papers in superior courts shall govern.*
(c) Filing. When pleadings or motions are oral the substance of them shall be entered in the records. All papers after the complaint required to be served upon a party shall be filed with the court either before service or within a reasonable time thereafter and a reference shall be made to them in the record of the court.
(d) Filing With the Court Defined. The filing of pleadings and other papers with the court as required by these rules shall be made by filing them with the judge or with his authorized clerk and the filing date shall be noted thereon at the time of filing. [Adopted Feb. 13, 1963, effective July 1, 1963.]
*Note by the Court: See RCW 4.28.230-4.28.280.

## Rule 6 Time.

(a) Computation. The time within which an act is to be done, as herein provided, shall be computed by excluding the first day, and including the last, unless the last day is a holiday or Sunday, and then it is also excluded.
(b) For Motions-—Affidavits. A written motion, other than one which may be heard ex parte, and notice of the hearing thereof shall be served not later than 3 days before the time specified for the hearing, unless a different period is fixed by these rules or by order of the court. Such an order may for cause shown be made on ex parte application. When a motion is supported by affidavit, the affidavit shall be served with the motion; and, except as otherwise provided in any of these rules, opposing affidavits may be served not later than 1 day before the hearing, unless the court permits them to be served at some other time. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## III. PLEADINGS AND MOTIONS

## Rule

7 Pleadings allowed: Form of motions.
(a) Pleadings.
(b) Motions and other papers.
(c) Demurrers, pleas, etc., abolished.

8 General rules of pleading.
(a) Claims for relief.
(b) Defenses; form of denials.
(c) Affirmative defenses.
(d) Effect of failure to deny.
(e) Pleading to be concise and direct; consistency.
(f) Construction of pleadings.

9 (Reserved).
10 Form of pleadings.
(a) Caption; names of parties.
(b) Adoption by reference; exhibits.
(c) Form.

11 Verification and signing of pleadings.
12 Defenses and objections-When and how presented_By pleading or motion-Motion for judgment on pleadings.
(a) When presented.
(b) How presented.
(c) Preliminary hearings.
(d) Motion for more definite statement.
(e) Motion to strike.
(f) Consolidation of defenses.
(g) Waiver of defenses.

13 Counterclaim and cross-claim.
(a) Permissive counterclaims.
(b) Counterclaim exceeding opposing claim.
(c) Counterclaim maturing or acquired after pleading.
(d) Omitted counterclaim.
(e) Cross-claim against co-party.
(f) Additional parties may be brought in.
(g) Separate trials; separate judgment.
13.04 Setoffs against assignees.
(a) Setoff against assignee.
(b) Setoff against beneficiary of trust estate.
(c) Setoff must be pleaded.

14 Third-party practice.
(a) When defendant may bring in third party.
(b) When plaintiff may bring in third party.
(c) Tort cases.

15 Amended and supplemental pleadings.
(a) Amendments prior to trial.
(b) Amendments at or after the trial.
(c) Relation back of amendments.
(d) Supplemental pleadings.
(e) Interlineations.

16 Garnishments.

## Rule 7 Pleadings Allowed: Form of Motions.

(a) Pleadings. There shall be a complaint and an answer; and there shall be a reply to a counterclaim denominated as such; an answer to a cross-claim, if the answer contains a cross-claim; a third-party complaint, if leave is given under rule 14 to summon a person who was not an original party; and there shall be a thirdparty answer, if a third-party complaint is served. No other pleadings shall be allowed.

The complaints, counterclaims, cross-claims and third-party claims shall be in writing. A reply to a counterclaim and answers may be written or oral. When pleadings are oral the substance of them shall be entered in the docket.
(b) Motions and Other Papers. (1) An application to the court for an order shall be by motion. Motions may be oral or written. Motions need not be in any special form but must be such as to enable a person of common understanding to know what is intended.
(2) The rules applicable to captions, signing, and other matters of form of written pleadings apply to all
written motions and other papers provided for by these rules.
(c) Demurrers, Pleas, etc., Abolished. Demurrers, pleas and exceptions for insufficiency of a pleading shall not be used. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 8 General Rules of Pleading.

(a) Claims for Relief. A complaint, counterclaim, cross-claim, or third-party claim, shall contain (1) a short and plain statement of the claim showing that the pleader is entitled to relief, and (2) a demand for judgment for the relief to which he deems himself entitled. Relief in the alternative or of several different types may be demanded.
(b) Defenses; Form of Denials. A party shall state his defenses, denials and objections to each claim asserted against him in any form which will enable a person of common understanding to know what is intended. If he is without knowledge or information sufficient to form a belief as to the truth of an averment, he shall so state and this has the effect of a denial.
(c) Affirmative Defenses. In a written answer to a complaint, cross-claim or third-party claim and in a written reply to a counterclaim, a party shall set forth affirmatively accord and satisfaction, arbitration and award, assumption of risk, contributory negligence, discharge in bankruptcy, duress, estoppel, failure of consideration, fraud, illegality, injury by fellow servant, laches, license, payment, release, res judicata, statute of frauds, statute of limitations, waiver, and any other matter constituting an avoidance or affirmative defense. When a party has mistakenly designated a defense as a counterclaim or a counterclaim as a defense, the court on terms, if justice so requires, shall treat the pleading as if there had been a proper designation.
(d) Effect of Failure to Deny. Statements in a pleading to which responsive pleading is required, other than those as to the amount of damage, are admitted when not denied by responsive pleading. Statements of an answer to a complaint, cross-claim, or third-party complaint, or a reply to a counterclaim shall be taken as denied or avoided.
(e) Pleading to Be Concise and Direct; Consistency. (1) No technical forms of pleadings or motions are required. Pleadings and motions shall be stated so as to enable a person of common understanding to know what is intended.
(2) A party may set forth two or more statements of a claim or defense alternately or hypothetically, either in one count or defense or in separate counts or defenses. When two or more statements are made in the alternative and one of them if made independently would be sufficient, the pleading is not made insufficient by the insufficiency of one or more of the alternative statements. A party may also state as many separate claims or defenses as he has regardless of consistency and whether based on legal or on equitable grounds or on both. All statements shall be made subject to the obligations set forth in rule 11 .
(f) Construction of Pleadings. All pleadings shall be so construed as to do substantial justice. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 9 (Reserved).

## Rule 10 Form of Pleadings.

(a) Caption; Names of Parties. Every written pleading shall contain a caption setting forth the name of the court, the title of the action, the file number if known to the person signing it, and a designation as in rule $7(a)$. In the complaint the title of the action shall include the names of all the parties, but in other written pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. When the plaintiff is ignorant of the name of the defendant, it shall be so stated in his pleading, and such defendant may be designated in any pleading or proceeding by any name, and when his true name shall be discovered, the pleading or proceeding may be amended accordingly.
(b) Adoption by Reference; Exhibits. Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.
(c) Form. All notices, pleadings, motions, and other papers filed shall be plainly written or typed. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 11 Verification and Signing of Pleadings.

(1) Every complaint, answer or reply shall be verified by the oath of the party pleading; or if he be not present, by the oath of his attorney or agent, to the effect that he believes it to be true. The verification shall be oral, or in writing, in conformity with the pleading verified.
(2) All other pleadings of a party represented by an attorney shall be signed by at least one attorney of record in his individual name, whose address shall be stated. A party who is not represented by an attorney shall sign his pleading and state his address. The signature of a party or an attorney constitutes a certificate by him that he has read the pleading; that to the best of his knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 12 Defenses and objections- - When and how presented-By pleading or motion--Motion for judgment on pleadings.
(a) When Presented. If the answer is oral, a defendant shall make the oral answer on or before the time he is required to appear in answer to the notice as indicated in rule 4. If the answer is written a defendant shall serve his answer on or before the time he is required to appear in answer to the notice as indicated in rule 4. A party served with a pleading stating a cross-claim against him shall answer thereto on the return date fixed in a notice which shall accompany the pleading. The plaintiff shall reply to a counterclaim not less than three days prior to
trial. If the court denies a motion permitted under this rule or postpones its disposition until the trial on the merits, the court may set the case for trial at the same time and also fix a time for the responsive pleading. If the court grants a motion for more definite statement the court may set the case for trial at the same time and fix the date for making the more definite statement and for the responsive pleading to the more definite statement.
(b) How Presented. Every defense, in law or fact, to a claim for relief in any pleading, whether a claim, counterclaim, cross-claim, or third-party claim, shall be asserted by the responsive pleading thereto, except that the following defenses may at the option of the pleader be made by motion: (1) lack of jurisdiction over the subject matter, (2) lack of jurisdiction over the person, (3) insufficiency of process, (4) insufficiency of service of process, (5) failure to state a claim upon which relief can be granted, (6) failure to join an indispensable party. A motion making any of these defenses shall be made before pleading is permitted. No defense or objection is waived by being joined with one or more other defenses or objections in a responsive pleading or motion. If a pleading sets forth a claim for relief to which the adverse party is not required to serve a responsive pleading, he may assert at the trial any defense in law or fact to that claim for relief. If, on a motion asserting the defense numbered (5) to dismiss for failure of the pleading to state a claim upon which relief can be granted, matters outside the pleading are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in CR 56 and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by CR 56.*
(c) Preliminary Hearings. The defenses specifically enumerated (1)-(6) in subdivision (b) of this rule, whether made in a pleading or by motion, shall be heard and determined before trial on application of any party, unless the court orders that the hearing and determination thereof be deferred until the trial.
(d) Motion for More Definite Statement. If a pleading to which a responsive pleading is permitted (for example, the complaint) is so vague or ambiguous that a person of common understanding cannot know what is intended, he may move for a more definite statement before interposing his responsive pleading. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the court is not obeyed within 10 days after the order or within such other time as the court may fix, the court may strike the pleading to which the motion was directed or make such order as it deems just.
(e) Motion to Strike. Upon motion made by a party not less than three days prior to trial or upon the court's own initiative at any time the court may order stricken from the complaint any impertinent or scandalous matter.
(f) Consolidation of Defenses. A party who makes a motion under this rule may join with it the other motions herein provided for and then available to him. If a
party makes a motion under this rule and does not include therein all defenses and objections then available to him which this rule permits to be raised by motions, he shall not thereafter make a motion based on any of the defenses or objections so omitted, except as provided in subdivision ( g ) of this rule.
(g) Waiver of Defenses. A party waives all defenses and objections which he does not present either by motion as hereinbefore provided or, if he has made no motion, in his answer or reply, except (1) that the defense of failure to state a claim upon which relief can be granted, the defense of failure to join an indispensable party, and the objection of failure to state a legal defense to a claim may also be made by a later pleading, if one is permitted, or by motion for judgment on the pleadings or at the trial on the merits, and except (2) that, whenever it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the subject matter, the court shall dismiss the action. The objection or defense, if made at the trial, shall be disposed of as provided in rule $15(\mathrm{~b})$ in the light of any evidence that may have been received. [Amd. June 4, 1976, eff. July 1, 1976; adop. Feb. 13, 1963, eff. July 1, 1963.]
*Note by tbe Court: Motions for change of venue are not governed by rule 12. See RCW 3.66.050, RCW 3.66.090, RCW 3.20.070, RCW 3.20.100, RCW 3.20.110.

## Rule 13 Counterclaim and Cross-Claim.

(a) Permissive Counterclaims. A pleading may state as a counterclaim any claim against an opposing party.
(b) Counterclaim Exceeding Opposing Claim. A counterclaim may or may not diminish or defeat the recovery sought by the opposing party. It may claim relief exceeding in amount or different in kind from that sought in the pleading of the opposing party.
(c) Counterclaim Maturing or Acquired After Pleading. A claim which either matured or was acquired by the pleader after serving his pleading may, with the permission of the court be presented as a counterclaim by supplemental pleading.
(d) Omitted Counterclaim. When a pleader fails to set up a counterclaim through oversight, inadvertence, or excusable neglect, or when justice requires, he may by leave of court set up the counterclaim by amendment.
(e) Cross-Claim Against Co-Party. A pleading may state as a cross-claim any claim by one party against a co-party arising out of the transaction or occurrence that is the subject matter either of the original action or of a counterclaim therein or relating to any property that is the subject matter of the original action. Such cross-claim may include a claim that the party against whom it is asserted is or may be liable to the crossclaimant for all or part of a claim asserted in the action against the cross-claimant.
(f) Additional Parties May Be Brought In. When the presence of parties other than those to the original action is required for the granting of complete relief in the determination of a counterclaim or cross-claim, the court shall order them to be brought in as defendants as
provided in these rules, if jurisdiction of them can be obtained.
(g) Separate Trials; Separate Judgment. If the court orders separate trials as provided in rule 42(a), judgment on a counterclaim or cross-claim may be rendered in accordance with the terms of rule 42(b), even if the claims of the opposing party have been dismissed or otherwise disposed of. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 13.04 Setoffs Against Assignees.

(a) Setoff Against Assignee. The defendant in a civil action upon a contract express or implied, other than upon a negotiable promissory note or bill of exchange, negotiated in good faith and without notice before due, which has been assigned to the plaintiff, may set off a demand of a like nature existing against the person to whom he was originally liable, or any assignee prior to the plaintiff, of such contract, provided such demand existed at the time of the assignment thereof, and belonging to the defendant in good faith, before notice of such assignment, and was such a demand as might have been set off against such person to whom he was originally liable, or such assignee while the contract belonged to him.
(b) Setoff Against Beneficiary of Trust Estate. If the plaintiff be a trustee to any other, or if the action be in a name of a plaintiff which has no real interest in the contract upon which the action is founded, so much of a demand existing against those whom the plaintiff represents or for whose benefit the action is brought, may be set off as will satisfy the plaintiff's debt, if the same might have been set off in an action brought against those beneficially interested.
(c) Setoff Must Be Pleaded. To entitle a defendant to a setoff under this rule, he must set forth the same in his answer. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 14 Third-Party Practice.

(a) When Defendant May Bring in Third Party. Before making his answer, a defendant may move ex parte or, after answering, on notice to the plaintiff, for leave as a third-party plaintiff to serve a notice and complaint upon a person not a party to the action who is or may be liable to him for all or part of the plaintiff's claim against him. If the motion is granted and the notice and complaint are served, the person so served, hereinafter called the third-party defendant, shall make his defenses to the third-party plaintiff's claim as provided in rule 12 and his counterclaims against the third-party plaintiff and cross-claims against other third-party defendants as provided in rule 13 . The third-party defendant may assert against the plaintiff any defenses which the thirdparty plaintiff has to the plaintiff's claim. The thirdparty defendant may also assert any claim against the plaintiff arising out of the transaction or occurence that is the subject matter of the plaintiff's claim against the third-party plaintiff. The plaintiff may assert any claim against the third-party defendant arising out of the transaction or occurrence that is the subject matter of
the plaintiff's claim against the third-party plaintiff, and the third-party defendant thereupon shall assert his defenses as provided in rule 12. A third-party defendant may proceed under this rule against any person not a party to the action who is or may be liable to him for all or part of the claim made in the action against the third-party defendant.
(b) When Plaintiff May Bring in Third Party. When a counterclaim is asserted against a plaintiff, he may cause a third party to be brought in under circumstances which under this rule would entitle a defendant to do so.
(c) Tort Cases. This rule shall not be applied, in tort cases, so as to permit the joinder of a liability or indemnity insurance company, unless such company is by statute or contract directly liable to the person injured or damaged. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Removal of certain actions to Superior Court. See Chapter 4.14 RCW.

## Rule 15 Amended and Supplemental Pleadings.

(a) Amendments Prior to Trial. A party may amend a complaint, counterclaim, cross-claim or third-party complaint once as a matter of course at any time before a responsive pleading is made, or, if the pleading is an answer or a reply to a counterclaim he may so amend it at any time within 20 days after it is served, provided it is amended prior to trial. Otherwise, prior to trail a party may amend his pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within 10 days after service or notice of the amended pleading, whichever period may be the longer, unless the court otherwise orders.
(b) Amendments At or After the Trial. When issues not raised by the pleadings are tried by express or implied consent of the parties, they shall be treated in all respects as if they had been raised in the pleadings. Such amendment of the pleadings as may be necessary to cause them to conform to the evidence and to raise these issues may be made upon motion of any party at any time, even after judgment; but failure so to amend does not affect the result of the trial of these issues.

If the evidence is objected to at the trial on the ground that it is not within the issues made by the pleadings, the court may allow the pleadings to be amended and shall do so freely when the presentation of the merits of the action will be subserved thereby and the objecting party fails to satisfy the court that the admission of such evidence would prejudice him in maintaining his action or defense upon the merits. The court may grant a continuance to enable the objecting party to meet such evidence.
(c) Relation Back of Amendments. Whenever the claim or defense asserted in the amended pleading arose out of the conduct, transaction, or occurrence set forth or attempted to be set forth in the original pleading the amendment relates back to the date of the original pleading.
(d) Supplemental Pleadings. Upon motion of a party, the court may, upon reasonable notice and upon such terms as are just, permit him to serve or make a supplemental pleading setting forth transactions or occurrences or events which have happened since the date of the pleading sought to be supplemented. If the court deems it advisable that the adverse party plead thereto, it shall so order, specif ying the time theref or.
(e) Interlineations. No amendments shall be made to any pleading by erasing or adding words to the original on file, except by permission of the court. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 16 Garnishments. Garnishments are governed by RCW 7.33. Provided, that judges or their clerks, may issue writs of garnishment in accordance with the provisions therein. [Amd. June 4, 1976, eff. July 1, 1976; adop. July 14, 1966, eff. August 1, 1966.]

## IV. PARTIES

Rule
17 Parties plaintiff and defendant; capacity.
(a) Real party in interest.
(b) Infants or incompetent persons.

18 Joinder of claims and remedies.
(a) Joinder of claims.
(b) Joinder of remedies.

19 Necessary joinder of parties.
(a) Necessary joinder.
(b) Effect of failure to join.
(c) Same: Names of omitted persons and reasons for nonjoinder to be pleaded.
20 Permissive joinder of parties.
(a) Permissive joinder.
(b) Separate trials.

21 Misjoinder and nonjoinder of parties.
22 Interpleader.
(a) Scope.
(b) Other remedies.

23 (Reserved).
24 Intervention.
(a) Intervention of right.
(b) Permissive intervention.
(c) Procedure.

25 Substitution of parties.
(a) Death.
(b) Incompetency.
(c) Transfer of interest.

## Rule 17 Parties Plaintiff and Defendant; Capacity.

(a) Real Party in Interest. Every action shall be prosecuted in the name of the real party in interest; but an executor, administrator, guardian, trustee of an express trust, a party with whom or in whose name a contract has been made for the benefit of another, or a party authorized by statute may sue in his own name without joining with him the party for whose benefit the action is brought.
(b) Infants or Incompetent Persons. (1) W hen an infant is a party he shall appear by guardian, or if he has no guardian, or in the opinion of the court the guardian is an improper person, the court shall appoint a guardian ad litem. The guardian shall be appointed:
(i) When the infant is plaintiff, upon the application of the infant, if he be of the age of 14 years, or if under
the age, upon the application of a relative or friend of the infant.
(ii) When the infant is defendant, upon the application of the infant, if he be of the age of 14 years, and applies within the time he is to appear; if he be under the age of fourteen, or neglects to apply, then upon the application of any other party to the action, or of a relative or friend of the infant.
(2) When an insane person is a party to an action he shall appear by guardian, or if he has no guardian, or in the opinion of the court the guardian is an improper person, the court shall appoint one to act as guardian ad litem. Said guardian shall be appointed:
(i) When the insane person is plaintiff, upon the application of a relative or friend of the insane person.
(ii) When the insane person is defendant, upon the application of a relative or friend of such insane person, such application shall be made within the time he is to appear. If no such application be made within the time above limited, application may be made by any party to the action. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 18 Joinder of Claims and Remedies.

(a) Joinder of Claims. The plaintiff in his complaint or in reply setting forth a counterclaim and the defendant in an answer setting forth a counterclaim may join either as independent or as alternate claims as many claims either legal or equitable or both as he may have against an opposing party. There may be a like joinder of claims when there are multiple parties if the requirements of rules 19,20 and 22 are satisfied. There may be a like joinder of cross-claims or third-party claims if the requirements of rules 13 and 14 respectively are satisfied.
(b) Joinder of Remedies. Whenever a claim is one heretofore cognizable only after another claim has been prosecuted to a conclusion, the two claims may be joined in a single action; but the court shall grant relief in that action only in accordance with the relative substantive rights of the parties. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 19 Necessary Joinder of Parties.

(a) Necessary Joinder. Subject to the provisions of subdivision (b) of this rule, persons having a joint interest shall be made parties and be joined on the same side as plaintiffs or defendants. When a person who should join as a plaintiff refuses to do so, he may be made a defendant.
(b) Effect of Failure to Join. When persons who are not indispensable but who ought to be parties if complete relief is to be accorded between those already parties, have not been made parties and are subject to the jurisdiction of the court as to both service of process and venue, the court shall order them summoned to appear in the action. The court in its discretion may proceed in the action without making such persons parties, if its jurisdiction over them as to either service of process or venue can be acquired only by their consent or voluntary
appearance; but the judgment rendered therein does not affect the rights or liabilities of absent persons.
(c) Same: Names of Omitted Persons and Reasons for Nonjoinder to be Pleaded. In any pleading in which relief is asked, the pleader shall set forth the names, if known to him, of persons who ought to be parties if complete relief is to be accorded between those already parties, but who are not joined, and shall state why they are omitted. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 20 Permissive Joinder of Parties.

(a) Permissive Joinder. All person may join in one action as plaintiffs if they assert any right to relief jointly, severally, or in the alternative in respect of or arising out of the same transaction, occurrence or series of transactions or occurrences and if any question of law or fact common to all of them will arise in the action. All persons may be joined in one action as defendants if there is asserted against them jointly, severally, or in the alternative, any right to relief in respect of or arising out of the same transaction, occurrence, or series of transactions or occurrences and if any question of law or fact common to all of them will arise in the action. A plaintiff for defendant need not be interested in obtaining or defending against all the relief demanded. Judgment may be given for one or more of the plaintiffs according to their respective rights to relief, and against one or more defendants according to their respective liabilities.

RCW 4.08.040 applies to joinder of husband and wife.
(b) Separate Trials. The court may make such orders as will prevent a party from being embarrassed, delayed, or put the expense by the inclusion of a party against whom he asserts no claim and who asserts no claim against him, and may order separate trials or make other orders to prevent delay or prejudice. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 21 Misjoinder and Nonjoinder of Parties. Misjoinder of parties is not ground for dismissal of an action. Parties may be dropped or added by order of the court on motion of any party or of its own initiative at any stage of the action and on such terms as are just. Any claim against a party may be severed and proceeded with separately. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 22 Interpleader.

(a) Scope. Persons having claims against the plaintiff may be joined as defendants and required to interplead when their claims are such that the plaintiff is or may be exposed to double or multiple liability. It is not ground for objection to the joinder that the claims of the several claimants or the titles on which their claims depend do not have a common origin or are not identical but are adverse to and independent of one another, or that the plaintiff avers that he is not liable in whole or in part to any or all of the claimants. A defendant exposed to similar liability may obtain such interpleader by way of cross-claim or counterclaim. The provisions of this rule
supplement and do not in any way limit the joinder of parties permitted under other rules and statutes.
(b) Other Remedies. The remedy herein provided is in addition to and in no way supersedes or limits the remedy provided by RCW 4.08 .150 to 4.08 .180 , inclusive. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 23 (Reserved).

## Rule 24 Intervention.

(a) Intervention of Right. Upon timely application, anyone shall be permitted to intervene in an action: (1) when a statute confers an unconditional right to intervene; or (2) when the representation of the applicant's interest by existing parties is or may be inadequate and the applicant is or may be bound by a judgment in the action; or (3) when the applicant is so situated as to be adversely affected by a distribution or other disposition of property which is in the custody or subject to the control or disposition of the court.
(b) Permissive Intervention. Upon timely application, anyone may be permitted to intervene in an action: (1) when a statute confers a conditional right to intervene; or (2) when an applicant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order administered by a federal or state governmental officer or agency or upon any regulation, order, requirements, or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely application may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.
(c) Procedure. A person desiring to intervene shall serve a motion to intervene upon all parties affected thereby. The motion shall state the ground therefor and shall be accompanied by a pleading setting forth the claim or defense for which intervention is sought. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 25 Substitution of Parties.

(a) Death. (1) If a party dies and the claim is not thereby extinguished, the court may order substitution of the proper parties. The motion for substitution may be made by the successors or representatives of the deceased party or by any party and, together with the notice of hearing, shall be served on the parties as provided by statute for service of notices, and upon persons not parties in the manner provided by these rules for the service of notice and complaint. If substitution is not made within a reasonable time, the action may be dismissed as to the deceased party.
(2) In the event of the death of one or more of the plaintiffs or one or more of the defendants in an action in which the right sought to be enforced survives only to the surviving plaintiffs or only against the surviving defendants, the action does not abate. The fact of death
shall be noted in the docket and the action shall proceed in favor of or against the surviving parties.
(b) Incompetency. If a party becomes incompetent, the court upon motion served as provided in subdivision (a) of this rule may allow the action to be continued by or against his representative.
(c) Transfer of Interest. In case of any transfer of interest, the action may be continued by or against the original party unless the court upon motion directs the person to whom the interest is transferred to be substituted in the action or joined with the original party. Service of the motion shall be made as provided in subdivision (a) of this rule. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## V. DEPOSITIONS AND DISCOVERY

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Rule
26 Depositions pending action.
27-37 (Reserved).
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Rule 26 Depositions Pending Action. The taking of depositions, the requesting of admissions and all other procedures authorized by rules 26 through 37 of the Su perior Court Civil Rules applicable for use in the superior court may be available only upon prior permission of the court. The court shall have absolute discretion to decide whether to permit any such procedures. In exercising such discretion the court shall consider (1) whether all parties are represented by counsel, (2) whether undue delay in bringing the case to trial will result and (3) whether the interests of justice will be promoted. [Amd. Jan. 5, 1976, eff. Jan. 23, 1976; adop. Feb. 13, 1963, eff. July 1, 1963.]

Rules 27-37 (Reserved).

## VI. TRIALS

Rule
38 Jury trial.
(a) Demand and selection.

39 Trial by jury or by the court.
(a) By jury.
(b) By the court.

40 Assignment of cases for trial_Judge, disqualification.
(a) Assignment for trial.
(b) Disqualification.

41 Dismissal of actions.
(a) Without prejudice.
(b) Limitation.
(c) Counterclaims, etc.

42 Consolidation; separate trials.
(a) Consolidation.
(b) Separate trials.

43 Evidence.
(a) Form.
(a-1 Multiple examinations.
(b) Scope of examination and cross-examination.
(c) Affirmation in lieu of oath.
(d) Adverse party as witness.
(e) Attorneys as witnesses.

44 Proof of official record.
(a) Authentication of copy.
(b) Proof of lack of record.
(c) Other proof.

45 Subpoena.
46-50 (Reserved).

51 Instructions to jury; objections.
52 Findings by the court.
53 (Reserved).

## Rule 38 Jury Trial.

(a) Demand and Selection. After the appearance of the defendant, and before the court shall proceed to inquire into the merits of the cause, either party may demand a jury to try the action. The selection and other matters concerning jury trials are governed by RCW 12.12.03012.12.100 inclusive. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 39 Trial by Jury or by the Court.

(a) By Jury. In a civil case, when a jury is demanded, it shall be allowed and tried with all reasonable speed. All issues of fact shall be tried by the jury.
(b) By the Court. All questions of law including the admissibility of testimony, the facts preliminary to such admission, and the construction of statutes and other writings, and other rules of evidence, are to be decided by the judge, and all discussions of law addressed to him. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 40 Assignment of Cases for Trial——Judge, Disqualification.
(a) Assignment for Trial. When the pleadings of the parties have taken place a case shall be tried, but cases may be continued by the court to a date certain. Continuances may not be granted for a longer period than sixty days each.
(b) Disqualification. In any case pending in any court of limited jurisdiction, unless otherwise provided by law, the judge thereof shall be deemed disqualified to hear and try the case when he is in anywise interested or prejudiced. The judge, of his own initiative, may enter an order disqualifying himself; and he shall also disqualif $y$ himself under the provisions of this rule if, before the jury is sworn or the trial is commenced, a party files an affidavit that such party cannot have a fair and impartial trial by reason of the interest or prejudice of the judge or for other grounds provided by law. Only one such affidavit shall be filed by the same party in the case and such affidavit shall be made as to only one of the judges of said court.

All right to an affidavit of prejudice will be considered waived where filed more than ten (10) days after the case is set for trial, unless the affidavit alleges a particular incident, conversation or utterance by the judge, which was not known to the party or his attorney within the ten (10) day period. In multiple-judge courts, or where a pro tem or visiting judge is designated as the trial judge, the 10 day period shall commence on the date that the defendant or his attorney has actual notice of assignment or reassignment to a designated trial judge. [Adopted Feb. 13, 1963, effective July 1, 1963; amended, adopted Dec. 17, 1970, effective Apr. 16, 1971.]

Rule 41 Dismissal of Actions.
(a) Without Prejudice. Judgment that the action be dismissed, without prejudice to a new action, may be entered, with costs, in the following cases:
(1) When the plaintiff voluntarily dismisses the action before it is finally submitted.
(2) When plaintiff fails to appear at the time set for trial or other hearing.
(b) Limitation. If a counterclaim has been pleaded by defendant, the action shall not be dismissed against defendant's objection unless the counterclaim can remain pending for independent adjudication by the court.
(c) Counterclaims, etc. The provisions of this rule apply to the dismissal of any counterclaim, setoff, crossclaim, or third-party claim. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 42 Consolidation; Separate Trials.

(a) Consolidation. When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.
(b) Separate Trials. The court in furtherance of convenience or to avoid prejudice may order a separate trial of any claim, cross-claim, counterclaim, or third-party claim, or of any separate issue or of any number of claims, cross-claims, counterclaims, third-party claims, or issues. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 43 Evidence.

(a) Form. In all trials the testimony of witnesses shall be taken orally in open court, unless otherwise provided by rule or statute.
(a-1) Multiple Examinations. When two or more attorneys are upon the same side trying a case, the attorney conducting the examination of a witness shall continue until the witness is excused from the stand; and all objections and offers of proof made during the examination of such witness shall be made or announced by the attorney who is conducting the examination or cross-examination.
(b) Scope of Examination and Cross-Examination. A party may interrogate any unwilling or hostile witness by leading questions. A party may call an adverse party or an officer, director, or managing agent of a public or private corporation or of a partnership or association which is an adverse party, and interrogate him by leading questions and contradict and impeach him in all respects as if he had been called by the adverse party, and the witness thus called may be contradicted and impeached by or on behalf of the adverse party also, and may be cross-examined by the adverse party only upon the subject matter or his examination in chief.
(c) Affirmation in Lieu of Oath. Whenever under these rules an oath is required to be taken, a solemn affirmation may be accepted in lieu thereof.
(d) Adverse Party as Witness.
(1) Party or managing agent as adverse witness. A party, or anyone who at the time of the notice is an officer, director, or other managing agent (herein collectively referred to as "managing agent") of a public or private corporation, partnership or association which is a party to an action or proceeding may be examined at the instance of any adverse party. Attendance of such deponent or witness may be compelled solely by notice (in lieu of a subpoena) given to opposing counsel of record. Notices for the attendance of a party or a managing agent at the trial shall be given a reasonable time before the trial of not less than 10 days (exclusive of the day of service, Saturdays, Sundays and court holidays). For good cause shown, the court may make orders for the protection of the party or managing agent to be examined.
(2) Effect of discovery, etc. A party who has filed interrogatories to be answered by the adverse party or who has taken the deposition of an adverse party or of the managing agent of an adverse party shall not be precluded for that reason from examining such adverse party or managing agent at the trial. The testimony of an adverse party or managing agent at the trial or on depositions or interrogatories shall not bind his adversary but may be rebutted.
(3) Refusal to attend and testify: Penalties. If a party or a managing agent refuses to attend and testify before the officer designated to take his deposition or at the trial after notice served, the complaint, answer, or reply of the party may be stricken and judgment taken against the party, and the contumacious party or managing agent may also be proceeded against as in other cases of contempt. This rule shall not be construed: (1) to compel any person to answer any question where such answer might tend to incriminate him; or (2) to prevent a party from using a subpoena to compel the attendance of any party or managing agent to give testimony by deposition or at the trial; or (3) to limit the applicability of any other sanctions or penalties.
(e) Attorneys as Witnesses. If an attorney offers himself as a witness on behalf of his client and gives evidence on the merits, he shall not argue the case to the jury, unless by permission of the court. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 44 Proof of Official Record.

(a) Authentication of Copy. An official record or an entry therein, when admissible for any purpose, may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody of the record, or by his deputy, and accompanied with a certificate that such officer has the custody. If the office in which the record is kept is within the United States or within a territory or insular possession subject to the dominion of the United States, the certificate may be made by a judge of a court of record of the district or political subdivision in which the record is kept, authenticated by
the seal of the court, or may be made by any public officer having a seal of office and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office. If the office in which the record is kept is in a foreign state or country, the certificate may be made by a secretary of embassy or legation, consul general, consul, vice-consul, or consular agent or by any officer in the foreign service of the United States stationed in the foreign state or country in which the record is kept, and authenticated by the seal of his office.
(b) Proof of Lack of Record. A written statement signed by an officer having the custody of an official record or by his deputy that after diligent search no record or entry of a specified tenor is found to exist in the records of his office, accompanied by a certificate as above provided, is admissible as evidence that the records of his office contain no such record or entry.
(c) Other Proof. This rule does not prevent the proof of official records or of entry or lack of entry therein by any method authorized by an applicable statute, or by the rules of evidence at common law. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 45 Subpoena. Subpoenas are governed by RCW 12.16.010 through 12.16.050, inclusive. Provided, that subpoenas may be issued with like effect by the attorney of record of the party to the action in whose behalf the witness is required to appear, and the form of such subpoena in each case shall be the same as when issued by the court except that it shall only be subscribed by the signature of such attorney. [Adopted Feb. 13, 1963, effective July 1, 1963; amended July 14, 1966, effective August 1, 1966.]

## Rules 46-50 (Reserved).

Rule 51 Instructions to Jury; Objections. At the close of the evidence the court on its own motion, or on the request of either party, shall instruct the jury on the law either orally or in writing or both. Any party may file written request that the court instruct the jury. At the same time copies of requested instructions shall be furnished to adverse parties. The court need not grant any requested instruction if the matter is fairly covered by the instruction given. The court shall not instruct with respect to matters of fact or comment upon the evidence. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 52 Findings By the Court. If a jury trial is not demanded, the judge shall hear the evidence, and decide all questions of fact and law and render judgment accordingly. He is not required to make findings of fact or conclusions of law. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 53 (Reserved).

## VII. JUDGMENTS

## Rule

54 Judgments; costs.
(a) Definition; form.
(b) Judgment upon multiple claims.
(c) Demand for judgment.

55 Default.
(a) Judgment.
(b) Setting aside default.
(c) Plaintiffs, counterclaimants, cross-claimants.

56-57 (Reserved).
58 Entry of judgment.
59 (Reserved).
60 Relief from judgment or order.
61 (Reserved).
62 Stay of proceedings to enforce a judgment.
63 (Reserved).

## Rule 54 Judgments; Costs.

(a) Definition; Form. "Judgment" as used in these rules includes a decree and any final order from which an appeal lies. A judgment shall not contain a recital of pleadings or the record of prior proceedings. Judgments may be in a writing signed by the court or may be oral confirmed by an entry in the record.
(b) Judgment Upon Multiple Claims. When more than one claim for relief is presented in an action, whether as a claim, counterclaim, cross-claim, or third-party claim, the court may direct the entry of a final judgment upon one or more but less than all of the claims only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment. In the absence of such determination and direction, any order or other form of decisions, however designated, which adjudicates less than all the claims shall not terminate the action as to any of the claims, and the order or other form of decision is subject to revision at any time before the entry of judgment adjudicating all the claims.
(c) Demand for Judgment. A judgment by default shall not be different in kind from or exceed in amount that prayed for in the demand for judgment. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 55 Default.

(a) Judgment. When the defendant fails to appear and plead before or at the time specified in the notice, or within one hour thereafter, or upon continuance, or for trial, judgment shall be given on motion of the plaintiff as follows: When the defendant has been served with a true copy of the complaint, judgment shall be given upon proof satisfactory to the court. In those cases where interest and attorney's fees are claimed by virtue of a written instrument, a copy of said instrument shall be filed and the court shall set a reasonable attorney's fee.
(b) Setting Aside Default. The court shall have full power at any time after a judgment has been given by default to vacate and set aside said judgment for any good cause and upon such terms as the court shall deem sufficient and proper. Such judgment shall be set aside
only upon 5 days notice in writing served upon the plaintiff or the plaintiff's attorney and filed with the court within 20 days after the entry of the judgment. The court shall hear the application to set aside such judgment either upon affidavits or oral testimony as the court may deem proper. In case such judgment is set aside the making of the application for setting the same aside shall be considered an entry of general appearance in the case by the applicant, and the case shall duly proceed to a trial upon the merits. No court shall issue a transcript or pay out or turn over money or property received by the court by virtue of any default judgment until the expiration of the said 20 days for moving to set aside such default judgment.

Nothing herein contained shall limit the power of the court to set aside a judgment, at any time, where the court lacked jurisdiction to enter the judgment, or where the judgment was obtained by fraud.
(c) Plaintiffs, Counterclaimants, Cross-Claimants. The provisions of this rule apply whether the party entitled to the judgment by default is a plaintiff, a third-party plaintiff, or a party who has pleaded a cross-claim or counterclaim. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rules 56-57 (Reserved).

Rule 58 Entry of Judgment. Upon the verdict of a jury, the court shall immediately render judgment thereon. If the trial is by the judge, judgment shall be entered immediately after the close of the trial, unless he reserves his decision, in which event the trail shall be continued to a day certain, but not longer than 15 days. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 59 (Reserved).

Rule 60 Relief From Judgment or Order. Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 61 (Reserved).

Rule 62 Stay of Proceedings to Enforce a Judgment. When the court has ordered a final judgment on some but not all the claims presented in the action, under the conditions stated in rule 54 (b), the court may stay enforcement of that judgment until the entering of a subsequent judgment or judgments and may prescribe such conditions as are necessary to secure the benefit thereof to the party in whose favor the judgment is entered. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 63 (Reserved).

## VIII. PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS

## Rule

64 Garnishment.
65-67 (Reserved).
68 Offer of judgment.
69-71 (Reserved).
Rule 64 Garnishment. RCW 7.33 and SPR 91.04W shall continue in full force and effect and shall be fully applicable to garnishment in courts of limited jurisdiction. [Amd. June 4, 1976, eff. July 1, 1976; adop. June 14, 1963, eff. July 1, 1963.]

## Rules 65-67 (Reserved).

Rule 68 Offer of Judgment. At any time more than 5 days before the trial begins, a party defending against a claim may serve upon the adverse party an offer to allow judgment to be taken against him for the money or property or to the effect specified in his offer, with costs then accrued. If within 5 days after the service of the offer the adverse party serves written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with proof of service thereof and thereupon the court shall enter judgment. An offer not accepted shall be deemed withdrawn and evidence thereof is not admissible except in a proceeding to determine costs. If the judgment finally obtained by the offeree is not more favorable then the offer, the offeree must pay the cost incurred after the making of the offer. The fact that an offer is made but not accepted does not preclude a subsequent offer. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rules 69-71 (Reserved).

## IX. APPEALS

## Rule

72 (Reserved).
73 Appeal to a superior court.
(a) When and how taken.
(b) Stay of proceedings.
(c) Release of property taken on execution.
(d) No dismissal for defective bond.
(e) Judgment against appellant and sureties.

74 (Reserved).
75 Record on appeal to a superior court.
(a) Transcript; procedure in superior court; pleadings in superior court.
(b) Transcript; procedure on failure to make and certify; amendment.
76
(Reserved).

## Rule 72 (Reserved).

## Rule 73 Appeal to a Superior Court.

(a) When and How Taken. When an appeal is permitted by law from a court of limited jurisdiction to a superior court such appeal shall be taken by serving a copy of notice of appeal on the adverse party or his attorney, and filing, within 20 days after the judgment is rendered
or decision made, the original notice of appeal with acknowledgement or affidavit of service in the court of limited jurisdiction and, unless such appeal be by a county, city, town or school district, filing a bond or undertaking, as herein provided. No appeal, except when such appeal is by a county, city, town or school district, shall be allowed in any case unless a bond or undertaking shall be executed on the part of the appellant and filed with and approved by the court of limited jurisdiction with one or more sureties, in the sum of one hundred dollars, conditioned that the appellant will pay all costs that may be awarded against him on appeal; or if a stay of proceedings in the court of limited jurisdiction be claimed, except by a county, city, town or school district, a bond or undertaking, with two or more personal sureties, or a surety company as surety, to be approved by the court of limited jurisdiction, in a sum equal to twice the amount of the judgment and costs, conditioned that the appellant will pay such judgment, including costs, as may be rendered against him on appeal, be so executed and filed.
(b) Stay of Proceedings. Upon an appeal being taken and a bond filed to stay all proceedings, the court of limited jurisdiction shall allow the same and make an entry of such allowance, and all further proceedings on the judgment in such court shall thereupon be suspended; and if in the meantime execution shall have been issued, such court shall give the appellant a certificate that such appeal has been allowed.
(c) Release of Property Taken on Execution. On such certificate being presented to the officer holding the execution, he shall forthwith release the property of the judgment debtor that may have been taken on execution.
(d) No Dismissal for Defective Bond. No appeal allowed by a court of limited jurisdiction shall be dismissed on account of any defect in the bond on appeal, if the appellant, before the motion is determined, shall execute and file in the superior court such bond as he should have executed at the time of taking the appeal, and pay all costs that may have accrued by reason of such defect.
(e) Judgment Against Appellant and Sureties. In all cases of appeal to the superior court, if on the trial anew in such court, the judgment be against the appellant in whole or in part, such judgment shall be rendered against him and his sureties on the bond on appeal. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 74 (Reserved).

## Rule 75 Record on Appeal to a Superior Court.

(a) Transcript; Procedure in Superior Court; Pleadings in Superior Court. Within 10 days after the appeal has been taken in a civil action or proceeding, the appellant shall file with the clerk of the superior court a transcript of all entries made in the docket of the court of limited jurisdiction relating to the case, together with all the process and other papers relating to the case filed in the court of limited jurisdiction which shall be made and certified by such court to be correct upon the payment of
the fees allowed by law therefor, and upon the filing of such transcript the superior court shall become possessed of the cause, and shall proceed in the same manner, as near as may be, as in actions originally commenced in that court, except as provided in these rules. The issue before the court of limited jurisdiction shall be tried in the superior court without other or new pleadings, unless otherwise directed by the superior court.
(b) Transcript; Procedure on Failure to Make and Certify; Amendment. If upon an appeal being taken the court of limited jurisdiction fails, neglects or refuses, upon the tender or payment of the fees allowed by law, to make and certify the transcript, the appellant may make application, supported by affidavit, to the superior court and the court shall issue an order directing the court of limited jurisdiction to make and certify such transcript upon the payment of such fees. Whenever it appears to the satisfaction of the superior court that the return of the court of limited jurisdiction to such order is substantially erroneous or defective it may order the court of limited jurisdiction to amend the same. If the judge of the court of limited jurisdiction fails, neglects or refuses to comply with any order issued under the provisions of this section he may be cited and punished for contempt of court. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 76 (Reserved).

## X. COURT AND CLERKS

## Rule

77 (Reserved).
77.04 Administration of oath.

78-80 (Reserved).
Rule 77 (Reserved).
Rule 77.04 Administration of Oath. The oaths or affirmations of all witnesses
(1) Shall be administered by the judge;
(2) Shall be administered to each witness on coming to the stand, not to a group and in advance; and
(3) The witness shall stand while the oath or affirmation is pronounced. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rules 78-80 (Reserved).

## XI. GENERAL PROVISIONS

## Rule

81 (Reserved).
82 Jurisdiction and venue-Unaffected.
83-84 (Reserved).
85 Title.
86 Effective date.

## Rule 81 (Reserved).

Rule 82 Jurisdiction and Venue-—Unaffected. These rules shall not be construed to extend or limit the jurisdiction of the courts of limited jurisdiction or the venue of actions therein. Jurisdiction and venue shall be
governed by RCW 3.20.100, 3.20.110, 3.34.110, 3.50.280, 3.66.040 and 3.66.050. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rules 83-84 (Reserved).

Rule 85 Title. These rules may be known and cited as Civil Rules for Courts of Limited Jurisdiction and they may be referred to as JCR.* [Adopted Feb. 13, 1963, effective July 1, 1963.]
*Reviser's note: By order of Supreme Court dated May 5, 1967, effective July 1, 1967, these rules were redesignated Civil Rules for Justice Court and may be referred to as JCR.

Rule 86 Effective Date. These rules take effect on the dates specified by the Supreme Court and thereafter all procedural laws in conflict therewith shall be of no further force and effect. They govern all proceedings in actions after they take effect, and also all further proceedings in actions pending on their effective dates, except to the extent that in the opinion of the court, expressed by its order, the application of rules in a particular action pending when the rules take effect would not be feasible or would work injustice, in which event the procedure existing at the time the action was brought applies. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## XII. MISCELLANEOUS PROCEEDINGS RULES

Rule
86.04 through 99.04 (Reserved).

## Rules 86.04 through 99.04 (Reserved).

JUSTICE COURT CRIMINAL RULES (JCrR)
(Formerly: Criminal Rules for Justice Court; Criminal Rules for Courts of Limited Jurisdiction (J Crim. R.))

## TABLE OF RULES

Chapter 1 Scope, purpose and construction.
Rule
1.01 Scope.
1.02 Purpose and construction.
1.03 Local court rules-Availability.
1.04 Style and form.

## Chapter 2 Preliminary proceedings.

Rule
2.01 Complaint-Citation and notice.
2.02 Warrant or summons upon complaint.
2.03 Proceedings before the judge-Procedure following execution of a warrant, or arrest without a warrant-Bail_Preliminary hearing.
2.04 Complaint and citation-Sufficiencies.
2.05 Complaint-JJoinder of offenses and defendants.
2.06 Several complaints for same offense-JurisdictionConsolidation.
2.07 Complaint-Loss or destruction-Copy.
2.08 Procedure on failure to obey citation and notice to appear.
2.09 Pretrial release.
2.10 Search and seizure.
2.11 Right to and assignment of counsel.

Chapter 3 Arraignment and preparation for trial. Rule
3.01 Arraignment.
3.02 Arraignment-Time to determine plea and to consult counsel.
3.03 Arraignment-Appearance by counsel only.
3.04 Arraignment-Procedures-Effect of.
3.06 Arraignment-Pleas
3.07 Complaints-When tried.
3.08 Continuances-Trial within sixty days-Dismissal.
3.10 Witnesses-Process-Subpoena.
3.11 Witnesses Continued obligation to attend-Dismissal.
3.12 Subpoena duces tecum-Motion to quash-Production and inspection.
3.13 Process-Criminal.

Chapter 4 Trial.
4.01 Conduct of trial.
4.02 Procedure upon a plea of guilty.
4.03 Procedure on a plea of not guilty, or, of former acquittal or conviction, or both.
4.04 Trial together of complaints.
4.05 Relief from prejudicial joinder.
4.06 Presence of the defendant.
4.07 Trial by jury or by the court.
4.08 Order of trial.
4.09 Criminalist's report.
4.10 Amendments to complaint-Continuance.
4.11 Motion for judgment of dismissal.

Chapter 5 Verdict, judgment and sentence.
Rule
5.01 Trial by the court.
5.02 Verdict of jury.
5.03 Bail, sentence and judgment.
5.04 Judgment and sentence-Presence of defendant-Warrant for arrest.
5.05 Judgment and sentence-—Duty of judge and clerk.
5.06 Judgment set aside.

Chapter 6 Appeals.
Rule
6.01 Appeals-Perfecting of.
6.02 Imposition of sentence pending appeal.
6.03 Appeal-Prosecution thereof.

Chapter 8 Disqualification of judge, clerical mistakes, conduct of court.
Rule
8.01 Judge, disqualification.
8.02 Judge, disqualification-Another judge.
8.03 Clerical mistakes.
8.04 Rules of court.

Chapter 10 Miscellaneous.
Rule
10.01 Time-Rules for computing.
10.02 Motions and applications-Notice-Service.
10.03 Title of rules.

## CHAPTER 1--SCOPE, PURPOSE AND CONSTRUCTION

Rule
1.01 Scope.
1.02 Purpose and construction.
1.03 Local court rules-Availability.
1.04 Style and form.

Rule 1.01 Scope. See Rule JAR 2. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 1.02 Purpose and construction. See Rule JAR 2. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 1.03 Local court rules--Availability. Courts of limited jurisdiction may adopt such special rules not inconsistent with these general rules as they may deem necessary for their respective courts. The court, upon the adoption of such rules, shall (a) arrange for the duplication and distribution of such rules, (b) send a copy of such rules to (1) the Administrator for the Courts, (2) the Recording Secretary of the Judicial Council, (3) the President of the Magistrates' Association, (4) the State Law Library, and (5) the Clerk of the Supreme Court, and (c) keep a copy of such rules readily available for inspection. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 1.04 Style and form. The complaint, warrant, summons, motions, briefs, orders, decisions of the court and all other papers or forms required by or employed under these rules shall be plainly written typed or printed. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER 2——PRELIMINARY PROCEEDINGS

Rule
2.01 Complaint-Citation and notice.
(a) Complaint.
(b) Citation and notice to appear.
(c) Citizen complaints.
(d) Filing.
(e) Exceptions.
2.02 Warrant or summons upon complaint.
(a) Issuance of warrant of arrest.
(b) Issuance of summons in lieu of warrant of arrest.
(c) Form.
(d) Execution of service.
(e) Return.
(f) Defective warrant or summons.
2.03 Proceedings before the judge-Procedure following execution of a warrant, or arrest without a warrant-Bail—Preliminary hearing.
(a) Preliminary appearance.
(b) Filing of complaint.
(c) Effect of failure to grant preliminary appearance or file complaint.
(d) Preliminary hearing.
2.04 Complaint and citation-Sufficiencies.
(a) Complaint.
(b) Citation and notice.
2.05 Complaint-Joinder of offenses and defendants.
(a) Joinder of offenses.
(b) Joinder of defendants.
2.06 Several complaints for same offense- JurisdictionConsolidation.
(a) Several complaints for same offense-Same court.
(b) Several complaints for same offense-Different courts.
2.07 Complaint-Loss or destruction-Copy.
2.08 Procedure on failure to obey citation and notice to appear.
(a) Residents.
(b) Nonresidents.
2.09 Pretrial release.
2.10 Search and seizure.
(a) Authority to issue warrant.
(b) Property which may be seized with a warrant.
(c) Issuance and contents.
(d) Execution and return with inventory.
(e) Motion for return of property.
2.11 Right to and assignment of counsel.
(a) Types of proceedings.
(b) Stage of proceedings.
(c) Explaining the availability of a lawyer.
(d) Assignment of counsel.
(e) Withdrawal of attorneys.
(f) Services other than counsel.

## Rule 2.01 Complaint——Citation and notice.

(a) Complaint.
(1) Initiation. Except as otherwise provided in this rule, all criminal proceedings shall be initiated by a complaint.
(2) Contents. The complaint shall be in writing and shall set forth:
(i) the name of the court;
(ii) the title of the action and the name of the offense charged;
(iii) the name of the person charged; and
(iv) the offense charged, in the language of the statute, together with a statement as to the time, place, person, and property involved to enable the defendant to understand the character of the offense charged.
(3) Verification. The complaint shall be signed under oath by the Prosecuting Attorney or other authorized officer.

## (b) Citation and Notice to Appear.

(1) Issuance. Whenever a person is arrested for a violation of law which is punishable as a misdemeanor or gross misdemeanor the arresting officer, or any other authorized peace officer, may serve upon the arrested person a citation and notice to appear in court, in lieu of continued custody. In determining whether to issue a citation and notice to appear, a peace officer may consider the following factors:
(i) whether the person has identified himself satisfactorily;
(ii) whether detention appears reasonably necessary to prevent imminent bodily harm to himself or to another, injury to property, or breach of the peace;
(iii) whether the person has ties to the community reasonably sufficient to assure his appearance or whether there is substantial likelihood that he will refuse to respond to the citation; and
(iv) whether the person previously has failed to appear in response to a citation issued pursuant to this section or to other lawful process.
(2) Contents. The citation and notice shall contain substantially the same information as the "Uniform Traffic Ticket and Complaint," sponsored by the American Bar Association Traffic Court Program, adopted in JTRT 2.01, and shall include:
(i) the name of the court and a space for the court's docket, case or file number;
(ii) the name of the person, his address, date of birth, and sex;
(iii) the date, time, place and description of the offense charged, the date on which the citation was issued, and the name of the citing officer;
(iv) the time and place at which the person is to appear in court which need not be a time certain, but may
be within 72 hours or within a greater period of time not to exceed 15 days after the date of the citation;
(v) a space for the person to sign a promise to appear.
(3) Release. To secure his release, the person must give his written promise to appear in court as required by the citation and notice served.
(4) Certificate. The citation and notice to appear shall contain a form of certificate by the citing official that he certifies, under penalties of perjury, as provided by RCW 3.50.140, and any law amendatory thereof, that he has reasonable grounds to believe, and does believe, the person committed the offense contrary to law. The certificate need not be made before a magistrate or any other person. Such citation and notice when signed by the citing officer and filed with a court of competent jurisdiction shall be deemed a lawful complaint for the purpose of initiating prosecution of the offense charged therein.
(5) Additional Information. The citation and notice may also contain such identifying and additional information as may be necessary and appropriate for law enforcement agencies in the state.
(6) Approval of Form. To insure uniformity, the format and use of the citation and notice, provided herein, shall be subject to approval by the office of Administrator for the Courts.
(c) Citizen Complaints. Any person wishing to make a complaint shall appear before the judge empowered to commit persons charged with offenses against the state. The judge shall examine on oath the complainant and any witnesses he may require, take their statements, and cause the statements and the complaint to be subscribed under oath by the person or persons making it.
(1) Citizen's Complaint__Alternate Method. The judge may consider any complaint on the basis of an affidavit sworn to before the judge, a clerk, commissioner or notary public where the judge is satisfied that probable cause exists, that the complaining witness is aware of the gravity of initiating a criminal complaint, the necessity of a court appearance for himself and witnesses, the possible liability for false arrest and consequences of perjury, such affidavit may be in substantially the form as provided herein.


## AFFIDAVIT OF COMPLAINING WITNESS

 DEFENDANT:

WITNESSES:


I, the undersigned complainant understand that I have the choice of complaining to a prosecuting authority rather than signing this affidavit. I elect to use this method to start criminal proceedings. I understand that the following are some but not all of the consequences of my signing a criminal complaint: (1) the defendant may be arrested and placed in custody. (2) the arrest if proved false may result in a lawsuit against me. (3) if I have sworn falsely I may be prosecuted for perjury. (4) this charge will be prosecuted even though I might later change my mind. (5) witnesses and complainant will be required to appear in court on the trial date regardless of inconvenience, school, job, etc.

Following is a true statement of the events that led to filing this charge. I (have) (have not) consulted with a prosecuting authority concerning this incident.
On the day of , 19_, at
(location)

Signed

## SUBSCRIBED AND SWORN TO before me this day of 19... <br> Court Commissioner, Clerk, Judge or Notary Public

(d) Filing. The original of the complaint or citation and notice, shall be filed with the clerk of the court, and sufficient copies shall be prepared in order to provide a copy for each defendant.
(e) Exceptions. Traffic cases shall be processed as provided in the Traffic Rules for Justice Courts, and public intoxication cases may be processed under existing procedure, by Citation and Notice or by Uniform Traffic Ticket and Complaint. [Adopted Feb. 13, 1963, amended June 14, 1963, effective July 1, 1963. Amended June 28, 1968, effective July 5, 1968. Amended Oct. 23, 1969, effective Nov. 7, 1969.]

## Rule 2.02 Warrant or summons upon complaint.

(a) Issuance of Warrant of Arrest. If it appears from the complaint or from an affidavit or affidavits filed therewith, that there is reasonable cause to believe that an offense has been committed and that the defendant has committed it, the judge, except as otherwise provided in 2.02(b), shall issue a warrant for the arrest of the defendant unless he has already been arrested in connection with the offense charged and is in custody or has been released on obligation to appear in court. Before ruling on a request for a warrant the judge may require the complainant to appear personally and may examine under oath the complainant and any witnesses he may produce.
(b) Issuance of Summons in Lieu of Warrant of Arrest.
(1) Where summons may issue. In any case in which the judge finds sufficient grounds for issuing a warrant pursuant to 2.02(a), he may issue a summons commanding the defendant to appear in lieu of a warrant.
(2) When summons must issue. If the complaint charges the commission of one or more misdemeanors or gross misdemeanors, the judge shall issue a summons
instead of a warrant unless he has reasonable cause to believe that the defendant will not appear in response to a summons, or that arrest is necessary to prevent serious bodily harm to the accused or another, in which case he may issue a warrant.
(3) Failure to appear on summons. If a person summoned fails to appear in response to the summons, or if service is unsuccessful, a warrant for his arrest may issue.
(c) Form. (1) Warrant. The warrant shall be in writing and in the name of the State of Washington, shall be signed by the judge with the title of his office, and shall state the date when issued and the municipality or county where issued. It shall specify the name of the defendant, or if his name is unknown, any name or description by which he can be identified with reasonable certainty. It shall describe the offense charged against the defendant; if the offense charged is triable in the county in which the warrant issues, the warrant shall command that the defendant be arrested and brought forthwith before the the judge issuing the warrant. If the offense is bailable, the warrant shall contain the release provisions then fixed by the judge pursuant to JCrR 2.09 .
(2) Summons. The summons shall be in the same form as the warrant except that it shall summon the defendant to appear before the judge issuing it at a stated time and place.
(d) Execution or Service.
(1) Execution of warrant. The warrant shall be directed to all peace officers in the state and shall be executed only by a peace officer.
(2) Service of summons. The summons may be served any place within the state. It shall be served by a peace officer who shall deliver a copy of the same to the defendant personally, or it may be served by mailing the same, postage prepaid, to the defendant at his address.
(e) Return. The officer executing a warrant shall make return thereof to the court before whom the defendant is brought pursuant to Rule 2.03 . At the request of the prosecuting attorney any unexecuted warrant shall be returned to the judge by whom issued and shall be cancelled by him. The person to whom a summons has been delivered for service shall, on or before the return date, make return thereof to the judge before whom the summons is returnable. The judge for reasonable cause can also order that the warrant be returned to him.

## (f) Defective Warrant or Summons.

(1) Amendment. No person arrested under a warrant or appearing in response to a summons shall be discharged from custody or dismissed because of any irregularity in the warrant or summons, but the warrant or summons may be amended so as to remedy any such irregularity.
(2) Issuance of new warrant or summons. If during the preliminary examination of any person arrested under a warrant or appearing in response to a summons, it appears that the warrant or summons does not properly name or describe the defendant, or the offense with which he is charged, or that although not guilty of the offense specified in the warrant or summons there is
reasonable ground to believe that he is guilty of some other offense, the judge shall not discharge or dismiss the defendant but may allow a new complaint to be filed and shall thereupon issue a new warrant or summons. [Adopted April 18, 1973, effective July 1, 1973. Prior: Adopted Feb. 13, 1963, effective July 1, 1963.] Comment: supersedes RCW 10.04.010, 10.04.030; RCW 10.16.010.

Rule 2.03 Proceedings before the judge--Procedure following execution of a warrant, or arrest without a warrant-—Bail——Preliminary hearing.
(a) Preliminary Appearance.
(1) Any person arrested for any offense, including capital cases and other felonies and not released shall be taken without unnecessary delay before a judge. The term "without unnecessary delay" means as soon as practically possible. In any event, delay beyond the close of business of the judicial day next following the day of arrest shall be deemed unnecessary. The court may, for good cause shown and recited in the order, enlarge the time prior to preliminary appearance.
(2) The judge shall inform the person of the crime for which he is arrested and of the rights of a person charged with a crime and shall provide for pretrial release pursuant to Rule 2.09.
(b) Filing of Complaint. When a person arrested without a warrant is brought before a judge, a complaint shall be filed within twenty-four hours after appearance before the court, or within such further time as the court shall specify.
(c) Effect of Failure to Grant Preliminary Appearance or File Complaint.
(1) If a person arrested and not released is not afforded preliminary appearance within the time prescribed by section (a), including any enlargement, the court shall order such a person brought before the court forthwith, and in default thereof, the court shall order his immediate release, unless good cause to the contrary be shown.
(2) If a complaint is not filed as provided by section (b), the court shall order the immediate release of such person.

## (d) Preliminary Hearing.

(1) When a felony complaint is filed, the court may conduct a preliminary hearing to determine whether there is probable cause to believe that the defendant has committed a felony.
(2) If the court finds probable cause, or if the parties waive preliminary hearing, the court shall bind the defendant over to the superior court. If the court finds probable cause, an information shall be filed without unnecessary delay or, if it is not, the defendant shall be discharged. The court shall file the transcript in superior court promptly after notice that the information has been filed. The transcript shall include, but not be limited to, the bond and any exhibits filed in the court of limited jurisdiction. Jurisdiction shall vest in the superior court when the information is filed.
(3) After the preliminary hearing, or a waiver thereof, the court may defer a bind-over order if the parties stipulate in writing that the case shall remain in the
court of limited jurisdiction for a specified time not exceeding 30 days.
(4) A preliminary hearing shall be conducted as follows:
(i) The defendant may as a matter of right be present at such hearing.
(ii) The court shall inform the defendant of the charge unless the defendant waives such reading.
(iii) Witnesses shall be examined under oath and may be cross-examined.
(iv) The defendant may testify and call witnesses in his behalf.
(5) If a preliminary hearing on the felony complaint is held and the court finds that probable cause does not exist, the charge shall be dismissed, and may be refiled only if a motion to set aside the finding is granted by the superior court. The superior court shall determine whether, at the time of the hearing on such motion, there is probable cause to believe that the defendant has committed a felony. [Adopted April 18, 1973, effective July 1, 1973. Prior: Adopted Feb. 13, 1963, amended June 14, 1963, effective July 1, 1963.]
Comment: supersedes RCW 10.04.030, modifies if not supersedes RCW 10.16.090.

## Rule 2.04 Complaint and citation-—Sufficiencies.

(a) Complaint. The complaint shall not be deemed insufficient for lack of a formal caption or commencement, or a formal conclusion, or any other matter not necessary to a plain, concise and definite statement of the essential facts constituting the specific offense or offenses with which the defendant is charged, nor for lack of any other matter not necessary to such statement, nor need it negative any exception, excuse or proviso contained in any statute creating or defining the offense charged. Allegations made in one count may be incorporated by reference in another count. It may be alleged in any count that the means by which the defendant committed the offense are unknown or that he committed it by one or more specified means. Unnecessary allegations may be disregarded as surplusage and on motion of the defendant prior to trial may be stricken from the complaint by the court. The complaint shall state for each count the official or customary citation of any applicable statute, rule, regulation, ordinance, or other provision of law which the defendant is alleged therein to have violated; but, error in the citation or its omission shall not be ground for dismissal of the complaint or for reversal of a conviction unless the error or omission mislead the defendant to his prejudice.
(b) Citation and Notice. No citation and notice issued pursuant to the provision of Rule 2.01(b) shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific offense with which the defendant is charged, nor by reason of defects or imperfections which do not tend to prejudice substantial rights of the defendant. Any defendant upon request shall be entitled as a matter of right to a bill of particulars. [Adopted Feb. 13, 1963, effective July 1, 1963. Amended June 28, 1968, effective July 5, 1968.]

Rule 2.05 Complaint--Joinder of offenses and defendants.
(a) Joinder of Offenses. Two or more offenses may be charged in the same complaint in a separate count for each offense if the offenses charged are of the same or similar character or are based on the same act or transaction or on two or more acts or connected transactions or transactions constituting parts of a common scheme or plan.
(b) Joinder of Defendants. Two or more defendants may be charged in the same complaint if they are alleged to have participated in the same act or transaction or in the same series of acts or transactions constituting an offense or offenses. Such defendants may be charged in one or more counts together or separately and it shall not be necessary to charge all the defendants in each count. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 2.06 Several complaints for same offense- -Jurisdiction-—Consolidation.
(a) Several Complaints for Same Offense——Same Court. If two or more complaints are filed against the same defendant in the same court for the same offense, the court shall order the complaints to be consolidated.
(b) Several Complaints for Same Offense——Different Courts. If two or more complaints are filed against the same defendant for the same offense in different courts, and if each court has jurisdiction, the court in which the first complaint was filed shall try the case and upon motion by either party, or the judge, the second or several complaints shall be forwarded to the court in which a complaint was first filed for consolidation and trial. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 2.07 Complaint--Loss or destruction-Copy. When a complaint has been lost or destroyed a copy thereof certified by the court may be substituted and the case shall proceed without delay from that cause. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 2.08 Procedure on failure to obey citation and notice to appear.
(a) Residents. The court shall issue a warrant for the arrest of any defendant who is a resident of this state and who has failed to appear before the court either in person or by counsel in answer to a citation and notice to appear upon which he has given his written promise to appear. If the warrant is not executed within 30 days after issue, the court shall make an entry of the notification on the docket, and may add a charge against the defendant for failure to appear after a written promise to do so, and mark the case closed, subject to being reopened when the appearance of the defendant is thereafter obtained.
(b) Nonresidents. If a nonresident defendant fails to appear before the court either in person or by counsel in answer to a citation and notice to appear upon which he has given his written promise to appear, the court shall mail a notice to the defendant at the address stated in
the citation and notice to appear requesting him to abide by his promise and appear in person or by counsel on a day certain, and notifying him that he may also be charged for his failure to appear after a written promise to do so. If the nonresident defendant fails to respond within 30 days after the date set in the notice, the court shall issue a warrant for his arrest, and shall make an entry of the notification on the docket, and may add a charge against the defendant for failure to appear after a written promise to do so, and mark the case closed, subject to being reopened when the appearance of the defendant is thereafter obtained. [Adopted June 28, 1968, effective July 5, 1968.]

Rule 2.09 Pretrial release. (a) Any defendant charged with an offense shall at his first court appearance be ordered released on his personal recognizance pending trial unless the court determines that such recognizance will not reasonably assure his appearance, when required. When such a determination is made, the court shall impose the least restrictive of the following conditions that will reasonably assure his appearance or if no single condition gives that assurance, any combination of the following conditions:
(1) place the defendant in the custody of a designated person or organization agreeing to supervise him;
(2) place restrictions on the travel, association, or place of abode of the defendant during the period of release;
(3) require the execution of an unsecured appearance bond in a specified amount;
(4) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;
(5) require the execution of an appearance bond with sufficient solvent sureties, or the deposit of cash in lieu thereof;
(6) require the defendant return to custody during specified hours; or
(7) impose any condition other than detention deemed reasonably necessary to assure appearance as required.
(b) In determining which conditions of release will reasonably assure the defendant's appearance, the court shall, on the available information, consider the relevant facts including: the length and character of the defendant's residence in the community, his employment status and history and financial condition; his family ties and relationships; his reputation, character and mental condition; his history of response to legal process, his prior criminal record; the willingness of responsible members of the community to vouch for the defendant's reliability and assist him in appearing in court; the nature of the charge; and any other factors indicating the defendant's ties to the community.
(c) Conditions of Pelease. Upon a showing that there exists a substantial danger that the defendant will commit a serious crime or that the defendant's physical condition is such to jeopardize his safety or that of others or that he will seek to intimidate witnesses, or otherwise
unlawfully interfere with the administration of justice, the court, upon the defendant's release, may impose one or more of the following conditions:
(1) prohibit him from approaching or communicating with particular persons or classes of persons;
(2) prohibit him from going to certain geographical areas or premises;
(3) prohibit him from possessing any dangerous weapons, or engaging in certain described activities or indulging in intoxicating liquors or in certain drugs;
(4) require him to report regularly to and remain under the supervision of an officer of the court or other person or agency;
(5) detain him until his physical condition permits his release.
(d) A court authorizing the release of the defendant under this rule shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform him of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest may be issued immediately upon any such violation.
(e) Review of Conditions. Upon determining the conditions of release, the court, upon request, after twentyfour hours from the time of release, may review the conditions previously imposed.
(f) Amendment of Order. The court ordering the release of a defendant on any condition specified in this rule may at any time on change of circumstances or showing of good cause amend its order to impose additional or different conditions for release.
(g) Upon a verified application by the prosecuting attorney alleging with specificity that a defendant has willfully violated a condition of his release, a court shall order the defendant to appear for immediate hearing or issue a warrant directing the arrest of the defendant for immediate hearing. A law enforcement officer having probable cause to believe that a defendant released pending trial for a felony is about to leave the state or that he has violated a condition of such release, imposed pursuant to section (c), under circumstances rendering the securing of a warrant impracticable, may arrest the defendant and take him forthwith before the court.
(h) Release After Verdict. A defendant (1) who is charged with a capital offense, or (2) who has been found guilty of a felony and is either awaiting sentence or has filed an appeal, shall be released pursuant to this rule, unless the court finds that the defendant may flee the state or pose a substantial danger to another or to the community. If such a risk of flight or danger exists, the defendant may be ordered detained.
(i) Information stated in, or offered in connection with, any order entered pursuant to this rule need not conform to the rules pertaining to the admissibility of evidence in a court of law.
(j) Nothing contained in this rule shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.
(k) Defendant Discharged on Recognizance or Bail——Absence——Forfeiture.

If the defendant has been discharged on his own recognizance, on bail, or has deposited money instead thereof, and does not appear for judgment when his personal appearance is necessary, the court, in addition to the forfeiture of the recognizance, or of the money deposited, may direct the clerk to issue a bench warrant for his arrest. [Adopted April 18, 1973, effective July 1, 1973.]

Comment: supersedes RCW 10.04.030; RCW 10.16.030, 10.16-
.040, 10.16.070.

## Rule 2.10 Search and seizure.

(a) Authority to Issue Warrant. A search warrant authorized by this rule may be issued by a magistrate upon request of a peace officer or prosecuting attorney.
(b) Property Which May be Seized With a Warrant. A warrant may be issued under this rule to search for and seize any (1) evidence of a crime; or (2) contraband, the fruits of crime, or things otherwise criminally possessed; or (3) weapons or other things by means of which a crime has been committed or reasonably appears about to be committed.
(c) Issuance and Contents. A warrant shall issue only on an affidavit or affidavits establishing the grounds for issuing the warrant. Such affidavit or affidavits may consist of an officer's sworn telephonic statement to the judge; provided, however, such sworn telephonic testimony must be electronically recorded at the time transmitted and retained in the court records and reduced to writing as soon as possible thereafter. If the magistrate finds that probable cause for the issuance of a warrant exists, he shall issue a warrant or direct an individual whom he authorizes for such purpose to affix his signature to a warrant identif ying the property and naming or describing the person or place or thing to be searched. The finding of probable cause shall be based on evidence, which may be hearsay in whole or in part, provided there is a substantial basis for believing the source of the hearsay to be credible and for believing that there is factual basis for the information furnished. Before ruling on a request for a warrant the court may require the affiant to appear personally and may examine under oath the affiant and any witnesses he may produce. The judge shall record a summary of any additional evidence on which he relies. The warrant shall be directed to any peace officer. It shall command the officer to search, within a specified period of time not to exceed 10 days, the person, place, or thing named for the property specified. It shall designate a magistrate to whom it shall be returned. The warrant may be served at any time.
(d) Execution and Return With Inventory. The peace officer taking property under the warrant shall give to the person from whom or from whose premises the property is taken a copy of the warrant and a receipt for the property taken. The return shall be made promptly and shall be accompanied by a written inventory of any property taken. The inventory shall be made in the presence of the person from whose possession or premises the
property is taken, or in the presence of at least one person other than the officer. The magistrate shall upon request deliver a copy of the inventory to the person from whom or from whose premises the property was taken and to the applicant for the warrant.
(e) Motion for Return of Property. A person aggrieved by an unlawful search and seizure may move the court for the return of the property on the ground that the property was illegally seized and that he is lawfully entitled to possession thereof. If the motion is granted, the property shall be returned. If a motion for return of property is made or comes on for hearing after an indictment or information is filed in the court in which the motion is pending, it shall be treated as a motion to suppress. [Adopted April 18, 1973, effective July 1, 1973.]

## Rule 2.11 Right to and assignment of counsel.

(a) Types of Proceedings.
(1) The right to counsel shall extend to all criminal proceedings for offenses punishable by loss of liberty regardless of their denomination as felonies, misdemeanors, or otherwise.
(b) Stage of Proceedings.
(1) The right to counsel shall accrue as soon as feasible after the defendant is taken into custody, when he appears before a committing magistrate, or when he is formally charged, whichever occurs earliest.
(2) Counsel shall be provided at every stage of the proceedings, including sentencing, appeal, and postconviction review. Counsel initially appointed shall continue to represent the defendant through all stages of the proceedings unless a new appointment is made because geographical considerations or other factors make it necessary.
(c) Explaining the Availability of a Lawyer.
(1) When a person is taken into custody he shall immediately be advised of his right to counsel. Such advice shall be made in words easily understood, and it shall be stated expressly that a person who is unable to pay a lawyer is entitled to have one provided without charge.
(2) At the earliest opportunity a person in custody who desires counsel shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning counsel, and any other means necessary to place him in communication with a lawyer.
(d) Assignment of Counsel.
(1) Unless waived, counsel shall be provided to any person who is financially unable to obtain one without causing substantial hardship to himself or his family. Counsel shall not be denied to any person merely because his friends or relatives have resources adequate to retain counsel or because he has posted or is capable of posting bond.
(2) The ability to pay part of the cost of counsel shall not preclude assignment. The assignment of counsel may be conditioned upon part payment pursuant to an established method of collection.
(e) Withdrawal of Attorneys. Whenever a criminal cause has been set for trial, no attorney shall be allowed to withdraw from said cause, except upon written consent of the court, for good and sufficient reason shown.
(f) Services Other Than Counsel. Counsel for a defendant who is financially unable to obtain investigative, expert, or other services necessary to an adequate defense in his case may request them by a motion. Upon finding that the services are necessary and that the defendant is financially unable to obtain them, the court shall authorize counsel to obtain the services on behalf of the defendant. The courts, in the interest of justice and on a finding that timely procurement of necessary services could not await prior authorization, shall ratify such services after they have been obtained.
The court shall determine reasonable compensation for the services and direct payment to the organization or person who rendered them upon the filing of a claim for compensation supported by an affidavit specifying the time expended and the services and expenses incurred on behalf of the defendant, and the compensation received in the same cases or for the same services from any other source. [Adopted April 18, 1973, effective July 1, 1973.]
Comment: supersedes RCW 10.01.110.

## CHAPTER 3——ARRAIGNMENT AND PREPARATION FOR TRIAL

| Rule |  |
| :---: | :---: |
| 3.01 | Arraignment. |
| 3.02 | Arraignment - Time to determine plea and to consult counsel. |
| 3.03 | Arraignment-Appearance by counsel only. |
| 3.04 | Arraignment _-Procedures-Effect of. |
| 3.06 | Arraignment _-Pleas. |
| 3.07 | Complaints_-When tried. |
| 3.08 | Continuances-_Trial within sixty days-_Dismissal. |
| 3.10 | Witnesses-_Process-_Subpoena. |
| 3.11 | Witnesses-Continued obligation to attend-Dismissal. |
| 3.12 | Subpoena duces tecum-Motion to quash-_Production and inspection. |
| 3.13 | Process-Criminal. |

Rule 3.01 Arraignment. Arraignment shall be conducted in open court and shall consist of reading the complaint to the defendant or stating to him the substance of the charge, and calling on him to plead thereto. He shall be given a copy of the complaint before he is called upon to plead. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.02 Arraignment--Time to determine plea and to consult counsel. The defendant shall not be required to plead to the complaint until he shall have had a reasonable time to examine the complaint. If the defendant appears in court without counsel, the court shall advise him of his right to counsel, and, if available his right to trial by jury, enter this fact on the record, and, if time is requested to consult counsel, grant the defendant a reasonable time to consult counsel and determine his plea. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.03 Arraignment--Appearance by counsel only. If the complaint is for a misdemeanor punishable by fine only, the defendant may appear upon arraignment by counsel. Any court may adopt a local rule, not limited to misdemeanors, substantially as follows: attor-neys-at-law may enter a plea of not guilty in writing on all (here insert type of case) cases. No further arraignment shall be required. [Adopted Feb. 13, 1963, effective July 1, 1963; amended May 12, 1969, effective July 1, 1969.]

Rule 3.04 Arraignment-—Procedures——Effect of. (a) Upon arraignment, the court shall ask the defendant his true name and, if it has been incorrectly stated in the complaint, order the complaint corrected accordingly.
(b) The defendant may move to set aside the complaint on the grounds that the complaint:
(1) does not satisfy the requirements of these Rules, or
(2) does not set forth facts constituting a crime, or
(3) contains matter which, if true, would constitute a defense or other legal bar to the action.
(c) If the motion is well taken, the court shall order appropriate amendments or corrections to be made, if permitted under Rule 2.04; otherwise, the court shall order the complaint dismissed.
(d) If the motion of dismissal is sustained because the complaint contains matter which is a legal defense or bar to the action, the judgment shall be final and the defendant must be discharged; if sustained for any other reason, the dismissal shall not bar another prosecution for the same offense.
(e) If the motion is overruled, or well taken, followed by appropriate amendments or corrections, the defendant shall enter his plea. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.06 Arraignment-—Pleas. (1) The defendant may plead not guilty, former conviction, dismissal under Rule 3.04(d), or acquittal, which may be pleaded with or without the plea of not guilty, or guilty. The plea of guilty can be made only by the defendant in open court. The court may refuse to accept a plea of guilty and shall not accept such plea without first determining of record that the plea is made voluntarily and with understanding of the nature of the charge. If the defendant fails or refuses to plead to the complaint, or the court refuses to accept a plea of guilty, a plea of not guilty shall be entered by the court.
(2) The court may, at any time before judgment, permit any plea to be withdrawn and an appropriate plea substituted, if it deems such action necessary in the interest of justice.
(3) The plea of not guilty is a denial of every material allegation in the complaint. All matters of fact may be given in evidence under it, except a former conviction or acquittal. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.07 Complaints-When tried. The defendant, charged by complaint, may be tried, with his consent, immediately following his plea to the complaint, or
on the first available court day, unless in either case the trial be continued to a day certain for good cause. [Adopted Feb. 13, 1963, effective July 1, 1963; rule amended July 14, 1966, effective August 1, 1966.]

Rule 3.08 Continuances--Trial within sixty days--Dismissal. Continuances may be granted to either party for good cause shown. Also, the court, on its own motion, may postpone the trial for good and sufficient reason. In either case, the continuance or postponement must be to a date certain. If the defendant is not brought to trial within 60 days from the date of appearance, except where the postponement was requested by the defendant, the court shall order the complaint to be dismissed, unless good cause to the contrary is shown. Dismissal under such circumstances shall be a bar to further prosecution for the offense charged. [Adopted Feb. 13, 1963, effective July 1, 1963; rule amended July 14, 1966, effective August 1, 1966.]

Rule 3.10 Witnesses--Process-—Subpoena. (a) Before trial, upon request of the defendant, the prosecuting attorney shall file with the court the names of the witnesses he intends to call at the trial and shall provide a copy of the list for the defendant or his counsel.
(b) Both the prosecution and the defendant are entitled to subpoena such witnesses as are necessary, such process to be issued by the judge or the clerk of the court and directed to the sheriff of any county or any peace officer of any municipality in the state in which such witness may be.
(c) When so required by the court, the applicant for subpoena, either in person or by counsel, shall show to the satisfaction of the court, the materiality of the testimony which is expected to be obtained from such witness.

See CrR 101.16W.
(d) The procedure for compelling attendance of witnesses shall be as established in Chapter 5.56 RCW, RCW 10.04.060, 10.16.010, 10.16.140, 10.16.145, 10.16.150, 10.16.160, 10.16.190; and 12.16.010 and 12.16.040. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.11 Witnesses-—Continued obligation to at-tend--Dismissal. When a witness has been subpoenaed he shall remain in attendance until the case is disposed of, unless he be excused or dismissed as provided in CrR 101.12W, Witnesses in Criminal Cases; and he shall be liable for contempt for any default or failure to appear. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.12 Subpoena duces tecum-—Motion to quash-—Production and inspection. (a) A subpoena duces tecum may be issued by the court upon application of either party, commanding the person to whom it is directed to produce the books, papers, documents or other objects designated therein. The court, on motion made promptly, may quash or modify the subpoena if compliance would be illegal, unreasonable or oppressive.
(b) The court may direct that books, papers, documents or objects designated in the subpoena be produced
before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may, upon their production, permit the books, papers, documents or objects or portions thereof to be inspected by the parties and their attorneys. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 3.13 Process--Criminal. The court may issue criminal process to any person anywhere in the state. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER 4——TRIAL

Rule
4.01 Conduct of trial.
4.02 Procedure upon a plea of guilty.
4.03 Procedure on a plea of not guilty, or, of former acquittal or conviction, or both.
4.04 Trial together of complaints.
4.05 Relief from prejudicial joinder.
4.06 Presence of the defendant.
4.07 Trial by jury or by the court.
(a) Trial by jury-Waiver.
(b) Trial by jury Selection.
(c) Trial by the court.
(d) Issues of law.
(e) Issues of fact-Judge may charge jury as to law.
4.08 Order of trial.
4.09 Criminalist's report.
4.10 Amendments to complaint-Continuance.
4.11 Motion for judgment of dismissal.

Rule 4.01 Conduct of trial. All judicial proceedings and trials shall be held in open court, and shall be conducted in accordance with these rules. Questions pertaining to the conduct of the trial and not covered by these rules or appropriate statutes shall be determined by the trial judge acting within his sound discretion. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.02 Procedure upon a plea of guilty. If the defendant pleads guilty, the judge may, if he wishes or if he has any doubts as to the plea, examine a witness or witnesses concerning the circumstances of the charge. If he is satisfied, either with or without the examination of witnesses, that the defendant is guilty, the judge shall assess the punishment and enter judgment accordingly. If, after an examination of a witness or witnesses, he is not satisfied as to the guilt of the defendant, he may, in his discretion, refuse to accept the plea and enter a plea of not guilty. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.03 Procedure on a plea of not guilty, or, of former acquittal or conviction, or both. The proceedings upon the trial of criminal and traffic offenses with respect to a plea of not guilty, or, of former acquittal or conviction, or both, in all courts of limited jurisdiction shall be the same as those which apply to the trial of criminal cases in superior court except as altered by these rules or by statute. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.04 Trial together of complaints. The court may order two or more complaints to be tried together if the offenses, and the defendants if there is more than
one, could have been joined in a single complaint. The procedure shall be the same as if the prosecution were under a single complaint. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.05 Relief from prejudicial joinder. If it appears that a defendant or the state is prejudiced by a joinder of offenses or of defendants in a complaint by such joinder for trial together, the court may order a separate trial of counts, grant a severance of defendants, or provide whatever other relief justice requires. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.06 Presence of the defendant. The defendant shall be present during the trial. A person being prosecuted for an offense punishable only by a fine may with the approval of the court be absent if with the approval of the court some responsible person undertakes to be bail for stay of execution and payment of the fine and costs that may be assessed against the defendant. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 4.07 Trial by jury or by the court.

(a) Trial By Jury--Waiver. When a trial by jury is authorized by the constitution, statutes or decisions of the Supreme Court, either the state or the defendant may demand a jury, which shall consist of six or less citizens of the state, who shall be impaneled and sworn as required by law. Demand for jury trial must be made at the time the defendant's plea is entered; otherwise, it shall be deemed waived, unless the court rules to the contrary.
(b) Trial By Jury-—Selection. A jury shall be selected as follows: the judge shall write in a panel the names of eighteen persons, citizens of the county, from which the defendant, or his attorney, must strike one name, the prosecuting attorney one, and so on alternately until each party shall have stricken six names, and the remaining six names shall constitute the jury to try such case; and if either party neglect or refuse to aid in striking the jury as aforesaid the judge shall strike the name in behalf of such party.
(c) Trial By the Court. Unless the court refuses to assent, the parties may waive the right to trial by jury either explicitly or by failing to demand a jury trial in a timely manner, and trial shall be by the court. In trials for violation of municipal ordinances, except as indicated in rule 4.07(a), trial shall be by the court without a jury. Where trial is by the court, the court shall make a general finding and may, in its discretion, find the facts specifically.
(d) Issues of Law. The court shall decide all questions of law which shall arise in the course of a trial. The judge may, with the consent of all parties, answer questions asked by jurors pertaining to the law applicable to the case.
(e) Issues of Fact--Judge May Charge Jury as to Law. Issues of fact shall be tried by the jury in jury cases and by the judge in norjury cases. In cases tried by a jury, the judge shall not comment on the evidence;
however, the court shall instruct the jury either orally or in writing as to the law governing the case. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.08 Order of trial. (a) The order of trial in jury cases shall be as follows:
(1) Where trial by jury is requested, and authorized, a qualified jury, selected as provided by law, shall be sworn well and truly to try the case.
(2) Unless both parties waive opening statements, the prosecutor shall make the opening statement outlining the evidence which will be offered by the prosecution, and the defendant or his counsel may immediately thereafter make the opening statement for the defendant or such opening statement may be reserved until after the conclusion of the prosecution's case-in-chief.
(3) The prosecutor shall submit evidence in support of the prosecution.
(4) Defendant's attorney may challenge the sufficiency of the evidence at the close of the prosecution's case-inchief, and, if sustained, the case shall be dismissed; otherwise, the defendant may then offer evidence in defense.
(5) If the defendant's counsel shall have reserved his opening statement until the close of the prosecution's case-in-chief, he may then state the case for the defense; if such statement has already been made, he may then offer evidence in support thereof or he may, by proper motion, challenge the sufficiency of the prosecution's case-in-chief to sustain a conviction.
(6) The parties may thereafter respectively offer testimony in rebuttal only unless the court, for good cause shown or believing that the interests of justice will be best served thereby, permits the parties to offer evidence upon their original cases.
(7) If the jury is instructed, the instructions shall be given prior to argument by counsel.
(8) Unless both parties waive argument and agree that the cause be decided by the court or submitted to the jury without argument, the prosecutor shall make the opening argument and the counsel for the defendant may follow and the prosecutor may conclude the argument. The length of time of all arguments shall be fixed by the court in its discretion and announced before the arguments are commenced. Equal time shall be allowed each party.
(b) The order of trial in nonjury cases shall be the same as in subsection (a) except as to such portions as are not applicable to nonjury cases. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.09 Criminalist's report. (a) Subject to subsection (b) of this rule, the official written report of an expert witness which contains the results of any test of a substance or object which are relevant to an issue in a trial shall be admitted in evidence without further proof or foundation as prima facie evidence of the facts stated in the report if the report bears the following certification:

The undersigned certifies under oath that:
(1) He performed a test on the (substance) (object) in question,
(2) He received the (substance) (object) in question from
(3) The document on which this certificate appears or to which it is attached is a true and complete copy of an official report of the $\qquad$ and
(4) Such document is a report of the results of a test which report and test were made by the undersigned who has the following qualifications and experience:

(b) The court shall exclude such report if:
(1) A copy of the report and certificate has not been served on the defendant or the defendant's attorney at least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, or
(2) In the case of an unrepresented defendant, a copy of this rule in addition to a copy of the report and certificate has not been served on the defendant at least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, or
(3) At least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, the defendant has served a written demand upon the prosecutor to produce the expert witness at the trial.
(c) Test Report by Expert.
(1) Subject to subsection (c)(2), the official written report of an expert witness which contains the results of any test of a substance or object which are relevant to an issue in a trial shall be admitted in evidence without further proof or foundation as prima facie evidence of the facts stated in the report if the report bears the following certification:
The undersigned certifies under penalty of perjury that:

1. He performed a test on the (substance) (object) in question,
2. The person from whom he received the (substance) (object) in question is
3. The document on which this certificate appears or to which it is attached is a true and complete copy of my official report, and
4. Such document is a report of the results of a test which report and test were made by the undersigned who has the following qualifications and experience:

(2) The court shall exclude such report if:
(i) A copy of the report and certificate has not been served on the defendant or the defendant's attorney at least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, or
(ii) In the case of an unrepresented defendant, a copy of this rule in addition to a copy of the report and certificate has not been served on the defendant at least 15 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, or
(iii) At least 7 days prior to the trial date or, upon a showing of cause, such lesser time as the court deems proper, the defendant has served a written demand upon the prosecutor to produce the expert witness at the trial. [Amd. June 4, 1976, eff. July 1, 1976; amd. Dec. 10, 1974, eff. Jan. 1, 1975; adop. Feb. 13, 1963, eff. July 1, 1963.]

Rule 4.10 Amendments to complaint-Continuance. The court may permit a complaint to be amended at any time before judgment if no additional or different offense is charged, and if substantial rights of the defendant are not thereby prejudiced. A continuance shall not be granted upon such amendment unless the defendant shall satisfy the court that the amendment has made it necessary for him to have additional time in which to prepare his defense. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 4.11 Motion for judgment of dismissal. Motions for directed verdict are abolished and motions for judgment of dismissal are substituted in their place. The court either on motion of a defendant, or on its own motion, shall order entry of judgment of dismissal of one or more offenses charged by complaint if, after the evidence on either side is closed, the court concludes as a matter of law that such evidence is not sufficient to sustain a judgment of conviction of such offense or offenses. If a defendant's motion for judgment of dismissal at the close of the prosecution's case-in--chief, is not granted, the defendant may offer evidence without having reserved the right. If defendant's motion is granted, the state shall have the right to appeal from the court's ruling. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER 5——VERDICT, JUDGMENT AND SENTENCE

| Rule |  |
| :--- | :--- |
| 5.01 | Trial by the court. |
| 5.02 | Verdict of jury. |
| 5.03 | Bail, sentence and judgment. |
| (a) | Bail. |
| (b) | Sentence. |
| (c) | Judgment. |
| 5.04 | Judgment and sentence-P_Presence of defendant_—Warrant |
|  | for arrest. |
| 5.05 | Judgment and sentence_——Duty of judge and clerk. |
| 5.06 | Judgment set aside. |

Rule 5.01 Trial by the court. Where trial is by the court, the court shall make a general finding and may, in its discretion, find the facts specifically. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 5.02 Verdict of jury. (a) When all members of the jury have agreed upon a verdict of guilty or not guilty, it must be signed by the foreman and returned by the jury to the judge in open court.
(b) When a verdict is returned and before it is recorded, the jury shall be polled at the request of any party or upon the court's own motion. If at the conclusion of the poll all of the jurors do not concur, the jury may be directed to retire for further deliberations or may be discharged by the court. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 5.03 Bail, sentence and judgment.

(a) Bail. Pending sentence, the court may commit the defendant or continue or alter the bail.
(b) Sentence. Before imposing sentence, the court shall afford the defendant, and the prosecution, an opportunity to make a statement and to present information in extenuation, mitigation, or aggravation of punishment. Upon a finding of guilty, in courts established under RCW 3.30 through 3.74 , the sentence shall be determined and imposed by the court. In other courts of limited jurisdiction, unless the case is tried without a jury, the jury imposes the sentence.
(c) Judgment. The judgment of conviction shall set forth the plea, the verdict or findings, and the adjudication and sentence. If the defendant is found not guilty or for any other reason is entitled to be discharged, the judgment shall be entered accordingly. [Adopted Feb. 13, 1963, amended June 14, 1963, effective July 1, 1963; amended, adopted Dec. 17, 1970 also March 26, 1971, effective Apr. 16, 1971.]

Rule 5.04 Judgment and sentence-—Presence of defendant-Warrant for arrest. The defendant must be personally present when sentence and judgment are pronounced unless the court, upon request, consents to the absence of the defendant. If the defendant is in custody, he must be brought before the court for judgment and sentence; if he is not present when his personal attendance is necessary, the court may order the issuance of a warrant for his arrest. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 5.05 Judgment and sentence-D Duty of judge and clerk. Whenever a judgment upon a conviction shall be rendered in any court, the judge or clerk of such court shall enter such judgment on the court record, stating briefly the offense for which such conviction shall have been had; but the omission of this duty, either by the judge or clerk, shall not affect or impair the validity of the judgment. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 5.06 Judgment set aside. The court may for cause, on its own initiative, or on motion of the defendant set aside a judgment of conviction and order a new trial at any time before the time for appeal has expired and before an appeal has been taken. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER 6——APPEALS

Rule
6.01 Appeals-Perfecting of.
(a) Venue.
(b) Notice of appeal.
(c) The record.
(d) Notice of filing.
(e) Noting for trial.
6.02 Imposition of sentence pending appeal.
(a) Stay of sentence.
(b) Impositions of sentence.
6.03 Appeal-Prosecution thereof.
(a) Failure to certify transcript.
(b) Dismissal for want of prosecution.
(c) Dismissal on clerk's motion.

## Rule 6.01 Appeals-—Perfecting of.

(a) Venue. Appeals shall be to the superior court of the county in which the court of limited jurisdiction is located. The appeal from a justice court located in a joint justice court district shall be made to the superior court of the county where the offense was alleged to have been committed.
(b) Notice of Appeal. The appeal shall be taken by serving a copy of a written notice of appeal containing the address of the appellant and his attorney upon the attorney for the party in whose favor judgment was entered and by filing the original thereof with acknowledgment or affidavit of service thereof with the court in which the case was tried within 10 days after entry of judgment. If a motion for a new trial or for arrest of judgment has been timely made, such notice and proof of service may be filed within 10 days after entry of the order denying the motion.
(c) The Record. After a notice of appeal is filed, the justice court shall immediately, and in no event later than 10 days thereafter, file with the clerk of the superior court in which the appeal is pending a transcript duly certified by such justice court, furnished without charge, containing a copy of all written pleadings and docket entries, and including exhibits introduced into evidence in the trial before the justice court. A cash bail or bail bond filed in the justice court shall at the same time be transferred to the superior court, there to be held pending disposition of the appeal. Evidence not offered in trial in the superior court shall be returned to the justice court.
(d) Notice of Filing. The justice court shall give prompt notice of the filing or mailing to the respondent and appellant, giving such particulars as date of filing or mailing and superior court file number, if known. Where the justice court is not located at the county court house, such filing may be made by certified mail, in which case the justice court shall advise appellant and respondent of the date of mailing.
(e) Noting for Trial. Within 20 days after the transcript is filed, appellant shall note the case for trial and otherwise diligently prosecute the appeal. [Adopted Dec. 23, 1968, effective Jan. 3, 1969; amended May 12, 1969, effective July 1, 1969. Prior: Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 6.02 Imposition of sentence pending appeal.

(a) Stay of Sentence. All sentences shall be stayed if an appeal is taken and the defendant posts cash bail or his bond to the state which shall be deposited with the clerk of the court, in such reasonable sum with sureties as the lower court judge may require, upon the following conditions: that he will diligently prosecute the appeal, that he will within 10 days after the same is filed in the superior court note the case for trial, and will appear at the court appealed to and comply with any sentence of the superior court, and will, if the appeal is dismissed for any reason, comply with the sentence of the lower court.
(b) Impositions of Sentence. If the appellant fails to provide security, sentence imposed shall be executed. [Adopted Dec. 23, 1968, effective Jan. 3, 1969. Prior: Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule 6.03 Appeal——Prosecution thereof.

(a) Failure to Certify Transcript. If the lower court fails, neglects or refuses to make and certify the transcript within the time allowed, the appellant may make application to the superior court not later than twenty days after the filing of the notice of appeal and the superior court shall issue an order to make and certify the transcript.
(b) Dismissal for Want of Prosecution. Where the cause has not been noted for trial within 20 days after filing of the transcript, the superior court clerk shall forthwith note the appeal for dismissal for want of prosecution. If, after a hearing, it is determined that appellant has not met time requirements, the cause shall be dismissed. Upon dismissal of the appeal for failure of appellant to proceed diligently with the appeal as herein required, or for any other cause, the judgment of the lower court shall be enforced by the judge thereof. If, at the time of such dismissal, cash deposit or appeal bond as hereinafter required has been furnished and is in the custody of the superior court, the same shall be returned to the lower court. The lower court shall have power to forfeit the cash bail or appeal bond and issue execution thereon for breach of any condition under which it is furnished.
(c) Dismissal on Clerk's Motion. In all justice court appeals wherein there has been no action of record during the ninety days just past, the clerk of the superior court shall mail notice to the appellant and counsel at the addresses contained in the notice of appeal and such appeal will be dismissed by the court for want of prosecution unless within thirty days following such mailing, action of record is made for an application in writing to the court and good cause shown why it should be continued as a pending case. If the appeal is dismissed, the clerk of the court will proceed as per section (b) above. [Adopted Dec. 23, 1968, effective Jan. 3, 1969; amended June 23, 1969, effective July 1, 1969. Prior: Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER 8 - - DISQUALIFICATION OF JUDGE, CLERICAL MISTAKES, CONDUCT OF COURT

Rule
8.01 Judge, disqualification.
(a) Disqualification.
(b) Affidavit of prejudice.
8.02 Judge, disqualification-Another judge.
8.03 Clerical mistakes.
8.04 Rules of court.

## Rule 8.01 Judge, disqualification.

(a) Disqualification. In any case pending in any court of limited jurisdiction, unless otherwise provided by law, the judge thereof shall be deemed disqualified to hear and try the case when he is in anywise interested or prejudiced. The judge, of his own initiative, may enter an order disqualif ying himself; and he shall also disqualif $y$ himself under the provisions of this rule if, before the jury is sworn or the trial is commenced, a party or his attorney of record files an affidavit that such party cannot have a fair and impartial trial by reason of the interest or prejudice of the judge or for other ground provided by law. Only one such affidavit shall be filed on behalf of the same party in the case and such affidavit shall be made as to only one of the judges of said court.
(b) Affidavit of Prejudice. All right to an affidavit of prejudice will be considered waived where filed more than ten (10) days after the defendant's plea is entered, or the case is set for trial which ever should occur first, unless the affidavit alleges a particular incident, conversation or utterance by the judge, which was not known to the party or his attorney within the ten (10) day period. In multiple judge courts, or where a pro tem or visiting judge is designated as the trial judge, the ten (10) day period shall commence on the date that the defendant or his attorney has actual notice of assignment or reassignment to a designated trial judge. [Adopted Feb. 13, 1963, effective July 1, 1963; amended, adopted Dec. 17, 1970 also March 25, 1971, effective Apr. 16, 1971.]

Rule 8.02 Judge, disqualification-—Another judge. When ever a justice of the peace is disqualified, said judge shall forthwith make an order transferring and removing the case to another judge authorized by law to hear such case. RCW 3.50 .280 shall apply to municipal courts. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 8.03 Clerical mistakes. Clerical mistakes in judgments, orders or other parts of the record and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court may order. If an appeal has been taken, such mistakes may be so corrected until the record has been filed in the appellate court, and thereafter while the appeal is pending may be so corrected with the leave of the appellate court. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 8.04 Rules of court. If no procedure is specifically prescribed by rule, the court may proceed in any lawful manner not inconsistent with these rules, or with
any applicable statute. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER 10——MISCELLANEOUS

Rule
10.01 Time-Rules for computing.
10.02 Motions and applications-Notice-Service.
10.03 Title of rules.

Rule 10.01 Time——Rules for computing. (a) In computing any period of time prescribed or allowed by these rules, by order of court or by any applicable law, the day of the act, event or default after which the designated period of time begins to run is not to be counted or included, and the last day of the prescribed or allowed period so computed is to be counted and included, unless such last day be a Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Sunday nor a legal holiday. When the allowed period is less than 7 days, intermediate Sundays and legal holidays, if any, shall be excluded in the computation.
(b) Whenever by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court, for cause shown, may at any time in its discretion: (1) with or without motion or notice order the period enlarged if application therefor is made before the expiration of the period originally prescribed or as extended by a previous order; or (2) upon motion and notice permit the act to be done after the expiration of the specified period where the failure to act was the result of excusable neglect; but the court may not enlarge the period for taking an appeal as provided for in these rules. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 10.02 Motions and applications--Notice-Service. Reasonable notice shall be given to the opposing party or attorney of record of all motions and applications other than those ex parte. Where a motion or application is supported by an affidavit, a copy of such affidavit shall be served with the motion or application. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule 10.03 Title of rules. These rules may be known and cited as Criminal Rules for Courts of Limited Jurisdiction, and they may be referred to as J Crim. R.* [Adopted Feb. 13, 1963, effective July 1, 1963.]
*Reviser's note: By order dated May 5, 1967, effective July 1, 1967, these rules were redesignated as Criminal Rules for Justice Court and may be referred to as JCrR.

## JUSTICE COURT TRAFFIC RULES (JTR)

(Formerly: Traffic Rules for Justice Court; Traffic Rules for Courts of Limited Jurisdiction.)

TABLE OF RULES

[^18]```
Chapter T2 Preliminary proceedings.
Rule
    T2.01 Complaint and citation_-Form and use-Defects.
    T2.02 Complaint and citation-Arrest by warrant-Charge
        without arrest-Procedure.
    T2.03 Procedure upon arrest without a warrant-Under a war-
        rant-Personal recognizance-Bail.
    T2.04 Disposition and records of traffic complaints and citations.
    T2.05 Procedure on failure to obey citation.
    T2.06 Traffic violations bureau-Procedure.
```

    Chapter T3 Arraignment and trial——Traffic cases.
    Rule
T3.01 Separation of traffic cases.
T3.03 Traffic cases-Arraignment and trial.
T3.04 Amendment of complaint or citation-Continuance.
T3.05 Breathalyzer.
Chapter T10 Miscellaneous.
Rule
T10.01 Title of rules.
T10.02 Effective date.

## CHAPTER T1——SCOPE, PURPOSE AND CONSTRUCTION

Rule
Tl. 01 Scope
T1.02 Purpose and construction.
T1.03 Local court rules——Availability.
T1.04 Definitions.
Rule T1.01 Scope. See Rule JAR 2. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule T1.02 Purpose and construction. See Rule JAR 2. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule T1.03 Local court rules--Availability. Local rules of any court to which these rules apply shall be supplementary to and consistent with these rules. The judge of each court shall (a) arrange for the duplication and distribution of such local rules, (b) send a copy of such rules to (1) the Administrator for the Courts, (2) the Recording Secretary of the Judicial Council, (3) the Chief of the State Patrol, (4) the President of the Magistrates' Association, (5) the Supreme Court Law Library, and (6) the local county law library, and (c) keep a copy of such rules readily available for inspection. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule T1.04 Definitions. As used in these rules, unless the context, and substantive or statutory law, requires otherwise:
(1) "Traffic Offense" means any violation, other than a felony, of a statute relating to the licensing of vehicle operators, any violation, other than a felony, of a statute, ordinance, or resolution of a county or municipal corporation or regulation relating to the operation or use of motor vehicles and any violation, other than a felony, of a statute, ordinance, resolution, or regulation relating to the use of streets and highways by pedestrians or by the operation of any vehicle; except non-moving traffic offenses under county or municipal ordinance, resolution, or regulation.
(2) "Non-Moving Traffic Offense" means any parking or standing of vehicles in violation of a statute, ordinance or regulation and any violation of a statute, ordinance, or regulation while the vehicle is not in operation.
(3) "Traffic Case" means a court case involving a traffic offense.
(4) Where reference is made in these rules to any section of RCW Title 46, Motor Vehicles, the reference is intended to mean and to include comparable provisions of municipal ordinances and county ordinances and resolutions. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## CHAPTER T2——PRELIMINARY PROCEEDINGS

Rule
T2.01 Complaint and citation-Form and use-Defects.
T2.02 Complaint and citation-Arrest by warrant-Charge without arrest-Procedure.
T2.03 Procedure upon arrest without a warrant- Under a war-rant-Personal recognizance-Bail.
(a) Bail schedules-Traffic cases.
(b) Procedure upon arrest without a warrant-Traffic cases.
(c) Procedure following execution of warrant-Traffic cases.
(d) Cash bail.
(e) Release on bail.
(f) Personal recognizance at arraignment.
(g) Administrative personal recognizance.
(h) Review.
(i) Condition for release on personal recognizance.
(j) Bail schedule.
(k) Mandatory court appearance.
(l) Qualified mandatory cases.
(m) Other violations.
(n) Multiple offenses.
(o) Judicial Council review.

T2.04 Disposition and records of traffic complaints and citations.
(a) Deposit in court.
(b) Disposal of traffic cases.
(c) Improper disposal of traffic complaint and citation tickets.

T2.05 Procedure on failure to obey citation.
(a) Residents.
(b) Nonresidents.

T2.06 Traffic violations bureau-Procedure.
(a) Traffic violations bureau.
(b) Traffic violations bureau-Authority.
(c) Traffic violations bureau-Duties.

Rule T2.01 Complaint and citation--Form and use--Defects. (a) Traffic cases shall be filed on a form prescribed by the Administrator for the Courts consisting of four copies known as the "Complaint/Citation Docket Form". The required copies, which must be the original, the first, the second, and the last carbon respectively are:
(1) The abstract of court record for the state licensing authority, the original, printed on yellow paper;
(2) The traffic citation, printed on green paper;
(3) The police record, which shall be a copy of the complaint, printed on pink paper; and
(4) The complaint/docket, printed on white ledger paper.
(b) Each of the parts shall contain the following information or blanks in which such information shall be entered:
(1) The name of the court and a space for the court's docket, case or file number;
(2) The name of the person cited, his address, date of birth, sex, operator's license number, his vehicle's make, year, type, license number and state in which licensed;
(3) The offense of which he is charged, the date, the time and place at which the offense occurred, the date
on which the citation was issued, and the name of the citing officer. Two offenses may be cited on one ticket;
(4) In all cases where the person is not arrested, the time and place at which the person cited is to appear in court or the traffic violations bureau need not be to a time certain but may be within 72 hours or within a greater period of time not to exceed 15 days after the date of the citation.
(5) A space for the person cited to sign a promise to appear; and
(6) A space for the entry of bail in accordance with the established bail schedule.
(c) Each of the parts may also contain such identifying and additional information as may be necessary.
(d) (1) Complaint-Officers. The complaint shall contain a form of certificate by the citing official to the effect that he certifies, under penalties of perjury, as provided by RCW 3.50.140, and any law amendatory thereof, he has reasonable grounds to believe and does believe, the person cited committed the offense(s) contrary to law. The certificate need not be made before a magistrate or any other person. Such complaint when signed by the citing officer and filed with a court, or traffic violations bureau, of competent jurisdiction shall be deemed a lawful complaint for the purpose of prosecuting the traffic offenses charged therein.
(2) Complaint by others. Where a person other than a police officer wishes to make a traffic violation charge, he shall do so by filling out and signing a complaint on the form provided for by these rules. He shall fill out the form and sign it before a magistrate. Such complaint when prepared in compliance with this rule and filed with a court of competent jurisdiction shall be deemed a lawful complaint for the purpose of prosecuting the traffic offenses charged therein.
(e) The reverse side of the complaint shall be used to record court action, and shall, together with the complaint, constitute the docket of the court of all traffic cases.
(f) The reverse side of the abstract of court record shall contain such matters as may be necessary to bring the disposition of the complaint to the attention of the Director of Motor Vehicles.
(g) The reverse side of the police record may contain the police report of action on the case.
(h) The traffic citation shall also contain a notice to the person cited that the complaint will be filed. The reverse side of the traffic citation shall set forth information as to his right to deposit bail and to a trial, or to forfeit bail and the consequences thereof.
(i) To insure uniformity, the format and use of the uniform complaint and citation, provided herein, shall be subject to approval by the office of Administrator for the Courts. [Adopted Feb. 13, 1963, effective July 1, 1963; subd. (b)(4) amended July 14, 1966, effective Aug. 1, 1966; subd. (i)(1), (2), (3) deleted July 14, 1966, effective Aug. 1, 1966; subd. (j) renumbered as subd. (i) July 14, 1966, effective Aug. 1, 1966; amended June 23, 1967, effective July 1, 1967; amended Oct. 16, 1975, effective Jan. 1, 1976.]

Rule T2.02 Complaint and citation--Arrest by warrant-Charge without arrest--Procedure. (a) All traffic violations shall be prosecuted by complaint in the form provided in rule T2.01 and applicable state statutes.
(b) Whenever any person is arrested by an officer for any violation of the traffic laws or regulations of the state, a county or a city, the officer shall fill out the complaint and citation form in accordance with rule T2.01 and applicable statutes. The arresting officer shall serve a copy of the complaint and citation on the person and either
(1) Take the person arrested directly and without delay before an officer authorized to accept bail, or a judge, for deposit of bail; or
(2) if bail is not deposited, before a judge as hereinafter provided; or
(3) permit the person charged with the violation to give his written promise to appear in court or traffic violations bureau by signing the original traffic citation prepared by the officer, in which event the officer shall deliver the violator's copy of the citation to the person, and thereupon the officer shall release the person from custody.
(c) Obtaining Jurisdiction of a Person not Arrested. Whenever any person is charged with the violation of the traffic laws or regulations of the state, a county, or a city, but is not arrested, the court shall issue a summons, or in the alternative, a warrant, in the same manner as in Rule 2.02 of the Criminal Rules for Justice Court. Said summons may be served or warrant executed as provided for in said Rule 2.02 of the Criminal Rules for Justice Court. Before proceeding as above, the court may notify the defendant by mail, of the charge, of the existence of a complaint, the date and time or interval of time in which the defendant is to appear, the place to appear, whether the charge is mandatory or forfeitable, and if forfeitable, the amount of bail which may be required. Upon posting bail or upon obtaining personal recognizance, the court shall obtain jurisdiction of the person of the defendant in a like manner as if the summons had been served on the defendant or warrant executed.
(d) (1) Execution of Warrant. The warrant shall be directed to all peace officers in the state and shall be executed only by a peace officer.
(2) Service of Summons. The summons may be served any place within the state. It shall be served by a peace officer who shall deliver a copy of the same to the defendant personally, or it may be served by mailing the same, by certified mail, postage prepaid, to the defendant at his address. [Adopted Feb. 13, 1963, effective July 1, 1963; subdivisions (c) and (d) added July 14, 1966, effective Aug. 1, 1966; amended, adopted Dec. 17, 1970, effective Apr. 16, 1971.]

Rule T2.03 Procedure upon arrest without a war-rant-—Under a warrant--Personal recogni-zance--Bail.
(a) Bail schedules--Traffic cases. The Court Administrator shall furnish to every court of limited jurisdiction and every such court shall furnish to each law enforcement office within its jurisdiction, the bail schedule of subsections (k), (1), and (m) covering major traffic offenses. Whenever bail is required for any such traffic offense, it shall be that shown on the schedule unless the judge of the court having jurisdiction thereof shall, by written order showing the reason therefor in each case, set bail in a different amount.

Each judge, or the presiding judge in a multiple judge court, with jurisdiction to hear and determine traffic cases is authorized to establish by order of court a schedule of bail which shall be as uniform as possible for traffic offenses triable in his court which are not included in the schedule approved by the Supreme Court and found in JTR T2.03 (k), (1), and (m). A copy of such schedule shall be distributed to (1) the Administrator for the Courts, (2) the Recording Secretary of the Judicial Council, (3) the Chief of the State Patrol, (4) the President of the Magistrate's Association, (5) the prosecuting attorney and sheriff of the county, (6) the chief of police of each city or town within the court's jurisdiction, and (7) the clerk of the judge's court and with the clerk of the traffic violations bureau, if any. The order of the court establishing the bail schedule shall be prominently displayed in all places where bail may be deposited.
(b) Procedure upon arrest without a warrantTraffic cases. Where a person is arrested without a warrant for a traffic offense committed in the officer's presence and the arresting officer proceeds under Rule T2.02(b)(1) to take the person before a judge, or the clerk or deputy of the court, or to the county jail, or, in a proper case, to the municipal jail, the judge, or the clerk or deputy clerk or the sheriff or chief of police, or their deputies in charge of the jail is authorized to accept, and the person is entitled to deposit, bail in accordance with the schedule established under Rule T2.03(a) for his appearance at a time and place to be then made known to him. The sheriff, chief of police, any other authorized peace officer or such persons as the court may authorize, may release the defendant on personal recognizance if he is a resident of the county or has substantial local contacts.

If bail is not deposited, or the person refuses to deposit bail or he is not released on personal recognizance, he shall be taken without unnecessary delay, and in any event within twenty-four hours, exclusive of nonjudicial days, before the proper judge for arraignment upon the complaint issued under Rule T2.02(b).
(c) Procedure following execution of warrantTraffic cases. Whether or not bail is fixed upon a warrant issued in a traffic case, the officer making an arrest thereunder shall take the person directly and without delay before the judge or an official authorized to accept and justify bail. If bail has been fixed in the warrant, the bail so set may be required of the person under arrest. If no bail was set in the warrant, then the appropriate bail
schedule on file shall apply. If bail is not deposited, or the person refuses to deposit bail, he shall be taken without unnecessary delay, and in any event within twenty-four hours exclusive of nonjudicial days, before the proper judge for arraignment upon the complaint.
(d) Cash bail. Any person arrested with or without a warrant for a traffic offense may, in the place of giving bail, deposit with the official before whom he is taken, or the judge, or the clerk of the court or the traffic violations bureau to which he is held to answer, the sum of money mentioned in the warrant or set forth in the bail schedule for the offense with which he is charged. He shall be given a receipt by such official, judge or clerk.
(e) Release on bail. Upon the depositing of bail under this rule, the person shall be discharged from custody if his physical condition warrants, subject to his appearance at the time and place indicated in the citation or warrant.
(f) Personal recognizance at arraignment. Any person arrested or cited for a traffic violation and who wishes to contest such arrest or citation, shall at the time of arraignment, be released on his own personal recognizance if his physical condition warrants and if he is a resident of the county or has substantial local contacts unless there is good cause for refusal. If the judge finds the person is not a resident of the county, has insufficient local contacts or good cause for refusal is shown, he may require bail to be posted to insure the person's appearance at trial by entering a writtén order specif ying reasons and terms thereof. Such order may be a simple docket entry.
(g) Administrative personal recognizance. If a person appears on any traffic offense at the time or within the time interval designated on the ticket or notice, and requests a trial, or if appearance is mandatory, the clerks of the court or Violations Bureau shall set the matter for arraignment or trial and grant personal recognizance unless the person is not a resident of the county, has insufficient local contacts or good cause for refusal is shown.
(h) Review. In all cases the person charged shall have the right of review by the judge of the ruling of any clerk or official as to the amount of bail or refusal to grant personal recognizance.
(i) Condition for release on personal recognizance. Whenever release on personal recognizance is granted under this rule the judge or clerk may condition such release on the defendant's signing a written promise to appear acknowledging the trial or arraignment date. Such promise may be in the following form.

Trial date $\qquad$ 19-- at $\qquad$ I agree to appear at that time. If I fail to appear, a warrant will be issued with bail set at $\$$
I understand that clerical personnel have no authority to grant further delay.

Dated $\qquad$
Defendant
(j) Bail schedule. The bail schedule as set forth in sections ( k ), ( l ), and ( m ) below is adopted. References are to the appropriate section of the Revised Code of Washington and, if applicable, appropriate local or municipal codes may also be cited.
(k) Mandatory court appearance. Court appearance in the following cases is mandatory. Forfeiture of bail shall not constitute a final disposition for the following cases without a special order of the court showing the reasons therefor. Such order may be a simple docket entry:

> Bail + TSE* Total

1. Driving while intoxicated (DWI) (RCW 46.61.506) (mandatory)
$\$ 250$
2. Reckless driving (RCW 46.61.500) (mandatory)....... $\$ 250$
3. Hit and run attended vehicle (RCW 46.52.020) (mandatory)
$\$ 250$
4. Wrong way on a freeway (RCW 46.61.150) (mandatory)
$\$ 250$
5. Disobeying school patrol (RCW 46.61.385) (mandatory)
\$ 50
6. Passing stopped school bus (RCW 46.61.370) (with lights flashing) (mandatory)
7. Altered license and fraudulent loaning of license (RCW 46.20.336) (mandatory)
\$ 50
8. Driving during period of suspension (RCW 46.20.342) (mandatory)
9. Driving in violation of financial responsibility (RCW 46.20.342——46.29.625) (mandatory) $\$ 250$
10. Switching license plates (RCW 46.16.240) (mandatory)
\$ 50
11. Physical control while intoxicated (RCW 46.61.506) (mandatory)
$\$ 100$
(l) Qualified mandatory cases. The case may be closed and forfeiture permitted when satisfactory proof of correction is furnished for the following offenses:

Bail + TSE Total

| 1. Driving without a license or improper license (RCW 46.20.021) | \$20 + | \$ | \$ 25 |
| :---: | :---: | :---: | :---: |
| 2. Expired (RCW 46.16.010) | \$ $5+$ | \$ 5 | \$ 10 |
| 3. Missing license plate (RCW 46.16.240) | \$ $5+$ | \$ 5 | \$ 10 |

(m) Other violations.

Bail + TSE Total

1. Speeding (RCW 46.61.400)
$\$ 2$ per mile for the first 14 m.p.h. over the posted limit and TSE
$\$ 3$ per mile for 15 to 29 m.p.h. over the posted limit and TSE
$\$ 5$ per mile for each mile over 29 m.p.h. over the posted limit and TSE
2. Failure to stop at sign or stop light (RCW 46.61.360) ...
3. Failure to yield right-of-way (RCW 46.61.190)
$\$ 20+\$ 5 \$ 25$
$\$ 20+\$ 5 \$ 25$
$\$ 20+\$ 5 \$ 25$
4. Failure to signal (RCW 46.61.305)
$\$ 10+\$ 5 \$ 15$
$\$ 20+\$ 5 \$ 25$
$\$ 20+\$ 5 \$ 25$
$\$ 10+\$ 5 \$ 15$
$\$ 50+\$ 15 \$ 65$
$\$ 50+\$ 15 \$ 65$
$\$ 10+\$ 5 \$ 15$
$\$ 80+\$ 20 \$ 100$
$\$ 20+\$ 5 \$ 25$
$\$ 10+\$ 5 \$ 15$
$\$ 10+\$ 5 \$ 15$
$\$ 20+\$ 5 \$ 25$
$\$ 15+\$ 5 \$ 20$
$\$ 20+\$ 5 \$ 25$
$\$ 5+\$ 5 \$ 10$
5. Violation of license restriction (RCW 46.20.041) (including insurance covering wrong vehicle).........
6. No license (RCW 46.16.010).
7. Defective equipment (RCW 46.37.010)
$\$ 20+\$ 5 \$ 25$
$\$ 25+\$ 10 \$ 35$
$\$ 15+\$ 5 \$ 20$
$\$ 5+\$ 5 \$ 10$
8. Defective lights (RCW 46-.37.040-070)

$\$ 100+\$ 25 \$ 125$
9. Spilling or failing to secure loads (RCW 46.61.655)...
$\$ 50+\$ 15 \$ 65$

Bail + TSE Total
26. Failure to comply with restrictive signs (RCW 46- .61.050)
$\$ 10+\$ 5 \$ 15$
27. Failure to appear ............................... Amount in the discretion of the local court
(n) Multiple offenses. Where multiple violations arising from one incident are charged and any one of the charges is mandatory, the total bail shall not exceed $\$ 500$.
(o) Judicial Council review. This bail schedule shall be reviewed annually by the Judicial Council which shall file a written report with the Supreme Court recommending retention or modification of this schedule. [Adopted Feb. 13, 1963, effective July 1, 1963; amended, adopted Dec. 17, 1970 also Sept. 27, 1971, effective Nov. 9, 1971 ; amended, adopted Nov. 29, 1971, effective Jan. 1, 1972.]
*Traffic Safety Education assessment imposed by RCW 46.81
Rule T2.04 Disposition and records of traffic complaints and citations.
(a) Deposit in Court. Every traffic enforcement officer upon issuing a traffic complaint and citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of any city, town or county, shall deposit the complaint and the abstract of court record copy of such traffic complaint and citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau. This duty may be performed by the officer's supervisor. In either case, deposit as directed must be made within 48 hours after issuance of the traffic complaint and citation, nonjudicial days excluded.
(b) Disposal of Traffic Cases. Upon such deposit as required by subsection (a), the case may be disposed of only by trial in said court or by other official action by a judge of that court, including removal of the case to a court having jurisdiction over the particular violation as charged in the complaint, or by forfeiture of bail or by deposit of sufficient bail with or payment of a fine to the traffic violations bureau by the person to whom such traffic complaint and citation was issued.
(c) Improper Disposal of Traffic Complaint and Citation Tickets. It shall be unlawful and official misconduct for any traffic enforcement officer or other officer or public employee to dispose of a traffic complaint and citation or copies thereof or of the record of the issuance of the same in a manner other than as required herein. [Adopted Feb. 13, 1963, effective July 1, 1963; amended Oct. 16, 1975, effective Jan. 1, 1976.]

## Rule T2.05 Procedure on failure to obey citation.

(a) Residents. The court shall issue a warrant for the arrest of any defendant who is a resident of this state and who has failed to appear before the court or the traffic complaint and citation upon which he has given
his written promise to appear. If the warrant is not executed within 30 days after issue, the court shall make an entry of the notification on the docket, and may add a charge against the defendant for failure to appear after a written promise to do so, and mark the case closed, subject to being reopened when the appearance of the defendant is thereafter obtained.
(b) Nonresidents. If a nonresident defendant fails to appear before the court or the traffic violations bureau either in person or by counsel in answer to a traffic complaint and citation upon which he has given his written promise to appear, the court shall mail a notice to the defendant at the address stated in the complaint and citation requesting him to abide by his promise and appear in person or by counsel on a day certain, and notif ying him that his failure to appear after a written promise to do so is a misdemeanor for which he may also be charged. If the nonresident defendant fails to respond within 30 days after the date set in the notice, the court shall issue a warrant for his arrest and shall make an entry of the notification on the docket, and may add a charge against the defendant for failure to appear after a written promise to do so, and mark the case closed, subject to being reopened when the appearance of the defendant is thereafter obtained. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## Rule T2.06 Traffic violations bureau-—Procedure.

(a) Traffic Violations Bureau. A traffic violations bureau may be established by any city or town under the supervision of the court having jurisdiction over violations of its ordinances, and by any judge, or by the presiding judge in a multiple judge court, having jurisdiction of traffic cases to assist in the processing of traffic cases.

## (b) Traffic Violations Bureau-—Authority.

(1) General. The traffic violations bureau is authorized to process in accordance with this rule and state statute such traffic offenses under city ordinance or county ordinance or resolution or state law as may be designated by written order of the court having jurisdiction of such traffic cases.
(2) Authority to accept bail. The court may by its order authorize the traffic violations bureau to receive the deposit of bail for appearance in court for specified offenses under a bail schedule issued under rule T2.03. The traffic violations bureau, upon accepting the prescribed bail, shall issue (a) a receipt to the alleged violator, and (b) a notice of trial date, prepared in triplicate, the reverse side of which shall bear a legend informative of the legal consequences of bail forfeiture. The second copy of the notice of trial date shall be forwarded to the clerk of the court and the third copy shall be retained by the traffic violations bureau.
(3) Authority to accept forfeiture of bail_-Consequences. The court may by its order authorize the traffic violations bureau (i) to accept forfeiture of bail in specified cases in accordance with a bail schedule issued under rule T2.03 in lieu of depositing bail for appearance,
in which case a receipt shall be issued to the alleged violator, the reverse side of which shall contain a statement indicating that forfeiture of bail shall terminate the case and may be considered by the Director of Motor Vehicles only, and for no other purpose, as having the same effect as conviction of the offense charged; and (ii) to forfeit bail deposited for appearance on notification by the clerk of the court of failure of the defendant to appear. Forfeiture of bail under either (i) or (ii) shall be construed as payment of a fine for the offense charged only for the purpose of the distribution of the funds and shall terminate the case.
(c) Traffic Violations Bureau--Duties. The traffic violations bureau shall, not less than once a week or oftener as the judge directs, transfer to the clerk of the proper department of the court (1) all bail deposited for offenses where forfeiture is not authorized by court order, (2) a copy of each notice of trial date for which bail has been deposited, and on which shall appear the amount of bail deposited, and (3) a list of the names of all offenders who have forfeited bail under rule T2.06(b)(3)(i) and (ii). Once each week, on a day set by the court, the traffic violations bureau shall forward to the Director of Motor Vehicles the abstract of court record copy of the complaint and citation indicating the disposition of each case involving bail forfeiture during the previous week. [Adopted Feb. 13, 1963, effective July 1, 1963; amended June 23, 1967, effective July 1, 1967.]

## CHAPTER T3——ARRAIGNMENT AND TRIAL—— TRAFFIC CASES

Rule
T3.01 Separation of traffic cases.
(a) Separate trial.
(b) Trial by traffic division.
(c) Trial by traffic session.
(d) Other cases; designation of particular time.
(e) Adjournment; bail for release.
(f) Objections before trial.

T3.03 Traffic cases-Arraignment and trial.
T3.04 Amendment of complaint or citation-Continuance.
T3.05 Breathalyzer.
(a) Breathalyzer maintenance operator-Demand for testimo-ny-Certification of machine.
(b) Continuance.

## Rule T3.01 Separation of traffic cases.

(a) Separate Trial. Insofar as practicable, in the respective court or district, traffic cases shall be tried separate and apart from other cases, and may be designated as the "Traffic" section or division.
(b) Trial by Traffic Division. If a court sits in divisions and one division sitting in daily session has been designated as a traffic court, traffic cases shall be tried in that division only.
(c) Trial by Traffic Session. If a court has designated a particular session as a traffic session, traffic cases shall be tried only in that session, except for good cause shown.
(d) Other Cases; Designation of Particular Time. In all other cases, the court shall designate a particular day or
days, or a particular hour daily on certain days, for the trial of traffic cases.
(e) Adjournment; Bail for Release. When a hearing is adjourned the court may detain the defendant in safe custody until the defendant is admitted to bail.
(f) Objections Before Trial. An objection to the validity or regularity of the complaint or process issued thereunder shall be made, orally or in writing, by the defendant before trial. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule T3.03 Traffic cases--Arraignment and trial. The Criminal Rules for Courts of Limited Jurisdiction, insofar as they are not inconsistent with these rules, shall govern the proceedings in traffic cases following the preliminary proceeding provided for in Chapter T2 of these rules. [Adopted Feb. 13, 1963, effective July 1, 1963.]

Rule T3.04 Amendment of complaint or citation-Continuance. The court may permit a complaint or citation to be amended at any time before judgment if no additional or different offense is charged, and if substantial rights of the defendant are not thereby prejudiced. A continuance shall not be granted upon such amendment unless the defendant shall satisfy the court that the amendment has made it necessary for him to have additional time in which to prepare his defense. [Adopted July 14, 1966, effective August 1, 1966.]

## Rule T3.05 Breathalyzer.

(a) Breathalyzer maintenance operator-—Demand for testimony - Certification of machine. In the absence of a request to produce a breathalyzer maintenance operator at least 10 days prior to trial or such lesser time as the court deems proper, certificates in the following form are admissible in any court proceeding held pursuant to RCW 46.61.506 for the purpose of determining whether a person was operating a motor vehicle while under the influence of intoxicating liquors:

## BREATHALYZER MAINTENANCE AND CHEMICAL CERTIFICATION

I, ----------, do certify under penalty of perjury as follows:

I am a maintenance operator possessing a valid permit or certificate issued to me by the State Toxicologist by virtue of his Rules, WAC-448, Chapter 12, and RCW 46.61.506.

On --.-.-... (date) at ............ (time) I examined, tested and calibrated a Breathalyzer Machine with Serial No. --.--, using a sealed ampoule of chemicals with Control No. ....- according to the methods established and approved by the State Toxicologist.

I further certify that said machine was, on that date, in proper working order, and that the chemicals in ampoules with the above control number are suitable for use in this machine.

Breathalyzer Maintenance Operator
Dated
[Rules For Courts of Limited Jurisdiction-—p 36$]$
(b) Continuance. The court at the time of trial shall hear testimony concerning the alleged offense and, if necessary, may continue the proceedings for the purpose of obtaining the maintenance operator's presence for testimony concerning the working order of the breathalyzer machine and his certification thereof. If, at the time the maintenance operator is produced, the prosecutor's breathalyzer evidence is insufficient, a motion to suppress the results of such tests shall be granted. [Adopted May 26, 1972, effective July 1, 1972.]

## CHAPTER T10——MISCELLANEOUS

Rule
T10.01 Title of rules.
T10.02 Effective date.
Rule T10.01 Title of rules. These rules may be known and cited as Traffic Rules for Courts of Limited Jurisdiction, and they may be referred to as JTR. [Adopted Feb. 13, 1963, effective July 1, 1963.]
Reviser's note: By order of the Supreme Court dated May 5, 1967, effective July 1, 1967, these rules were redesignated Traffic Rules for Justice Court.

Rule T10.02 Effective date. These rules, insofar as applicable, take effect upon the date specified by the Supreme Court. They shall govern all proceedings in traffic cases brought after they take effect, and also all further proceedings in traffic cases then pending, except to the extent that in the opinion of the court their application in a particular action pending would not be feasible or would work injustice, in which event the former procedure would apply. [Adopted Feb. 13, 1963, effective July 1, 1963.]

## APPENDIX TO PART V

1. Forward dated February 13, 1963
2. Order adopting rules for courts of limited jurisdiction dated February 13, 1963
3. Order extending effective date of rules dated April 2, 1963
4. Order amending and adding specified rules, dated June 14, 1963
5. Order reclassif ying rules for courts of limited jurisdiction dated May 1, 1967

## 1. Forward dated February 13, 1963

On November 2, 30, and December 7, 1962, respectively, the suggested procedural rules for courts of limited jurisdiction, adopted by a majority of the members of the Judicial Council, were published. The publication invited study, suggestions, and criticisms by interested persons prior to the promulgation of the proposed rules by the Supreme Court. Many letters were received suggesting substantial changes. Several meetings were held, and some major changes, in addition to numerous less significant ones, have been made.

The principal objections to the rules were (1) that they established rules for jury trials in municipal courts in certain cases, and (2) that, under the statutory authority to adopt rules of procedure, the suggested rules contained substantive law.

## Appendix to Part V

As to (1), Art. 1, § 22, of the state constitution, provides in part that "In criminal prosecutions the accused shall have the right . . . to have a speedy public trial by an impartial jury . . ." Accordingly, the legislature provided for juries in the Superior Court and the Justice Court. No juries were provided by legislative enactment for Municipal Courts. This court, in Bellingham v. Hite, 37 Wn. (2d) 652, 225 P. (2d) 895 (1950), held that a city ordinance which did not provide for jury trial for persons charged with violation of city ordinances was not repugnant to Art. 1,822 , of the state constitution, for the reason that the municipal court conviction became a nullity when the accused person appealed to the Superior Court, where the municipal ordinance violation was tried de novo, and a jury provided upon request.

The legislature, by $\$ 77$, chapter 299, Laws of 1961 , RCW 3.50.280, has authorized jury trials in municipal courts in certain cases involving traffic violations and gross misdemeanors. Sections 2 and 96, chapter 299, Laws of 1961, RCW 3.30.020, 3.50.470, exclude those municipalities from the provision of chapter 299 whose governing bodies have, by resolution, decreed not to be governed by its provisions.

Therefore, rules of procedure have been prepared for the selection of juries for those municipal courts whose municipalities have qualified under chapter 299, Laws of 1961.

We have endeavored to incorporate in one rule book as much of the necessary statutory law (and have given such laws a rule number) relating to jurisdiction, process, arrest, bail, disposition of bail forfeitures, and rules of trial procedure as the judges will need in the determination of most of the causes before them. To accomplish this purpose, the law was given a rule number. The statutory law, in most instances, is set out verbatim in the rule. There is no desire or intention to abrogate the statutes dealing with substantive law, but, rather, to make them readily available.

The rules are designed to establish uniform procedure in this state for courts of limited jurisdiction. They are the first such rules promulgated by the Supreme Court for courts of limited jurisdiction. Comments, suggestions, and criticism of these proposed rules, as revised, are invited prior to April 1, 1963. If revisions are made, only the specific rule revised will be republished. The effective date of these rules and any revision thereof will be May 1, 1963.

The court expresses its appreciation to the members of the advisory committee of the Judicial Council who drafted the proposed rules previously published. We are likewise grateful to the Chief of the State Patrol, the Director of Licenses, Justice Court, Municipal Court, and Superior Court Judges, the prosecuting and city attorneys, practicing attorneys, city officials and mayors, the press, and many others, whose helpful suggestions have aided materially in the formulation of the rules as now presented.

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Richard B. Ott
Chief Justice
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## 2. IN THE SUPREME COURT OF THE STATE OF WASHINGTON



Whereas, The Legislature enacted chapter 118, Laws of 1925, relating generally to Rules of Procedure, and chapter 299, Laws of 1961, relating to Justice Courts and other courts of limited jurisdiction in the state of Washington, and included provisions in chapter 299, Laws of 1961, pertaining to the promulgation and adoption of Rules of Procedure by the Supreme Court of Washington; and
Whereas, authority to promulgate and adopt uniform Rules of Procedure for the courts in the state of Washington is vested in the Supreme Court of Washington under the decision in State ex rel. FosterWyman Lumber Company v. Superior Court for King County (1928), 148 Wash. 1, 267 Pac. 770; and
Whereas, The Supreme Court of Washington requested technical assistance, advice and counsel from the Judicial Council, that a comprehensive study be made, and that proposed Rules of Procedure be
drafted for the Courts of Limited Jurisdiction and submitted by the Judicial Council for consideration by the Supreme Court; and

Whereas, The Judicial Council established an advisory committee to do research and drafting, and to submit initial drafts of proposed Rules of Procedure for the Courts of Limited Jurisdiction, such committee being representative of all segments of the legal profession, of all the courts of Washington, and particularly representative of all judges of courts to be affected by the Proposed Rules of Procedure; and such advisory committee thus being reasonably representative of the public's interest in such matters, and, in fact, being composed of the following members:
M. Kenneth A. Cole, representing the Washington State Bar Association, and attorney for the Association of Washington Cities and Municipalities, 4th and Pike Building, Seattle, Washington;
Representative Keith H. Campbell (then Chairman), Judiciary Committee-Criminal, House of Representatives, Washington State Legislature, and member of the Washington State Judicial Council, W. 2204 Rockwell Avenue, Spokane, Washington;
Judge Ronald Danielson, Justice of the Peace, and Municipal Court Judge, City Hall, Bremerton, Washington;
Judge E. A. Davis, Justice of the Peace, (and then President of the Washington State Magistrates Association), 9714 Dawson Street, Bothell, Washington;
Mr. Walter J. Deierlein, Jr., Prosecuting Attorney, representing the Washington State Association of Prosecuting Attorneys, Legal Building, Mount Vernon, Washington;
Judge Ambrose C. Grady, Justice of the Peace, and presently President of the Washington State Magistrates Association, 112 Taylor Street, Port Townsend, Washington;
Mr. Marshall McCormick, Corporation Counsel, representing the Washington State Association of Municipal Attorneys, County-City Building, Tacoma, Washington;
Judge Ben McInturff, Justice of the Peace, Courthouse, Spokane, Washington;
Professor Robert Meisenholder, School of Law, University of Washington, Seattle 5, Washington;
Judge Solie M. Ringold, Superior Court for King County, representing the Superior Court Judges' Association, County-City Building, Seattle, Washington;
Judge Evangeline Starr, Justice of the Peace, 321 Coun-ty-City Building, Seattle, Washington;
Dr. George Neff Stevens, School of Law, University of Washington, and Executive Secretary of Washington State Judicial Council, Seattle 5, Washington;
Judge Waldo Stone, Justice of the Peace, County-City Building, Tacoma, Washington;

And, Whereas, The advisory committee, after months of study, and liaison by its representative members with their particular organizations, including the judges of the courts of limited jurisdiction of the state of Washington, submitted proposed Rules of Procedure to the Judicial Council; and

Whereas, The advisory committee of the Judicial Council cause copies of the proposed Rules of Procedure to be distributed to interested individuals throughout the state, inviting and requesting comments and criticism thereon; and, after due consideration and careful revision by individual members of the Judicial Council, and by the said Council as a whole, at its regular meeting on October 12-13, 1962, the proposed Rules of Procedure, as finally revised and approved by the Judicial Council, were submitted to the Supreme Court; and

Whereas, the proposed Rules, designated (a) Traffic, (b) Civil, and (c) Criminal, containing general provisions respecting judicial administration, were ordered published by the Supreme Court in the Washington Advance Sheets, and were published therein on the following dates:
(a) Proposed Traffic Rules for Courts of Limited Jurisdiction, 160 Wash. Dec. No. 22, November 2, 1962;
(b) Proposed Civil Rules for Courts of Limited Jurisdiction, 160 Wash. Dec. No. 26, November 30, 1962;
(c) Proposed Criminal Rules for Courts of Limited Jurisdiction and Proposed General Rules for Courts of Limited Jurisdiction, 160 Wash. Dec. No. 27, December 7, 1962,
with a request for comment and criticism by any and all concerned, and with notice that such comment and criticism be filed, in writing, with the Supreme Court no later than thirty days after said publication; and

Whereas, all written comment and criticism filed with the Supreme Court was evaluated and given due consideration by the Supreme Court; and

Whereas, The Supreme Court, in executive session, on the 11 th day of January, 1963, heard criticism and comment on the proposed Rules from all who had made request in writing to be heard, the Supreme Court having given further consideration to the proposed Rules, and having made further revisions thereof,

Now, Therefore, It is Hereby Ordered That Rules of Procedure, now designated (a) Traffic, (b) Civil, (c) Criminal, and (d) General, for the Courts of Limited Jurisdiction in the state of Washington, copies of such Rules being attached hereto and incorporated herein, be filed with this Order in the Office of the Clerk of the Supreme Court; that this Order and copies of the aforesaid Rules be made available for public inspection as in the case of other Orders and public records of the Supreme Court; and

It is further hereby Ordered That the aforesaid Rules be published expeditiously in the Washington Advance Sheets, together with notice therein that, for the purpose of due consideration and evaluation by the Supreme Court, comment, criticism, or objection to the aforesaid Rules may be filed in writing not later than April 1, 1963, in the Office of the Clerk of the Supreme Court.
It is further hereby Ordered That the Rules referred to and incorporated herein by this Order, subject only to further consideration and to such revision as may be made by Order of this Court, shall become effective as of May 1, 1963.

Dated this 13th day of February, 1963.

Matthew W. Hill
Charles T. Donworth
Robert C. Finley
Frank P. Weaver

Richard B. Ott
Chief Justice
Hugh J. Rosellini
Robert T. Hunter
Frank Hale
Orris L. Hamilton

## 3. IN THE SUPREME COURT OF THE STATE OF WASHINGTON

No. 25700-A<br>Paper No. 78<br>ORDER

In the Matter of
Extending the
Effective Date
OF the Proposed
RUles for Courts
Of LImited
Jurisidiction

In Vol. 161, No. 8A, of the Official Advance Sheets of the Washington Reports, dated March 1, 1963, the effective date of the proposed Rules for Courts of Limited Jurisdiction was fixed as May 1, 1963. Since the publication of the proposed rules, suggestions for material amendments to the rules have been received. In order that the court may consider suggestions received prior to May 1, 1963,

It is ORDERED that the effective date of the proposed Rules for Courts of Limited Jurisdiction be extended to July 1, 1963.

Dated at Olympia, Washington, this 12 th day of April, 1963.
By the Court:

Matthew W. Hill
Charles T. Donworth
Robert C. Finley
Frank P. Weaver

Richard B. Ott
Chief Justice
Hugh J. Rosellini
Robert T. Hunter
Orris L. Hamilton
Frank Hale

## 4. IN THE SUPREME COURT OF THE STATE OF WASHINGTON

No. 25700-A

Paper No. 80
ORDER AMENDING
AND ADDING
SPECIFIED RULES
FOR COURTS
OF LIMITED
JURISDICTION
In the Matter of
Amending and
Adding Certain
Rules for Courts of Limited
Jurisdiction
(Justice of the
Peace Courts,
Municipal Courts,
Police Courts)
As Adopted by
the Supreme Court of the State of
Washington by
Order Dated
February 13, 1963
The Supreme Court of the State of Washington, in conformity with its rule-making power, herewith amends and adds the following Rules for Courts of Limited Jurisdiction as more particularly set forth in the attachments hereto:

General Rule JAR 4(1) (Canons of Judicial Ethics)
Civil Rule 64 (Garnishment)
Criminal Rule 2.01(d) (The Complaint)
Criminal Rule 2.03(b)(2) (Proceedings before the Judge Where Bail has not Been Fixed—Bail
Schedules.)
Criminal Rule 2.03(f) (Proceedings before the Judge Preliminary Examination-Felonies.)
Criminal Rule 5.03(a) (Sentence and Judgment)
These amendments and addition to the Rules for Courts of Limited Jurisdiction shall become effective July 1, 1963.
Dated this 14th day of June, 1963.
Richard B. Ott
Chief Justice
Matthew W. Hill
Charles T. Donworth
Robert C. Finley
Frank P. Weaver

Hugh J. Rosellini
Robert T. Hunter
Orris L. Hamilton
Frank Hale

For order of the Supreme Court dated May 5, 1967, redesignating certain of the Rules for Courts of Limited Jurisdiction: See appendix to Part IV.
5. Order reclassifying rules for courts of limited jurisdiction dated May 1, 1967 (See Appendix to Parts I - IV supra)

## INDEX FOR RULES FOR COURTS OF LIMITED JURISDICTION

The following abbreviations are used in this index:
I. Justice Court Administrative Rules. JAR
II. Justice Court Civil Rules ..... JCR
III. Justice Court Criminal Rules ..... JCrR
IV. Justice Court Traffic Rules ..... JTR

| I. Justice Court Administrative Rules (JAR) |  |  |
| :---: | :---: | :---: |
|  | Rule | No. |
| Attorney_-justices, Canon 31 not applica- |  |  |
| Cities, defined | JAR | 3(6) |
| Clerk, forwards report of disposition of criminal cases to State Patrol . . . . . . . . . . . . . . . . . . JAR 8 |  |  |
| Contempt, violation of rules by judges | JAR | 7 |
| Courts |  |  |
| "court" defined | JAR | 3(1) |
| dockets and records | JAR | 6 |
| ethics | JAR | 4 |
| justice . |  |  |
| examination of lay candidates | JAR | 1 |
| presiding judge, appointment, duties | JAR | 5 |
| publicity of proceedings governed by Can- | JAR | 4 |
| records and dockets | JAR | 6 |
| small claims, separate docket | JAR | 6 |
| Criminal cases, report of disposition for- |  |  |
| Definitions |  |  |
| "city" | JAR | 3 |
| "court" | JAR | 3 |
| "judge" | JAR | 3 |
| "oath" | JAR | 3 |
| "offenses against the state" | JAR | 3 |
| "prosecuting attorney" . . . | JAR | 3 |
| "prosecutor" | JAR | 3 |
| "state ${ }^{\text {n }}$ | JAR | 3 |
| Dockets |  |  |
| civil |  |  |
| contents | JAR | 6 |
| separate docket to be kept | JAR | 6 |
| criminal |  |  |
| contents | JAR | 6 |
| separate docket to be kept | JAR | 6 |
| small claims |  |  |
| contents. | JAR | 6 |
| separate dockets to be kept in certain actions | JAR | 6 |
| traffic |  |  |
| contents | JAR | 6 |
| separate docket to be kept | JAR | 6 |
| Examination of lay candidates for justice of the peace |  |  |
| committee responsibilities | JAR | 1 (b) |
| examining committee | JAR | 1 (a) |
| unsuccessful candidates | JAR | 1 (c) |
| Judge |  |  |
| defined | JAR | 3 |
| failure to apply rules, contempt | JAR | 7 |
| judicial ethics | JAR | 4 |
| presiding judge ... | JAR | 5 |


| I. Justice Court Administrative Rules (JAR) cont. | Rule | No. |
| :---: | :---: | :---: |
| Judicial ethics |  |  |
| canons, applicability | JAR | 4 |
| practicing law, attorney-justice | JAR | 4 |
| publicity of court proceedings | JAR | 4 |
| Justice of the peace |  |  |
| examination of lay candidates for | JAR | 1 |
| practicing law | JAR | 4 |
| presiding judge | JAR | 5 |
| "Oath" defined | JAR | 3 |
| "Offenses against state" defined | JAR | 3 |
| Photographs in court room | JAR | 4 |
| "Prosecuting attorney" defined | JAR | 3(4) |
| Radio broadcast of judicial proceedings | JAR | 4 |
| Records, separate dockets to be kept | JAR | 6 |
| Report of criminal cases |  |  |
| appeal report | JAR | 8(b) |
| disposition report | JAR | 8(a) |
| Rules |  |  |
| contempt, judge failing to follow | JAR | 7 |
| scope ........................ | JAR | 2 |
| State |  |  |
| defined | JAR | 3 |
| "offenses against state" defined | JAR |  |
| Supreme court, contempt of, judges failing to apply rules | JAR | 7 |
| Television broadcast of judicial proceedings.. | JAR | 4 |
| II. Justice Court Civil Rules (JCR) |  |  |
|  | Rule | No. |
| Accord and satisfaction, affirmative defense, pleading | JCR | 8(c) |
| Actions |  |  |
| appeals, when and how | JCR | 73 |
| commencement, filing complaint with court | JCR |  |
| consolidation | JCR | 42(a) |
| dismissal |  |  |
| mis joinder and nonjoinder of parties, not grounds | JCR | 21 |
| without prejudice | JCR | 41 |
| real party in interest | JCR | 17(a) |
| Administrators, capacity to sue . | JCR | 17 |
| Adoption by reference, pleadings, statement |  |  |
| Affirmative defenses, pleading, designation of | JCR | 8(c) |
| Amendments |  |  |
| counterclaims, when omitted pleadings | JCR | 13(d) |
| erasing and adding words | JCR | 15(e) |
| procedure | JCR | 15 |
| relation back | JCR | 15(c) |
| Answer |  |  |
| appearance, oral answer, time for | JCR | 12(a) |
| pleadings allowed | JCR | 7(a) |
| service, time for | JCR | 12(a) |
| verification | JCR | 11 |
| Appeal bond |  |  |
| cost for | JCR | 73(a) |
| defects in, new bond required | JCR | 73(d) |
| stay of proceedings, condition for | JCR | 73(b) |
| Appeals <br> bonds |  |  |
| cost, for | JCR | 73(a) |
| defects in, new bonds required | JCR | 73(d) |
| dismissal not allowed for defective bond | JCR | 73(d) |
| property taken on execution, release ... records of lower court, failure to proper- | JCR | 73(c) |
| ly transfer ...................... | JCR | 75(b) |
| erroneous, amendment | JCR | 75(b) |
| filing with superior court | JCR | 75(a) |
| stay of proceedings | JCR | 73(b) |
| superior court, appeal to, when and how | JCR | 73 |


| II. Justice Court Civil Rules (JCR) |  |  |
| :---: | :---: | :---: |
| transcript of lower court, filing with superior court | JCR | 75(a) |
| when and how | JCR | 73 |
| Appearance <br> default judgment, application for setting aside, general appearance | JCR | 55 |
| Appellantsbonds |  |  |
| costs on appeal | JCR | 73(a) |
| defective, new appeal bond required | JC | 73(d) |
| stay of proceedings | JC | 73(a) |
| filing records of lower court with superior |  |  |
| judgment against appellant and sureties on |  |  |
| Arbitration and award, affirmative defense, pleading | JCR | 8(c) |
| Assignment of cases for trial | JCR | 40 |
| Associations, testimony, calling managing agent as adverse party | Associations, testimony, calling managing |  |
| Assumption of risk, affirmative defense, |  |  |
| Attorneys |  |  |
| fees, default judgment, recovery in witness | JCR | 55(a) |
| acting as, on behalf of client | JCR | 43(e) |
| one attorney to conduct examination | JCR | 43(a-1) |
| Authentication (See Documents, Records) |  |  |
|  |  |  |
| pleading affirmative defense | JCR | 8(c) |
| pleading, when averment deemed avoided | JCR | 8(d) |
| Bonds |  |  |
| cost for | JCR | 73(a) |
| defects in, new bond required | JCR | 73(d) |
| stay of proceedings | JCR | 73(b) |
| Canons of judicial ethics (see rule JAR 4) |  |  |
| Cases, assignment for trial | JCR | 40 |
| Cities <br> cost bond on appeal to superior court, not required | JCR | 73(a) |
| Civil causes (See specific topic) |  |  |
| Claims (See also Counterclaims; also Cross claims) |  |  |
| asserted in responsive pleading, exception | JCR | 12(b) |
| dismissal, without prejudice | JCR |  |
| failure to state claim for relief, made by motion, effect | JCR | 12(b) |
| failure to state claim, motion for dismissal, when treated as summary judgment . | JCR | 12(b) |
| interpleader . . . . . . . . . . . . . . . . . . . . | JCR | 22 |
| intervention | JCR | 24 |
| joinder | JCR | 18(a) |
| judgment, multiple claims | JCR | $54(\mathrm{~b}) \text {, }$ |
| parties |  |  |
| substitution | JCR | 25 |
| third party brought in | JCR | 14 |
| pleadings, relief, requisites for | JCR | 8(a) |
| separate trials | JCR | 42(b) |
| third party brought in by plaintiff or defendant | JCR | 14 |
| Clerk |  |  |
| issue of writ of garnishment | JCR | 16 |
| mistakes, correction | JCR | 60 |
| records of lower court on appeal, filing | JCR | 15(a) |
| Complaints |  |  |
| contents prescribed | JCR | 8(a) |
| dismissal of actions, without prejudice | JCR |  |
| joinder of claims | JCR | 18(a) |
| name of parties | JCR | 10(a) |
| pleadings allowed | JCR | 7(a) |
| requisites of, pleading | JCR | 8(a) |


| II. Justice Court Civil Rules (JCR) cont. Rule No. |  |  |
| :---: | :---: | :---: |
| defendant | JCR | 14(a) |
| plaintiff | JCR | 14(b) |
| verification | JCR | 11 |
| Computation of time | JCR | 6 |
| Consideration, pleading failure of | JCR | 8(c) |
| Consolidation |  |  |
| actions, common questions of law or fact | JCR | 42(a) |
| defenses made by motion | JCR | 12(f) |
| Construction |  |  |
| jurisdiction and venue, unaffected | JCR | 82 |
| pleadings, how construed | JCR | 8(f) |
| scope of rules | JCR |  |
| time, computation of | JCR | 6 |
| Contempt judge failing to apply rules (see rule JAR 7) |  |  |
| refusal to comply with superior court order concerning appeal | JCR | 75(b) |
| Contributory negligence, affirmative defense, <br> pleading ...................................... JCR 8(c) |  |  |
| Corporations, testimony, calling managing <br> agent as adverse party $\qquad$ JCR |  |  |
| Costs, offer of judgment, procedure and effect ......................................... JCR 68 |  |  |
| Counsel (see Attorneys) |  |  |
| Counterclaims (See also Claims; also Cross claims) |  |  |
| allowed | JCR | 7(a) |
| amount sought may exceed opposing claim | JCR | 13(b) |
| asserted in responsive pleading, exception | JCR | 12(b) |
| contents prescribed | JCR | 8(a) |
| dismissal of actions without prejudice | JCR | 41 |
| joinder of claims | JCR | 18(a) |
| matured or acquired after pleading | JCR | 13(c) |
| omitted, set up by amendment, when | JCR | 13(d) |
| parties, adding | JCR | 13(f) |
| permissive | JCR | 13(a) |
| pleading, requisites | JCR | 8(a) |
| separate trials | JCR | 13(g), |
|  | JCR | 42(b) |
| third party brought in by plaintiff or defendant............................ . JCR 14 |  |  |
| Counties, cost bond on appeal to superior court, not required .......................... JCR 73(a) |  |  |
| Courts (See also Justice of the peace; Supreme court; |  |  |
| Superior court; Trial) |  |  |
| bonds |  |  |
| costs for | JCR | 73(a) |
| defects in, new bond required | JCR | 73(d) |
| stay of proceedings | JCR | 73(b) |
| filing transcript with superior court | JCR | 75(a) |
| how and when | JCR | 73 |
| comment on evidence prohibited | JCR | 51 |
| conclusions of law, court need not make | JCR | 52 |
| finding of facts, court need not make judgments | JCR | 52 |
| default, setting aside, procedure | JCR | 55(b) |
| entry of, when | JCR | 58 |
| errors, clerical, relief from | JCR | 60 |
| jury |  |  |
| defendant demanding jury | JCR | 38 |
| function of court at jury trial | JCR | 39 |
| function of court at nonjury trial | JCR | 52 |
| instructions | JCR | 51 |
| nonjury trial, court's function records of lower court | JCR | 52 |
| failure to properly transfer | JCR | 75(b) |
| mistakes | JCR | 60 |
| ordering amendment on appeal | JCR | 75(b) |
| sent to superior court on appeal | JCR | 75(a) |

[lodex to Part V——p 40]


| II. Justice Court Civil Rules (JCR) cont. |  |  |
| :---: | :---: | :---: |
|  | Rule | No. |
| Demurrers, abolished | JCR | 7(c) |
| Denials |  |  |
| failure to deny, effect | JCR | 8(d) |
| form | JCR | 8(b) |
| insufficient knowledge to form belief, ef- |  | 8(d) |
| Depositions |  |  |
| adverse party, testimony, penalty for re-fusal . . . . . . . . . . . . . . . . . . . . . . . . . . . JCR |  |  |
| applicability of certain rules for courts of record | applicability of certain rules for courts of | 26 |
| effect of discovery | JCR | 43(d) |
| managing agents, testimony, penalty for refusal | JCR | 43(d) |
| Discharge in bankruptcy, affirmative defense, |  | 8(c) |
| Discovery |  |  |
| effect | JCR | 43(d) |
| refusal to attend and testify | JCR | 43(d) |
| Dismissal |  |  |
| actions, without prejudice | JCR | 41 |
| bond, appeal, no dismissal for defect | JCR | 73(d) |
| parties, misjoinder and nonjoinder not grounds | JCR | 21 |
| Disqualification judges |  |  |
| grounds, procedure | JCR | 40(b) |
| Documents (See also Records) |  |  |
| Duress, affirmative defense, pleading | JCR | 8(c) |
| Effective date of rules | JCR | 86 |
| Entry of judgment |  |  |
| entry of, when | JCR | 58 |
| multiple claims | JCR | 54 |
| Estoppel, affirmative defense, pleading | JCR | 8(c) |
| Ethics, judicial (See rule JAR 4) |  |  |
| Evidence adverse party |  |  |
| calling, contradicting and impeaching | JCR | 43(b) |
| refusal to attend and testify, penalties | JCR | 43(d) |
| affirmation in lieu of oath | JCR | 43(c) |
| attorneys, acting as witnesses | JCR | 43(d) |
| comment on evidence by court prohibited | JCR | 51 |
| cross examination | JCR | 43(b) |
| discovery, effect | JCR | 43(d) |
| examination of witnesses |  |  |
| multiple | JCR | 43(a-1) |
| scope | JCR | 43(b) |
| leading questions, unwilling or hostile witnesses | leading questions, unwilling or hostile wit- |  |
| records, official, proof or lack of | JCR | 44 |
| testimony, oral, when | JCR | 43(a) |
| Execution |  |  |
| property taken on, appeal and release | JCR | 73(c) |
| Executors, capacity to sue | JCR | 17 |
| Exhibits, pleadings, written instruments are |  |  |
| Fellow servant, injury by, pleading as an af- |  |  |
| Filing |  |  |
| appeal |  |  |
| bonds, cost on appeal | JCR | 73(a) |
| notices | JCR | 73(a) |
| transcript of lower court, filing with superior court | JCR | 75(a) |
| Findings |  |  |
| court trial without jury | JCR | 52 |
| fact, court need not make | JCR | 52 |
| Fraud, affirmative defense, pleading | JCR | 8(c) |
| Garnishments, writs |  |  |
| issued by the clerk of court | JCR | 16 |
| issued by the court | JCR | 16 |
| Guardians, capacity to sue | JCR | 17 |


| II. Justice Court Civil Rules (JCR) cont. |  |  |
| :---: | :---: | :---: |
|  | Rule | No. |
| Guardians ad litem |  |  |
| incompetent persons, appointment for | JCR | 17 |
| infants, appointment for ...... | JCR | 17 |
| Hearings, preliminary, on defenses | JCR | 12(c) |
| Illegality, affirmative defense, pleading | JCR | 8(c) |
| Incompetence |  |  |
| capacity to sue or be sued | JCR | 17 |
| guardian ad litem, appointment | JC | 17 |
| substitution of parties | JCR | 25 |
| Infants, capacity to sue or be sued | JCR | 17 |
| Instructions, jury | JCR | 51 |
| Insurance companies, joinder in tort cases | JCR | 14(c) |
| Interpleader, authorized | JCR | 22 |
| Intervention, procedure | JCR | 24 |
| Issues, separate trials | JCR | 42(b) |
| Joinder |  |  |
| claims | JCR | 18(a) |
| defenses or objections | JCR | 12(b) |
| interpleader | JCR | 22 |
| parties misjoinder, dismissal of action, not grounds for | JCR | 21 |
| necessary joinder | JCR | 19(a) |
| nonjoinder |  |  |
| dismissal of action, not grounds for | JCR |  |
| effect of failure | JCR | 19(b) |
| reasons to be stated | JCR | 19(c) |
| permissive joinder | JCR | 20 |
| separate trials, orders to prevent delay or prejudice | JCR | 20(b) |
| remedies | JCR | 18(b) |
| Judges |  |  |
| contempt |  |  |
| failure to apply rules (See rule JAR 7) refusal to comply with superior court |  |  |
| order, appeals | JCR | 75(b) |
| disqualification, judge disqualifying self or party asking for disqualification | JCR | 40(b) |
| evidence, court not to comment on | JCR | 51 |
| facts, findings, need not make | JCR | 52 |
| law, conclusions, need not make | JCR | 52 |
| oath or affirmation | JCR | 77.04 |
| Judgments |  |  |
| appellant and surety, superior court judg- <br> ment against .............................. JCR 73(e) |  |  |
| default |  |  |
| application of rules to whom | JCR | 55(c) |
| attorney's fees and interest | JCR | 55(a) |
| nature of | JCR | 54(c) |
| setting aside |  |  |
| application for, considered a general appearance | JCR | 55(b) |
| procedure | JCR | 55(b) |
| when claimed | JCR | 55(a) |
| defined | JCR | 54(a) |
| dismissal of actions without prejudice | JCR | 41 |
| entry of, when | JCR | 58 |
| mistakes, clerical, relief from | JCR | 60 |
| multiple claims | JCR | 54(b) |
| stay, when | JCR | 62 |
| offer of judgment, procedure and effect | JCR | 68 |
| stay on multiple claims | JCR | 62 |
| Judicial ethics, canons of (See rule JAR 4) |  |  |
| Juries |  |  |
| charge | JCR | 51 |
| defendant demanding | JCR | 38 |
| function of court and jury | JCR | 39 |
| instructions to | JCR | 51 |
| selection | JCR | 38 |
| trial without | JCR | 52 |
| Jurisdiction |  |  |
| defense by motion or responsive pleading | JCR | 12(b) |
| unaffected by JCR | JCR | 82 |
| Jury instructions | JCR | 51 |


| II. Justice Court Civil Rules (JCR)_cont. Rule No. |  |  |
| :---: | :---: | :---: |
| Jury trial (See Juries; also Trial) |  |  |
| Laches, affirmative defense, pleading | JCR | 8(c) |
| License, affirmative defense, pleading | JCR | 8 (c) |
| Mistakes, clerical, court record, relief | JCR | 60 |
| Motions defenses |  |  |
|  |  |  |
| motion, made by | JCR | 12 |
| process, insufficiency | JCR | 12(b) |
| waiver of | JCR | 12(8) |
| definite statement, motion for, effect dismissal for failure to state claims, when | JCR | 12(d) |
| treated as summary judgment | JCR | 12(b) |
| form of motions, rules applicable | JCR | 8(e) |
| intervention | JCR | 24 |
| parties |  |  |
| adding, dropping | JCR | 21 |
| substitution of | JCR | 25 |
| rules applicable | JCR | 7(b) |
| striking matter from pleadings | JCR | 12(e) |
| third party brought in by plaintiff or defendant | JCR | 14 |
| time for service | JCR | 6 |
| Notices appeal |  |  |
| serving and filing | JCR | 73(a) |
| commencement of action | JCR |  |
| Oaths |  |  |
| administration of, manner | JCR | 77.04 |
| affirmations in lieu of | JCR | 43(c) |
| Objections |  |  |
| joinder of two or more defenses or objections, no waiver of | JCR | 12(b) |
| pleading, form | JCR | 8(b) |
| waiver of defenses | JCR | 12(g) |
| Offer of judgment, procedure and effect | JCR | 68 |
| Orders |  |  |
| by lower court . . . . . . . . . . . . . . . . . | JCR | 75(b) |
| mistakes, clerical, relief from | JCR | 60 |
| Parties |  |  |
| adding, cross claim and counterclaim | JCR | 13(f) |
| adverse parties, testimony | JCR | 43 |
| associations, testimony of managing agent | JCR | 43 |
| capacity | JCR | 17 |
| claims may be severed for separate pro- |  |  |
| corporations, testimony of managing agent | JCR | 43 |
| instructions to jury, requesting certain | JCR | 51 |
| interpleader | JCR | 22 |
| intervention | JCR | 24 |
| joinder |  |  |
| adding parties, cross claim and counterclaim | JCR | 13(f) |
| failure to join |  |  |
| dismissal of action, not grounds for | JCR |  |
| dispensable parties, effect ....... | JCR | 19(b) |
| indispensable parties, defense made by motion | JCR |  |
| reasons given for omission ..... | JCR | 19(c) |
| misjoinder, dismissal of action, not |  |  |
| necessary .. | JCR | 19(a) |
| separate trials, orders to prevent delay |  |  |
|  |  |  |
| third parties, rules governing . . . . . . . . . . | JCR | 20(b) |
| managing agents, testimony | JCR | 43 |
| partnerships, testimony of managing agents ................................... JCR 43 |  |  |
| real party in interest, prosecution of action | JCR | 17 |
| substitution of, procedure and grounds | JCR | 25 |
| third parties |  |  |
| brought in by defendant, when | JCR | 14(a) |
| brought in by plaintiff, when | JCR | 14(b) |



| II. Justice Court Civil Rules (JCR) cont. |  |  |
| :---: | :---: | :---: |
|  | Rule | No. |
| intervention procedure | JCR | 24 |
| joinder or remedies and claims | JCR | 18 |
| mistaken designation | JCR | 8(c) |
| motions |  |  |
| defenses, asserting, when allowed | JCR | 12 |
| definite statement, motion for, effect | JCR | 12(a), |
|  | JCR | 12(d) |
| form of pleading | JCR | 7(b), |
|  | JCR | 8(e) |
| rules applicable | JCR | 7(b), |
|  | JCR | 8(e) |
| striking matter | JCR | 12(e) |
| time for service | JCR | 6 |
| parties, joinder of | JCR | 12(b), |
| failure to join | JCR | 19, |
|  | JCR | 21 |
| misjoinder and nonjoinder, not grounds$\quad$ for dismissal ......................... ${ }^{\text {. }}$ JCR |  |  |
|  |  |  |
| necessary joinder | JCR | 19(a) |
| permissive joinder | JCR | 20(a) |
| reason for omission to be stated | JCR | 19(c) |
| third parties, bringing in | JCR | 14 |
| reply |  |  |
| allowed as a pleading | JCR | 7(a) |
| verification | JCR | 11 |
| service | JCR | 5 |
| signing, requirement and effect | JCR | 11 |
| striking for refusal by adverse parties or |  |  |
| superior court, pleadings during appeal to | JCR | 75(a) |
| supplemental . . . | JCR | 15(d) |
| technical forms not required | JCR | 8(e) |
| third party brought in by |  |  |
| plaintiff | JCR | 14(b) |
| verification | JCR | 11 |
| Process (See Service; also Summons) |  |  |
| Proof (See Evidence; also Pleadings; also Service) |  |  |
| Property, release, appeal and stay of proceedings ...................................... . JCR 73(c) |  |  |
| Publication (See Service) |  |  |
| Real party in interest, prosecution of actions | JCR | 17 |
| Records (See also Records on appeal; also Transcripts on appeal) |  |  |
| Transcripts on appeal mistakes, clerical, relief from ........... | JCR | 60 |
| proof, official records | JCR | 44 |
| Records on appeal amendment of erroneous record by lower court | JCR |  |
| failure of lower court to properly transfer | JCR | 75(b) |
| filing of lower court record with superior court | JCR | 75(a) |
| Release |  |  |
| affirmative defense, pleading | JCR | 8(e) |
| Remedies, joinder | JCR | 18(b) |
| Reply |  |  |
| counterclaim, response to | JCR | 7(a) |
| service following counterclaim, when | JCR | 12(a) |
| verification | JCR | 11 |
| Res judicata, affirmative defense, pleading | JCR | 8(c) |
| Rules |  |  |
| computation of time | JCR | 6 |
| construction, jurisdiction and venue unaf- |  |  |
| effective date | JCR | 86 |
| judge failing to apply, contempt (See rule |  |  |
| reference to as JCR | JCR | 85 |
| scope | JCR | 1 |
| School districts, cost bond on appeal to superior court, not required | JCR | 73(a) |
| Service |  |  |
| appeal, notice of | JCR | 73(a) |


| II. Justice Court Civil Rules (JCR) cont. |  |  |
| :---: | :---: | :---: |
|  | Rule | No. |
| insufficient process, defense | JCR | 12(b) |
| parties who may serve | JCR | 4(d) |
| personal, procedure | JCR | 4(e),(f) |
| pleadings and other papers | JCR | 5 |
| proof, manner | JCR | 4(b) |
| publication, procedure | JCR | 4(f) |
| Setoff |  |  |
| assignee, against | JCR | 13.04 |
| beneficiary of trust, against | JCR | 13.04 |
| pleaded, must be | JCR | 13.04 |
| Statute of frauds, affirmative defense, plead- |  |  |
| Statute of limitations, affirmative defense, pleading | JCR | 8(c) |
| Stay |  |  |
| proceedings |  |  |
| appeal | JCR | 73(b) |
| multiple claims | JCR | 62 |
| Striking, motion to strike matter from plead- |  |  |
| Subpoenas | JCR | 45 |
| Summary judgments motion to dismiss for failure to state a claim, when treated as summary judgment | JCR | 12(b) |
| Summons insufficient process, defense | Summons |  |
| Superior court |  |  |
| amendment of lower court records, ordering on appeal <br> appeal to | JCR | 75(b) |
| pleadings to be used during | JCR | 75(a) |
| procedure in handling | JCR | 75(a) |
| when and how made | JCR | 73 |
| bond, appeal |  |  |
| cost for | JCR | 73(a) |
| defects in, new bond requires | JCR | 73(d) |
| stay of proceedings | JCR | 73(b) |
| judgment against appellant and sureties | JCR | 73(e) |
| records of lower court |  |  |
| failure of lower court to properly trans- |  |  |
| filing on appeal . . . . . . . . . . . . | JCR | 75(a) |
| ordering amendment on appeal | JCR | 75(b) |
| stay of proceedings, court of limited juris- |  |  |
| sureties on appeal bonds, exceptions | JCR | 73(a) |
| transcripts of lower court, filing on appeal | JCR | 75(a) |
| Supplemental pleadings, when and how made | JCR | 15(d) |
| Sureties |  |  |
| ceedings . . . . . . . . . | JCR | 73(a) |
| judgment against on appeal | JCR | 73(e) |
| Third parties (See also Parties) |  |  |
| defendant may bring in third party | JCR | 14(a) |
| insurance companies, restrictions on joinder in tort cases | JCR | 14(c) |
| plaintiff may bring in third party | JCR | 14(b) |
| Third party claims |  |  |
| asserted in response pleading, exception | JCR | 12(b) |
| dismissal without prejudice | JCR | 41 |
| separate trials | JCR | 42(b) |
| Time |  |  |
| effective date, civil rules for courts of lim- |  |  |
| motions, time for service | JCR | 6 |
| rules for computing | JCR | 6 |
| Title |  |  |
| civil rules for justice court, referred to as |  |  |
| Towns |  |  |
| cost bond on appeal to superior court, not required | JCR | 73(a) |
| Transcripts on appeal |  |  |


| II. Justice Court Civil Rules (JCR) cont. Rule No. |  |  |
| :---: | :---: | :---: |
| amendment of erroneous records by lower court | JCR | 75(b) |
| failure of lower court to properly transfer | JCR | 75(b) |
| filing of lower court records with superior court | JCR | 75(a) |
| Trial |  |  |
| assignment of cases for | JCR | 40 |
| consolidation of actions, common question of law or fact | JCR | 42(a) |
| facts, findings, court need not make | JCR | 52 |
| jury |  |  |
| function of jury and court | JCR | 39 |
| instructions to . . . . . . . . | JCR | 51 |
| selection | JCR | 38 |
| law, conclusions, court need not make | JCR | 52 |
| nonjury trial, court's functions | JCR | 52 |
| separate trials |  |  |
| claims or issues | JCR | 42(b) |
| joinder of parties, when | JCR | 20(b) |
| Trustee, capacity to sue | JCR | 17 |
| Venue, unaffected by JCR | JCR | 82 |
| Verification, pleadings, procedure | JCR | 11 |
| Waiver |  |  |
| affirmative defense, pleading waiver | JCR | 8(c) |
| defenses and objections | JCR | 12 |
| Witnesses |  |  |
| adverse parties | JCR | 43 |
| affirmation in lieu of oath | JCR | 43(c) |
| attorney acting as witness | JCR | 43(d) |
| cross-examination, scope | JCR | 43(b) |
| discovery, refusal to make, effect | JCR | 43(d) |
| examination . . . . . . . . . . . . . | JCR | 43 |
| conducted by one attorney only | JCR | 43(a-1) |
| scope . . . . . . . . . . . . . . . . . | JCR | 43(b) |
| impeaching | JCR | 43(b) |
| leading questions, unwilling or hostile witnesses | JCR | 43(b) |
| managing agent | JCR | 43 |
| oath or affirmations | JCR | 77.04 |
| III. Justice Court Criminal Rules (JCrR) |  |  |
|  | Rule | No. |
| Acquittal <br> plea of former acquittal |  |  |
|  |  |  |
| authorized ....... | JCrR | 3.06 |
| procedure in criminal and traffic cases | JCrR | 4.03 |
| Administrator for the courts |  |  |
| citation and notice to appear, approval | JCrR | $2.01$ <br> (b)(6) |
| Affidavits (b)(6) |  |  |
| disqualification of judge, parties requesting, when | JCrR | 8.01 |
| serving affidavit with motion or application | JCrR | 10.02 |
| Amendments complaint |  |  |
| arraignment, during | JCrR | 3.04 |
| when allowed | JCrR | 4.10 |
| Appeal bond |  |  |
| cash deposit in lieu of bond | $\mathrm{JCrR}$ | 6.02, |
|  | JCrR | 6.03 |
| deposit procedure | JCrR | 6.02 |
| forfeiture | JCrR | 6.03 |
| stay of execution, condition for | JCrR | 6.02 |
| superior court to receive and return on dismissal | JCrR | 6.03 |
| Appeals 6.03 |  |  |
| forfeiture | JCrR | 6.03 |
| security, stay of execution | JCrR | 6.02 |
| cash bail | JCrR | 6.02 |
| dismissal |  |  |
| grounds and effect | JCrR | 6.03 |


| III. Justice Court Criminal Rules (JCrR) |  |  |
| :---: | :---: | :---: |
| motion for judgment of dismissal granted, state's right to appeal | JCrR | 4.11 |
| justice court, appeal to superior court in county where offense committed, when $\quad \mathrm{JCrR} \quad 6.01$ |  |  |
| mistake, clerical, lower court record, when corrected | JCrR | 8.03 |
| notice of, serving and filing | JCrR | 6.01 |
| noting case for trial ..... | JCrR | 6.01 |
| procedure, filing and serving notice of appeal ...................................... JCrR 6.01 |  |  |
| prosecution | JCrR | 6.03 |
| records of lower court, filing with superior |  |  |
| stay of execution, conditions for granting, <br> pending appeal ........................... JCrR 6.02 |  |  |
| superior court in county of lower court, |  |  |
|  | JCrR | 6.01 , |
| time period for taking | JCrR | 6.03, |
|  | JCrR | 10.01 |
| transcripts of lower court, filing with superior court $\qquad$ JCrR 6.01 |  |  |
| Appearance |  |  |
| citation and notice to appear |  |  |
| failure to obey | JCrR | 2.08 |
| procedure and requisites | JCrR | 2.01 |
| sufficiency | JCrR | 2.04 |
| preliminary, failure, effect | JCrR | 2.03(c) |
| Appellants |  |  |
| bonds or cash deposit (See Appeal bond) dismissal of appeal, when | JCrR | 6.03 |
| failure to prosecute appeal properly, dismissal, effect | JCrR | 6.03 |
| filing records of lower court with superior |  |  |
| notice of appeal, serving and filing | JCrR | 6.01 |
| noting case for trial after filing transcript | JCrR | 6.01 |
| prosecution of appeal | JCrR | 6.03 |
| Application to court, notice to opposing party |  |  |
| Arraignment |  |  |
| appearance by counsel, when . . . . . . . . . . . complaint, defendants name properly | JCrR | 3.03 |
| upon, checking if | JCrR | 3.04 |
| conducted in open court | JCrR | 3.01 |
| counsel, right to and time to consult, defendant | JCrR | 3.02 |
| defendant charged in open court | JCrR | 3.01 |
| not guilty, nature and effect of plea | JCrR | 3.06 |
| pleas |  |  |
| acquittal | JCrR | 3.06 |
| dismissal | JCrR | 3.06 |
| failure to plead, effect | JCrR | 3.06 |
| guilty |  |  |
|  |  |  |
| cept | JCrR | 3.06 |
| court's refusal to accept, effect | JCrR | 3.06 |
| made by defendant in open court | JCrR | 3.06 |
| not guilty |  |  |
| entered by court | JCrR | 3.06 |
| nature and effect of plea | JCrR | 3.06 |
| substitution | JCrR | 3.06 |
| time to determine, defendant | JCrR | 3.02 |
| when entered | JCrR | 3.04 |
| withdrawing, court permitting | JCrR | 3.06 |
| setting complaint aside, ground and effect | JCrR | 3.04 |
| Arrest (See also Warrant) citation and notice to appear, failure to obey | JCrR | 2.04 |
| defendant to be present at pronouncement of judgment and sentence ............ warrant | JCrR | 5.04 |


| III. Justice Court Criminal Rules (JCrR) cont. Pule No. |  |  |
| :---: | :---: | :---: |
| form | JCrR | 2.02 |
|  |  | (c)(1) |
| issuance | JCrR | 2.02(a) |
| summons issuance in lieu of | JCrR | 2.02 (b) |
| Attorney, withdrawal of, when | JCrR | 2.11 (d) |
| Bail |  |  |
| cash deposit | JCrR | 6.02 |
| citation, release on written promise to ap- |  |  |
| forfeiture, court's power | JCrR | 6.03 |
| pending sentence | JCrR | 5.03(a) |
| stay of execution on appeal | JCrR | 6.02 |
| Bill of particulars pursuant to citation and |  |  |
| Bonds |  |  |
| appeal |  |  |
| cash bail | JCrR | 6.02 |
| deposit procedure | JCrR | 6.02 |
| forfeiture | JCrR | 6.03 |
| stay of execution | JCrR | 6.02 |
| superior court to receive and return on dismissal | JCrR | 6.03 |
| bail (See Bail) |  |  |
| Books, subpoena duces tecum | JCrR | 3.12 |
| Briefs, plainly written, typed or printed | JCrR | 1.04 |
| Canons of judicial ethics (See rule JAR 4) |  |  |
| Certificate upon citation and notice to appear | JCrR | 2.01 |
| Challenges, opening statement, sufficiency of |  |  |
| Charges |  |  |
| bill of particulars pursuant to citation | JCrR | 2.04 |
| complaint or citation to specify | JCrR | 2.01 |
| Citation and notice to appear |  |  |
| bill of particulars | JCrR | 2.04 |
| failure to obey | JCrR | 2.08 |
| procedure and requisites | JCrR | 2.01 |
| sufficiency | JCrR | 2.04 |
| Clerk |  |  |
| complaint or citation to be filed with | JCrR | 2.01 |
| omission . . | JCrR | 5.05 |
| mistakes, correction | JCrR | 8.03 |
| records of lower court on appeal, filing | JCrR | 6.01 |
| subpoena, issuance | JCrR | 3.10 |
| Complaints allegations |  |  |
| incorporation by reference from one count into another | JCrR | 2.04 |
| unnecessary, disregarding or striking | JCrR | 2.04 |
| violation, specif ying | JCrR | 2.04 |
| amendment |  |  |
| authorized | JCrR | 3.04, |
|  | $\mathrm{JCrR}^{\text {r }}$ | 4.10 |
| continuance based on | JCrR | 4.10 |
| citation deemed complaint | JCrR | 2.01 |
|  |  | (b)(4) |
| citizen complaints | JCrR | 2.01 |
| consolidation, same defendant and offense | JCrR | 2.06 |
| contents | JCrR | 2.01 |
| dismissal, motion to set aside | JCrR | 3.04 |
| examination, reasonable time, defendant | JCrR | 3.02 |
| filing procedure .... joinder | JCrR | 2.01 |
| offenses or defendants, relief from prejudicial |  |  |
| offenses or defendants, when | JCrR | 2.05 |
| trial together, complaints, when | JCrR | 4.04 |
| lost or destroyed, effect | JCrR | 2.07 |
| name of defendant, checking, arraignment | JCrR | 3.04 |
| plainly written, typed or printed | JCrR | 1.04 |
| plea of not guilty denies every allegation | JCrR | 3.06 |
| proceedings initiated by, exceptions | JCrR | 2.01 |
| requisites | JCrR | 2.01 |
| separate count for each offense | JCrR | 2.05(a) |

## Index to Part V

|  | Rule | No. |
| :---: | :---: | :---: |
| setting aside, grounds and effect, arraign- |  |  |
| sufficiency | JCrR | 2.01 |
| trial |  |  |
| two or more complaints tried together | JCrR | 4.04 |
| when tried | JCrR | 3.07 |
| verification | JCrR | 2.01 |
| Computation of time, rule for | JCrR | 10.01 |
| Consolidation of complaints, same offense | JCrR | 2.06 |
| Contempt judges failure to apply rules (See General rules JAR 7) |  |  |
| witnesses failure to appear, subpoena | JCrR | 3.11 |
| Continuance complaint, amendment, when continuance |  |  |
|  | JCrR | 4.10 |
| trial, when | JCrR | 3.08 |
| Conviction |  |  |
| appeal procedure | JCrR | 6.01 |
| contents of judgment | JCrR | 5.03 |
| defendant's presence required, pronouncement of sentence and judgment | JCrR | 5.04 |
| judge and clerk, duty of, effect of omission | JCrR | 5.05 |
| setting aside judgment, effect stay of execution, condition for granting, | JCrR | 5.06 |
| pending appeal .................. | JCrR | 6.02 |
| Copies |  |  |
| complaint, copy substituted for lost or destroyed | JCrR | 3.01 |
| complaint or citation, for each defendant | JCrR | 2.01(d) |
| Counsel |  |  |
| appearance by counsel only | JCrR | 3.03 |
| right to counsel and time to consult | JCrR | 3.02 |
| assignment of | JCrR | 2.11 (d) |
| attorneys, withdrawal | JCrR | 2.11 (e) |
| proceedings |  |  |
| stage | JCrR | 2.11 (b) |
| types | JCrR | 2.11(a) |
| service other than | JCrR | 2.11 (f) |
| Courts (See also Judges; Justices of the peace; Superior court; Trial) |  |  |
|  |  |  |
| dismissal of, lower court judgment to enforce | JCrR | 6.03 |
| stay of execution pending | JCrR | 6.02 |
| superior court as tribunal, procedure of appeal | JCrR | 6.01 |
| bail |  |  |
| cash deposit on appeal | JCrR | 6.01 |
| forfeiture, courts power | JCrR | 6.03 |
| stay of execution on appeal | JCrR | 6.02 |
| bond |  |  |
| appeal |  |  |
| cash bail | JCrR | 6.01 |
| deposit procedure | JCrR | 6.01 |
| forfeiture | JCrR | 6.03 |
| superior court to receive and return on dismissal | JCrR | 6.03 |
| bail (See bail) |  |  |
| citation and notice to appear (See Citation and notice to appear) |  |  |
| complaints (See Complaints) |  |  |
| conduct of judicial proceedings and trials | JCrR | 4.01 |
| defined (See rule JAR 3) |  |  |
| dismissal, motion by court for, grounds | JCrR | 4.11 |
| disqualification of judge procedure | JCrR | 8.01 |
| replacement | JCrR | 8.02 |
| evidence, not to comment on, jury trial | JCrR | 4.07(e) |
| facts, judge trying in nonjury cases | JCrR | 4.07(e) |
| jury (see Juries) |  |  |

\section*{III. Justice Court Criminal Rules (JCrR) _cont. <br> 

examination of lay candidates (See rule JAR 1)
presiding judge, appointment and duties (See rule JAR 4)
law

| answering juror's questions | JCrR | 4.07(d) |
| :---: | :---: | :---: |
| instructing juries | JCrR | 4.07(e) |
| issues of, deciding | JCrR | 4.07(d) |
| mistakes, clerical, when corrected | CrR | 8.03 |
| municipal ordinance violation, trial by court | JCrR | 4.07(c) |


guilty
condition upon which court will ac-

| cept | JCrR | 3.06 |
| :---: | :---: | :---: |
| court's refusal to accept, effect | JCrR | 6, |
|  | JCrR | 02 |
| made only by defendat | JCr |  |

not guilty
entered by court, when ................... JCrR 3.06
entered by defendant $\ldots \ldots \ldots \ldots \ldots$...................... 3.06

trial to follow defendant's plea ............. JCrR 3.07
when entered . . . . . . . . . . . . . . . . . . . . . . . . . . . . JCrR 3.04
withdrawing, court's permitting .............. JCrR 3.06
postponement and continuance of trial,
when ................................................. 3.08
process, issuance, scope ...................... JCrR 3.13
publicity of court proceedings, governed by
canon of judicial ethics (See rule JAR 4)
rebuttal testimony after opening state-
ment, when allowed ........................ JCrR 4.08
records, mistakes in .............................. JCrR 8.03
rules of court

sentence and judgment
defendant must appear for pronounce-

|  | JCrR |
| :---: | :---: |
| determined by | JCrR |


| setting aside judgment of conviction, when | JCrR | 5.06 |
| :---: | :---: | :---: |
| special local court rules, adopting | JCrR | 1.03 |
| stay of execution, conditions for granting pending appeal | JCrR | 6.02 |
| subpoena |  |  |
| duces tecum, issuance | JCrR | 3.12 |
| witnesses | JCrR | 3.10 |
| superior court |  |  |
|  | JCiR | 6.01 , |
| appeal to | JCrR | 6.02 , |
|  | JCrR | 6.03 |
|  | JCrR | 6.03 |
| mistake in lower court record, clerical, when corrected | JCrR | 8.03 |
| transcripts of lower court filed with | JCrR | 6.01 |


III. Justice Court Criminal Rules (JCrR) cont.

|  | Rule No. |  |
| :---: | :---: | :---: |
| opening statements |  |  |
| challenging sufficiency of prosecution's |  |  |
| length | JCrR | 4.08 |
| procedure | JCrR | 4.08 |
| rebuttal testimony, when | JCrR | 4.08 |
| reserving until close of prosecution's case | JCrR | 4.08 |
| waiver | JCrR | 4.08 |
| pleas |  |  |
| acquittal | JCrR | 3.06, |
|  | JCrR | 4.02 |
| dismissal | JCrR | 3.06 |
| failure to plead, effect | JCrR | 3.06 |
| former conviction | JCrR | 3.06 |
| guilty |  |  |
| condition upon which court will ac- |  |  |
| court's refusal to accept | JCrR | 3.06, |
|  | JCrR | 4.02 |
| made only by defendant in open court | JCrR | 3.06 |
| procedure judge follows thereafter | JCrR | 4.02 |
| not guilty |  |  |
| entered by court | JCrR | 3.06 |
| entered by defendant | JCrR | 3.06 |
| nature and effect . | JCrR | 3.06 |
| procedure |  |  |
| criminal offenses | JCrR | 4.03 |
| traffic offenses | JCrR | 4.03 |
| substitution | JCrR | 3.06 |
| when entered | JCrR | 3.04 |
| withdrawing, when | JCrR | 3.06 |
| presence during |  |  |
| pronouncement of judgment and sen- |  |  |
| trial mandatory, exceptions | JCrR | 4.06 |
| sentence |  |  |
| disposition of defendant pending | JCrR | 5.03 |
| imposition by court or jury . . . . . . . . . . . . . . JCrR 5.03 |  |  |
| presence during pronouncement, exception ...................................... JCrR 5.04 |  |  |
| statement after sentence imposed, miti- |  |  |
| setting aside of judgment of conviction, |  | 5.06 |

stay of execution, conditions for granting
pending appeal . . . . . . . . . . . . . . . . . . . . JCrR
striking unnecessary allegation in com-
plaint, motion . . . . . . . . . . . . . . . . . . . . . JCrR 2.04
subpoena
duces tecum, inspection of objects $\ldots \ldots . .$. JCrR $\quad 3.12$
showing materiality of testimony before
issuance, when ...................... JCrR 3.10
witnesses ......................................... JCrR 3.10
trial
continuance or postponement of . . . . . . . . . . JCrR 3.08
when ........................................ . JCrR 3.07
witnesses
names disclosed upon request, state wit-
nesses . . . . . . . . . . . . . . . . . . . . . . . . . . . . . JCrR 3.10
subpoena . . . . . . . . . . . . . . . . . . . . . . . . . . . . . JCrR 3.10
Defenses
continuance granted to prepare defense, complaint amended4.10

Denials
plea, not guilty, denies every allegation in complaint .............................
Directed verdict, motion
of dismissal substituted 3.06
dismissal substituted ............................... 4
Dismissal
appeal, grounds and effect . . . . . . . . . . . . . . . . . JCrR 6.03
bars further prosecution, delay in bringing defendant to trial . . . . . . . . . . . . . . . . . . . . . . JCrR
complaint, when . . . . . . . . . . . . . . . . . . . . . . . . . . . JCrR 3.04



| III. Justice Court Criminal Rules (JCrR) |  |  |
| :---: | :---: | :---: |
| Jurisdiction |  |  |
| complaints, several issued for same offense, different courts | JCrR | 2.06 |
| scope of process | JCrR | 3.13 |
| Justices of the peace (See also Court; also Judges) |  |  |
| appeal to superior court when justice court in joint justice district | JCrR | 6.01 |
| disqualification |  |  |
| procedure | JCrR | 8.01 |
| replacement | JCrR | 8.02 |
| examination of candidates for (See rule JAR 1) |  |  |
| Lawyer, explaining availability of | JCrR | 2.11(c) |
| Misdemeanors |  |  |
| appearance by counsel only, when | JCrR | 3.03 |
| citation and notice to appear | JCrR | 2.01 |
| Mistakes, clerical, court record, relief | JCrR | 8.03 |
| Motions |  |  |
| directed verdict abolished, judgment of dismissal substituted | JCrR | 4.11 |
| dismissal, judgment of grounds | JCrR | 4.11 |
| modifying subpoena duces tecum | JCrR | 3.12 |
| notice to opposing party required, when | JCrR | 10.02 |
| plainly written, typed or printed | JCrR | 1.04 |
| quashing subpoena duces tecum | JCrR | 3.12 |
| setting aside |  |  |
| complaint | JCrR | 3.04 |
| judgment of conviction | JCrR | 5.06 |
| striking unnecessary allegations in com- |  |  |
| subpoena duces tecum, quash or modify | JCrR | 3.12 |
| time period extended or excused | JCrR | 10.01 |
| Municipal ordinances, trial by court for vio- |  |  |
| Names |  |  |
| citation and notice to appear, contents | JCrR | $\begin{aligned} & 2.02 \\ & (\mathrm{~b})(2) \end{aligned}$ |
| defendant's name on complaint, checking | JCrR | 3.04 |
| New trial, setting prior judgment of conviction aside | New trial, setting prior judgment of convic- | 5.06 |
| Notices |  |  |
| appeal | JCrR | 6.01 |
| citation and notice to appear (See Citation and notice to appear) |  |  |
| motions and applications, adverse party to receive notice of | JCrR | 10.02 |
| Oaths, defined (See rule JAR 3) |  |  |
| Officers |  |  |
| citation and notice to appear, issuance by | JCrR | 2.01 |
| sheriff, subpoena of witnesses | JCrR | 3.10 |
| Opening statements defendant |  |  |
| challenging sufficiency of prosecution's |  |  |
| procedure | JCrR | 4.08 |
| reserving right until close of prosecu- |  |  |
| length | JCrR | 4.08 |
| prosecution, procedure | JCrR | 4.08 |
| rebuttal testimony, when | JCrR | 4.08 |
| waiver | JCrR | 4.08 |
| Orders |  |  |
| complaint, two or more, trial together | JCrR | 4.04 |
| mistakes, clerical, when corrected ... | JCrR | 8.03 |
| new trial granted upon setting judgment of conviction aside, when | JCrR | 5.06 |
| plainly written, typed or printed | JCrR | 1.04 |
| time period extended or excused | JCrR | 10.01 |
| Papers, subpoena duces tecum | JCrR | 3.12 |
| ```Pleadings citation and notice to appear (See Citation and notice to appear) complaint``` |  |  |


| III. Justice Court Criminal Rules (JCrR) |  |  |
| :---: | :---: | :---: |
|  |  |  |
| incorporation by reference from one count into another | JCrR | 2.04 |
| unnecessary, disregarding or striking | JCrR | 2.04 |
| amendment arraignment | JCrR | 3.04 |
| continuance, when | JCrR | 4.10 |
| citizens complaints | JC | 2.01 |
| consolidation, same defendant and of- |  |  |
| defendants, joinder | JCr | 2.05(b) |
| dismissal or amendment, motion to set aside | JCrR | 3.04 |
| examination by defendant, reasonable |  |  |
| joinder |  |  |
|  |  |  |
| complaints tried together, when | JCrR | 4.04 |
| offenses, when | JCrR | 2.05(a), |
|  | JCrR | 4.05 |
| relief from prejudicial joinder of com- |  |  |
| lost or destroyed, effect | JCrR | 2.07 |
| name of defendant, checking, arraign- |  |  |
| plainly written, typed or printed | JCrR | 1.04 |
| pleas of not guilty denies every allega- |  |  |
| proceedings initiated by, exception | JCrR | 2.01 |
| setting aside, grounds and effect | JCrR | 3.04 |
| separate count for each offense | JCrR | 2.05(a) |
| sufficiency | JCrR | 2.01 |
| trial |  |  |
| two or more complaints tried together | $\mathrm{JCrR}^{\text {J }}$ | 4.04 |
| when tried | JCrR | 3.07 |
| verification | JCrR | 2.01 |
| defendant required to plead after complaint examined | JCrR | 3.02 |
| motion |  |  |
| directed verdict abolished, judgment of dismissal substituted $\qquad$ JCrR 4.11 |  |  |
| judgment of dismissal, grounds | JCrR | 4.11 |
| plainly written, typed or printed | JCrR | 1.04 |
| setting aside |  |  |
| complaint, effect | JCrR | 3.04 |
| judgment of conviction, effect | JCrR | 5.06 |
| striking unnecessary allegations in complaint | striking unnecessary allegations in com- |  |
| subpoena duces tecum, quash or modify | JCrR | 3.12 |
| time limits extended or excused | JCrR | 10.01 |
| notice to opposing party required, when | JCrR | 10.02 |
| Pleas |  |  |
| arraignment, time to make plea, reason- <br> able $\qquad$ JCrR <br> 3.02 |  |  |
| dismissal | JCrR | 3.06 |
| failure to plead effect | JCrR | 3.06 |
| former acquittal or conviction |  |  |
| plea at arraignment | JCrR | 3.06 |
| procedure |  |  |
| criminal offenses | JCrR | 4.03 |
| traffic offenses | JCrR | 4.03 |
| guilty |  |  |
| condition upon which court will accept | JCrR | 3.06 |
| court's refusal to accept, effect | JCrR | 3.06 |
| made only by defendant in open court | JCrR | 3.06 |
| procedure judge follows thereafter | JCrR | 4.02 |
| refusal to accept, court | JCrR | 4.02 |
| judgment of conviction to state plea | JCrR | 5.03 |
| not guilty |  |  |
| entered by court, when | JCrR | 3.06 |
| entered by defendant | JCrR | 3.06 |
| nature and effect of plea procedure | JCrR | 3.06 |
| criminal offenses | JCrR | 4.03 |


| III. Justice Court Criminal Rules (JCrR) ¢ cont. |  |  |
| :---: | :---: | :---: |
| traffic offenses | JCrR | 4.03 |
| substitution | JCrR | 3.06 |
| trial to follow defendant's plea | JCrR | 3.07 |
| when entered | JCrR | 3.04 |
| withdrawing, court permitting | JCrR | 3.06 |
| Polling jury after verdict, effect | JCrR | 5.02 |
| Preliminary examination (See Examination) |  |  |
| Pretrial release conditions |  |  |
| generally | JCrR | 2.09(c) |
| review | JCrR | 2.09(e) |
| defendant discharged on recognizance or |  |  |
| order, amendment | JCrR | 2.09(f) |
| regulations | JCrR | 2.09(a) |
| verdict, release after | JCrR | 2.09(h) |
| Process (See Citation and notice to appear; Service; Subpoenas; Summons; Warrant) |  |  |
| Proof (See Evidence; also Pleadings; also Service) |  |  |
| Prosecuting attorney |  |  |
| appeal procedure defined (See rule JAR 3) | JCrR | 6.01 |
| disqualification of judge, filing affidavit | JCrR | 8.01 |
| jury selection procedure | JCrR | 4.07(b) |
| opening statements |  |  |
| challenge by defendant | JCrR | 4.08 |
| length | JCrR | 4.08 |
| procedure | JCrR | 4.08 |
| rebuttal testimony, when | JCrR | 4.08 |
| waiver | JCrR | 4.08 |
| sentence imposed, statement in aggrava- <br> tion of punishment ........................ JCrR 5.03 |  |  |
| subpoena |  |  |
| duces tecum, inspection of objects | JCrR | 3.12 |
| showing materiality of testimony before |  |  |
| witness, procedure | JCrR | 3.10 |
| warrant, return and cancellation upon request | JCrR | 2.02(d) |
| witnesses |  |  |
| Publication (See Service) |  |  |
| Radio |  |  |
| court proceedings, improper publicizing (See rule JAR 4) |  |  |
| Records (See also Records on appeal; also |  |  |
| Transcripts on appeal) |  |  |
| citation and notice to appear, failure to obey <br> JCrR 2.08 |  |  |
| mistake, clerical, when corrected | JCrR | 8.03 |
| separate court docket to be kept, contents |  |  |
| subpoena duces tecum | JCrR | 3.12 |
| Records on appeal |  |  |
| contents | JCrR | 6.01 |
| filing of lower court records with superior |  |  |
| Rules |  |  |
| contempt, failure of judge to apply rules (See rule JAR 7) |  |  |
| court, procedure when none prescribed ........ JCrRcriminal rules for justice court, referred to |  |  |
| criminal rules for justice court, referred to JCrR 10.03 |  |  |
| evidence, rules applicable | JCrR | 4.09 |
| local court rules, special, adopting | JCrR | 1.03 |
| scope | JCrR | 1.01 |
| time, computation of | JCrR | 10.01 |
| Search warrant |  |  |
| execution and return with inventory issuance | JCrR | 2.10(d) |
| authority | JCrR | 2.10(a) |
| contents | JCrR | 2.10(c) |


| III. Justice Court Criminal Rules (JCrR) |  |  |
| :---: | :---: | :---: |
| motion for return of property | JCrR | 2.10(e) |
| property which may be seized | JCrR | 2.10(b) |
| Sentences |  |  |
| appeal procedure | JCrR | 6.01 |
| court determining, imposing | JCrR | 5.03 |
| defendant, disposition pending sentence defendant must be present when sentence | JCrR | 5.03 |
| pronounced, exception | JCrR | 5.04 |
| judge and clerk, duty upon judgment and sentence, effect of omission | JCrR | 5.05 |
| statement after sentence imposed, mitigating or aggravating, allowing | JCrR | 5.03 |
| stay of execution, conditions for granting, pending appeal | JCrR | 6.02 |
| Service |  |  |
| affidavit, service with motion or application it supports | JCrR | 10.02 |
| notice of appeal | JCrR | 6.01 |
| scope of criminal process | JCrR | 3.13 |
| Sheriff (See also Officers) |  |  |
| State |  |  |
| defined (See rule JAR 3) |  |  |
| offenses against state defined (See rule JAR 3) |  |  |
| Stay, execution, appeal | JCrR | 6.02 |
| Striking unnecessary allegations in complaint | JCrR | 2.04 |
| Subpoenas |  |  |
| inspection of objects by parties | JCrR | 3.12 |
| issuance, when | JCrR | 3.12 |
| production of objects, when | JCrR | 3.12 |
| quash or modif $y$, when court may | JCrR | 3.12 |
| issuance, scope | JCrR | 3.13 |
| witnesses |  |  |
| procedure | JCrR | 3.10 |
| showing materiality of proposed testimony, when | JCrR | 3.10 |
| Summons |  |  |
| citation and notice to appear (See Citation and notice to appear) |  |  |
| failure to appear on | JCrR | $\begin{gathered} 2.02 \\ (\mathrm{~b})(3) \end{gathered}$ |
| form | JCrR | 2.02 |
|  |  | (c)(2) |
| issuance | JCrR | 3.13 |
| plainly written, typed or printed | JCrR | 1.04 |
| service | JCrR | $\begin{aligned} & 2.02 \\ & (\mathrm{~d})(2) \end{aligned}$ |
| where may issue | JCrR | 2.02 |
|  |  | (b)(1) |
| where must issue | JCrR | $2.02$ |
| Superior court |  |  |
| appeal to | JCrR | 6.01 |
| bond, appeal 6.01 |  |  |
| cash bail | JCrR | 6.02 |
| deposit procedure | JCrR | 6.03 |
| forfeiture ..... | JCrR | 6.03 |
| return on dismissal | JCrR | 6.03 |
| stay of execution, condition for | JCrR | 6.02 |
| cash bail ................. | JCrR | 6.02 |
| definition (See rule JAR 3) |  |  |
| dismissal of appeal from lower court, when, effect ............................... . JCrR 6.03 |  |  |
| mistake in lower court record, clerical, |  |  |
| records of lower court |  |  |
| filing on appeal | JCrR | 6.01 |
| mistakes in record | JCrR | 8.03 |
| rules, pleas of not guilty on former conviction or acquittal, applicability, justice court | JCrR | 4.03 |




## Index to Part V

| IV. Justice Court Traffic Rules (JTR) |  |  |
| :---: | :---: | :---: |
| promise to appear, release from custody | JTR | 2.02 |
| taken before judge or officer | JTR | 2.02 |
| failure to obey citation, grounds for arrest warrant | JTR | 2.05 |
| issuance for arrest | JTR | 2.02 |
| procedure upon arrest without | JTR | 2.03(b) |
| Bail |  |  |
| adjournment of hearing, defendant held until release on bail | JTR | 3.01 (e) |
| cash |  |  |
| depositing | JTR | 2.03(d) |
| receipt for payment | JTR | 2.03(e) |
| citation, reverse side to contain informa- |  |  |
| defendant, release on bail | JTR | 2.03(e) |
| disposal of case | JTR | 2.04(b) |
| failure to deposit upon arrest by warrant | JTR | 2.03(c) |
| director of motor vehicles treated as |  |  |
| payment of fine, considered as | JTR | 2.06(b) |
| traffic violations bureau, authority to accept | JTR | 2.06(b) |
| posting on arrest |  |  |
| by warrant | JTR | 2.02, |
|  | JTR | 2.03(c) |
| without warrant | JTR | 2.03 |
| release of defendant upon deposit | JTR | 2.03(e) |
| schedules | JTR | 2.03 |
| traffic violations bureau |  |  |
| authority to accept bail, procedure | JTR | 2.06(b) |
| forfeiture, consequences, notice | JTR | 2.06(b) |
| Breathalyzer |  |  |
| continuation | JTR | 3.05(b) |
| maintenance operator, testimony, machine certification | JTR | 3.05(a) |
| Cases |  |  |
| closing subject to reopening, nonappear- |  |  |
| disposal of, proper | JTR | 2.04(b) |
| trial separate and apart from other cases | JTR | 3.01 |
| Certificate, by citing officer as part of complaint | Certificate, by citing officer as part of com- | 2.01 |
| Citation |  |  |
| abbreviations authorized | JTR | 2.01 |
| amendment permitted by court | JTR | 3.04 |
| deposit with |  |  |
| court | JTR | 2.04(a) |
| traffic violations bureau | JTR | 2.04(a) |
| disposition, record of, traffic enforcement |  |  |
| electronic data processing equipment, use, |  |  |
| failure to obey, effect | JTR | 2.05 |
| form and contents | JTR | 2.01 |
| improper disposal, unlawful act ........ |  |  |
| return of citation to traffic enforcement agency, spoiled or not issued | JTR | 2.04(d) |
| reverse side, contents, bail information | JTR | 2.01 |
| service of | JTR | 2.02 |
| Cities |  |  |
| traffic violations bureau, supervising estab- |  |  |
| Clerk, transfer of documents to by violations |  |  |
| Complaints |  |  |
| abbreviations used in | JTR | 2.01 |
| amendment permitted by court | JTR | 3.04 |
| citizens, by | JTR | 2.01 |
| deposit with court | JTR | 2.04(a) |
| disposal of case on deposit of complaint |  |  |
| disposition, record of | JTR | 2.04(d) |
| docket, what constitutes | JTR | 2.01 |


| IV. Justice Court Traffic Rules (JTR) ¢ cont. |  |  |
| :---: | :---: | :---: |
| electronic data processing equipment, use, effect on format | JTR | 2.01 |
| failure to appear and answer, effect | JTR | 2.05 |
| form and content | JTR | 2.01 |
| improper disposal, unlawful act objections as to validity or regularit | JTR | 2.04(c) |
| made before trial | JTR | 3.01 (f) |
| officer's certificate | JTR | 2.01 |
| reverse side, record of court action | JTR | 2.01 |
| service of | JTR | 2.02 |
| spoiled or unissued, return of violations to be prosecuted by complaint only | JTR | 2.04(d) 2.02 |
| Copies of complaints and citations, unlawful <br> disposition ..................................... JTR 2.04(c) |  |  |
|  |  |  |
| adjournment, defendant may be held until release on bail | JTR | 3.01(e) |
| appearance of defendant after written promise to appear, failure | JTR | 2.05 |
| arrest |  |  |
| nonresident for failure to appear | JTR | 2.06(b) |
| resident defendant who fails to appear | JTR | 2.05(a) |
|  |  |  |
| adjournment of hearing, defendant held until release on bail . . . . . . . . . . . . cash | JTR | 3.01(e) |
| depositing | JTR | 2.03(d) |
| receipt for payment | JTR | 2.03(e) |
| citation, reverse side to contain informa- |  |  |
| discharge of defendant | JTR | 2.03(e) |
| disposal of traffic cases, proper | JTR | 2.04(b) |
| failure to deposit upon arrest by warrant forfeiture | JTR | 2.03(c) |
| payment of fine, considered as | JTR | 2.06(b) |
| motor vehicles, notice | JTR | 2.06(b) |
| posting upon arrest |  |  |
| by warrant | JTR | 2.02, |
|  | JTR | 2.03(c) |
| without warrant | JTR | 2.03 |
| release upon deposit schedules | schedules | 2.03(e) |
| displaying | JTR | 2.03(a) |
| filing copies | JTR | 2.03(a) |
| fixed by judge | JTR | 2.03(a) |
| closing case subject to reopening, nonap- |  |  |
| complaint |  |  |
| amending | JTR | 3.04 |
| depositing | JTR | 2.04(a) |
| reverse side, record of action | JTR | 2.01 |
| defendant's promise to appear in court, re- <br> lease from custody ........................ JTR 2.02 |  |  |
| disposal of cases, proper | JTR | 2.04(b) |
| docket, complaint to constitute, when | JTR | 2.01 |
| failure of nonresident to appear, subsequent mailing of notice ................... JTR 2.05(b) |  |  |
| local court rules, special, adoption .... | JTR | 1.03 |
| nonappearance of defendant after written |  |  |
| records, reverse side of abstract, informa- |  |  |
| special local court rules, adopting | JTR | 1.03 |
| traffic cases |  |  |
| defining | JTR | 1.04 |
| setting for a particular time when no |  |  |
| traffic division alone shall try, when | JTR | 3.01 (b) |
| traffic session alone shall try, when | JTR | 3.01 (c) |
| traffic violations bureau |  |  |
| granting authority to | JTR | 2.06(b) |
| supervising establishment | JTR | 2.06(a) |


| IV. Justice Court Traffic Rules (JTR)-cont. |  |  |
| :---: | :---: | :---: |
| transfer of certain documents | JTR | 2.06(c) |
| trial for traffic cases | JTR | 3.01(a) |
| warrant, nonexecution, effect, issued for |  |  |
| Criminal rules, adoption by reference | JTR | 3.03 |
| Defendants adjournment of hearing, defendant held until release on bail | JTR | 3.01 (e) |
| appearance, failure, written promise to appear | JTR | 2.05 |
| arrest |  |  |
| complaint and citation, service | JTR | 2.02 |
| defendant taken before judge or officer | JTR | 2.02 |
| failure to obey citation | JTR | 2.05(a) |
| nonresident, failure to appear, issuing warrant | JTR | 2.06(b) |
| without warrant, procedure followed | JTR | 2.03(b) |
| bail |  |  |
| ```adjournment of hearing, defendant held until release on bail . . . . . . . . . . . . cash``` | adjournment of hearing, defendant held | 3.01 (e) |
| depositing | JTR | 2.03(d) |
| receipt for payment | JTR | 2.03(e) |
| citation, reverse side to contain informa- <br> tion ................................... JTR 2.01 |  |  |
| failure to deposit upon arrest by warrant | JTR | 2.03(c) |
| forfeiture |  |  |
| payment of fine, considered as traffic violations bureau, authority | JTR | 2.06(b) |
| accept | JTR | 2.06(b) |
| treated as conviction by director of motor vehicles, notice | JTR | 2.06(b) |
| posting upon arrest |  |  |
| by warrant | JTR | 2.02, |
|  | JTR | 2.03(c) |
| without warrant | JTR | 2.03 |
| release upon deposit, defendant | JTR | 2.03(e) |
| traffic violations bureau, consequences of |  |  |
| citation, amendment | JTR | 3.04 |
| citation, failure to obey arrest | JTR | 2.05(a) |
| failure |  |  |
| to appear after written promise to do so, 2.05 |  |  |
| to obey citation, eff ect | JTR | 2.05 |
| promise to appear to answer charges |  |  |
| failure, eff ect | JTR | 2.05(a) |
| release from custody | JTR | 2.02 |
| Definitions (See also rule JAR 3) |  |  |
| "motor vehicles", referenced to Title 46 |  |  |
| RCW | JTR | 1.04 |
| "nonmoving traffic offense" | JTR | 1.04 |
| "traffic case" | JTR | 1.04 |
| "traffic offense ${ }^{\text {n }}$ | JTR | 1.04 |
| Director of motor vehicles court abstract, reverse side to inform of disposition of complaint | JTR | 2.01 |
| forfeiture of bail to be treated as conviction, notice | JTR | 2.06(b) |
| traffic violations bureau to transfer documents to | JTR | 2.06(c) |
| Dockets (See also rule JAR 6) complaints, front and reverse side to constitute | JTR | 2.01 |
| Effective date of rules | JTR | 10.02 |
| Electronic data processing equipment | JTR | 2.01 |
| Execution, nonexecution of warrant of arrest | JTR | 2.05(a) |
| Filing bail schedules, copies | JTR | 2.03(a) |
| Fine |  |  |
| bail forfeiture considered payment | JTR | 2.06(b) |
| disposal of traffic cases ........ | JTR | 2.04(b) |
| Forfeiture, bail conviction, treated as by director of motor vehicles | JTR | 2.06(b) |


| IV. Justice Court Traffic Rules (JTR) cont. |  |  |
| :---: | :---: | :---: |
| fine, payment of considered as | JTR | 2.06(b) |
| traffic violations bureau, authority to accept | JTR | 2.06(b) |
| Former acquittal or conviction, procedure on plea of (See JCrR 4.03) |  |  |
| Judges |  |  |
| defendant brought before | JTR | 2.02 |
| traffic violations bureau, creation by | JTR | 2.06(a) |
| Misdemeanor, nonresident failing to appear | JTR | 2.05(b) |
| "Nonmoving traffic offense ${ }^{\text {, }}$ defined | JTR | 1.04 |
| Not guilty, procedure on plea of (See JCrR 4.03) |  |  |
| Notices |  |  |
| bail |  |  |
| forfeiture, consequences of, traffic viola-tions bureau . . . . . . . . . . . . . . . . . . . JTR |  |  |
|  | JTR | 2.06(b) |
| nonresident failing to appear, request for appearance and informing of penalty trial date, issuing notice, traffic violations | JTR | 2.05(b) |
| bureau | JTR | 2.06(b) |
| Objection to complaint or process to be made before trialJTR |  |  |
| Officers |  |  |
| chief of traffic enforcement agency, duties | JTR | 2.04(d) |
| complaint and citation |  |  |
| certificate to accompany | JTR | 2.01 |
| deposit of | JTR | 2.04(a) |
| record of disposition to be kept | JTR | 2.04(d) |
| report, reverse side of traffic record may contain | JTR | 2.01 |
| spoiled or not issued, duty concerning | JTR | 2.04(d) |
| Orders |  |  |
| bail schedule, establishing | JTR | 2.03(a) |
| traffic violations bureau, granting authority to | JTR | 2.06(b) |
|  |  |  |
| complaint (See Complaint) |  |  |
| plea of not guilty, or former acquittal or conviction, procedure (See JCrR 4.03) |  |  |
| Receipts, cash bail, depositing | JTR | 2.03(d) |
| Records |  |  |
| court record abstract, reverse side, contents | JTR | 2.01 |
| police, reverse side may contain report | JTR | 2.01 |
| Release of defendant on promise to appear | JTR | 2.02 |
| Residents, failure to obey citation, effect | JTR | 2.05(a) |
| Rules |  |  |
| criminal rules, applicability of | JTR | 3.03 |
| effective date | JTR | 10.02 |
| local court rules | JTR | 1.03 |
| purpose and construction | JTR | 1.02 |
| reference to as JTR | JTR | 10.01 |
| scope | JTR | 1.01 |
| Service, complaint and citation | JTR | 2.02 |
| Time |  |  |
| complaint and citation, depositing | JTR | 2.04(a) |
| effective date of rules | JTR | 10.02 |
| traffic cases to be set for particular time when no traffic session or division | JTR | 3.01(d) |
| Title |  |  |
| traffic rules for justice court referred to as JTR | traffic rules for justice court referred to as | 10.01 |
| Towns, traffic violations bureau, supervising |  |  |
| "Traffic case" defined | JTR | 1.04 |
| "Traffic offense" defined | JTR | 1.04 |
| Traffic violations bureau |  |  |
| appearance of defendant, failure | JTR | 2.06 |
| authority dependent upon court order | JTR | 2.06(b) |
| bail 2.06 (b) |  |  |
| authority to accept deposit with | JTR | 2.06(b) |
|  | JTR | 2.02, |
|  | JTR | 2.03 |
| [Inde | Part V | -p 53] |

## Index to Part V

## IV. Justice Court Traffic Rules (JTR)-cont.

|  |  | No. |
| :---: | :---: | :---: |
| forfeiture |  |  |
| authority to accept | JTR | 2.06(b) |
| consequence of forfeiture, issuing no- |  |  |
| considered payment of fine | JTR | 2.06(b) |
| treated as a conviction, issuing notice | JTR | 2.06(b) |
| citation |  |  |
| depositing | JTR | 2.04(a) |
| failure to obey, effect | JTR | 2.05 |
| complaint, depositing | JTR | 2.04(a) |
| disposal of traffic cases, proper | JTR | 2.04(b) |
| duties, transfer of certain documents to authorities | JTR | 2.06(c) |
| establishing, procedure | JTR | 2.06(a) |
| trial date, issuing notice | JTR | 2.06(b) |
| Trial |  |  |
| adjournment, defendant may be held until <br> release on bail $\qquad$ JTR <br> 3.01(e) |  |  |
| cases to be set for particular time when no traffic session or division | cases to be set for particular time when no | 3.01(d) |
| continuance when complaint or citation is |  |  |
| date, issuing notice, traffic violations bu- |  |  |
| disposal of traffic cases, proper . . . . . . . . | JTR | 2.04(b) |
| objections as to regularity of complaint or |  |  |
| rules governing traffic cases | JTR | 3.03 |
| traffic division alone shall try traffic cases, when | JTR | 3.01 (b) |
| traffic session alone shall try traffic cases | JTR | 3.01 (c) |
| Warrant (See also Arrest; also Citation) |  |  |
| issuance of warrant | JTR | 2.02 |
| nonresident failing to appear | JTR | 2.05(b) |
| resident failing to appear | JTR | 2.05(a) |
| without warrant | JTR | 2.03(b) |
| nonexecution within thirty days, effect ... | JTR | 2.05(a) |
| regularity, objection to be made before trial | JTR | 3.01 |

## PARALLEL TABLES

(1) Remington's Revised Statutes to Revised Code of Washington.
(2) Session law sections not included in Remington's Revised statutes but included in the Revised Code of Washington: 1854 to 1949 Session Laws; inclusive.
(3) Session law sections commencing with 1950 Extraordinary Session.

These tables include: (1) All sections of Remington's Revised Statutes or parts thereof which have parallel sections in the Revised Code of Washington as originally published, accounting as well for those Remington sections which are omitted from the Revised Code of Washington, and which omitted sections may not be accounted for in tables or notes published in Remington's Revised Statutes, its pocket supplements, and its biennial supplements up to and including that for the year 1949; (2) Session law sections not included in Remington's Revised statutes but included in the Revised Code of Washington: 1854 to 1949 Session Laws, inclusive; and (3) Session law sections commencing with The 1950 Extraordinary Session.

The original parallel tables were prepared in 1951. Since that date the Statute Law Committee has restored the Revised Code of Washington to the sectionalization of the session laws. As a result several of the RCW citations are no longer accurate. If the RCW section cited in the table cannot be found in the text of the Revised Code of Washington, consult the table entitled "Dispositions of former RCW sections" for further inf ormation.

In these tables the following abbreviations are used:


# Remington's Revised Statutes 

## to

Revised Code of Washington

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 2.04.010 | 45.01 .12 | 48.01.120 | 45.05 .15 | 48.05.150 | 45.09.06 | 48.09.060 | 45.11.04 | 48.11.040 |
| 2 | 2.04 .020 | 45.01.13 | 48.01.130 | 45.05 .16 | 48.05.160 | 45.09 .07 | 48.09.070 | 45.11 .05 | 48.11 .050 |
| 3 | Obsolete | 45.01.14 | 48.01.140 | 45.05 .17 | 48.05.170 | 45.09 .08 | 48.09.080 | 45.11 .06 | 48.11 .060 |
| 4 | 2.04.030 | 45.01.15 | 48.01.150 | 45.05.18 | 48.05.180 | 45.09 .09 | 48.09 .090 | 45.11 .07 | 48.11 .070 |
| 5 | 2.04.040 | 45.01.16 | 48.01.160 | 45.05.19 | 48.05.190 | 45.09 .10 | 48.09 .100 | 45.11 .08 | 48.11 .080 |
| 6 | 2.04.050 | 45.01.17 | 48.01.170 | 45.05 .20 | 48.05.200 | 45.09.11 | 48.09.110 | 45.11 .09 | 48.11 .090 |
| 7 | 2.04.060 | 45.02.01 | 48.02.010 | 45.05.21 | 48.05.210 | 45.09.12 | 48.09.120 | 45.11 .10 | 48.11.100 |
| 8 | 2.04.120 |  | 43.13 .010 | 45.05 .22 | 48.05.220 | 45.09.13 | 48.09.130 | 45.11 .11 | 48.11 .110 |
| 9 | 2.04.150 | 45.02.02 | 48.02.020 | 45.05.23 | 48.05.230 | 45.09 .14 | 48.09.140 | 45.11 .12 | 48.11.120 |
| 10 | 2.04.160 | 45.02.03 | 48.02.030 | 45.05.24 | 48.05.240 | 45.09 .15 | 48.09.150 | 45.11.13 | 48.11.130 |
| 11 | 2.04.170 | 45.02.04 | R 1949 | 45.05.25 | 48.05.250 | 45.09.16 | 48.09.160 | 45.11.14 | 48.11 .140 |
| 12 | 2.04.140 |  | c 48 § 4 | 45.05 .27 | 48.05.270 | 45.09.18 | 48.09.180 | 45.11 .17 | 48.11.170 |
| 13 | 2.04.180 |  | but see | 45.05 .28 | 48.05.280 | 45.09 .19 | 48.09.190 | 45.11 .18 | 48.11 .180 |
| 13-1 | 2.04 .190 |  | 43.03 .010 | 45.05 .29 | 48.05.290 | 45.09 .21 | 48.09.210 | 45.12 .01 | 48.12 .010 |
| 13-2 | 2.04.200 | 45.02.05 | 48.02.050 | 45.05 .30 | 48.05.300 | 45.09.22 | 48.09.220 | 45.12 .02 | 48.12 .020 |
| 13-3 | 2.04.210 | 45.02 .06 | 48.02.060 | 45.05.31 | 48.05.310 | 45.09 .23 | 48.09.230 | 45.12 .03 | 48.12.030 |
| 14 | 2.04.220 | 45.02.07 | 48.02.070 | 45.05 .32 | 48.05.320 | 45.09 .24 | 48.09.240 | 45.12 .04 | 48.12 .040 |
| 15 | 2.08.010 | 45.02.08 | 48.02.080 | 45.06.01 | 48.06.010 | 45.09 .25 | 48.09.250 | 45.12 .05 | 48.12 .050 |
| 17 | 2.08.020 | 45.02.09 | 48.02.090 | 45.06.02 | 48.06.020 | 45.09 .26 | 48.09.260 | 45.12 .06 | 48.12.060 |
| 18 | 2.08.030 | 45.02.10 | 48.02.100 | 45.06 .03 | 48.06.030 | 45.09 .27 | 48.09.270 | 45.12 .07 | 48.12 .070 |
| 26 | 2.08.040 | 45.02.11 | 48.02.110 | 45.06.04 | 48.06.040 | 45.09 .28 | 48.09.280 | 45.12 .08 | 48.12.080 |
| 27 | 2.08 .140 | 45.02.12 | 48.02.120 | 45.06.05 | 48.06.050 | 45.09 .29 | 48.09.290 | 45.12 .09 | 48.12 .090 |
| 28 | 2.08 .150 | 45.02.13 | 48.02.130 | 45.06.06 | 48.06.060 | 45.09 .30 | 48.09.300 | 45.12 .10 | 48.12 .100 |
| 29 | 2.08 .160 | 45.02.14 | 48.02.140 | 45.06.07 | 48.06.070 | 45.09.31 | 48.09.310 | 45.12.11 | 48.12.110 |
| 30 | 2.08 .170 | 45.02.15 | 48.02.150 | 45.06.08 | 48.06.080 | 45.09.32 | 48.09.320 | 45.12.12 | 48.12.120 |
| 32 | 2.08.210 | 45.02.16 | 48.02.160 | 45.06.09 | 48.06.090 | 45.09 .33 | 48.09.330 | 45.12 .13 | 48.12.130 |
| 35 | 2.08.220 | 45.02.17 | 48.02.170 | 45.06.10 | 48.06.100 | 45.09 .34 | 48.09.340 | 45.12.14 | 48.12.140 |
| 36 | 2.08.230 | 45.03.01 | 48.03.010 | 45.06.11 | 48.06.110 | 45.09 .35 | 48.09.350 | 45.12 .15 | 48.12 .150 |
| 38 | 2.08.050 | 45.03.02 | 48.03.020 | 45.06.12 | 48.06.120 | 45.09 .36 | 48.09.360 | 45.12 .16 | 48.12 .160 |
| 39 | 2.08.240 | 45.03.03 | 48.03.030 | 45.06.13 | 48.06.130 | 45.10 .01 | 48.10.010 | 45.12 .17 | 48.12 .170 |
| 40 | 2.08 .180 | 45.03.04 | 48.03.040 | 45.06.15 | 48.06.150 | 45.10 .02 | 48.10 .020 | 45.12 .18 | 48.12.180 |
| 41 | 2.08 .190 | 45.03 .05 | 48.03.050 | 45.06.16 | 48.06.160 | 45.10 .03 | 48.10 .030 | 45.12.19 | 48.12 .190 |
| 42 | 2.08.200 | 45.03 .06 | 48.03.060 | 45.06.17 | 48.06.170 | 45.10 .05 | 48.10 .050 | 45.12.20 | 48.12.200 |
| 42-1 | 2.32 .180 | 45.03 .07 | 48.03.070 | 45.06.18 | 48.06.180 | 45.10 .06 | 48.10 .060 | 45.13.01 | 48.13 .010 |
|  | 2.32.190 | 45.03.08 | 48.03.080 | 45.06.19 | 48.06.190 | 45.10 .07 | 48.10 .070 | 45.13 .02 | 48.13 .020 |
| 42-2 | 2.32.200 | 45.04.01 | 48.04.010 | 45.06 .20 | 48.06.200 | 45.10 .08 | 48.10 .080 | 45.13 .03 | 48.13 .030 |
| 42-3 | 2.32.210 | 45.04.02 | 48.04.020 | 45.07.01 | 48.07.010 | 45.10 .09 | 48.10 .090 | 45.13.04 | 48.13 .040 |
| 42-3a | 2.32.220 | 45.04.03 | 48.04.030 | 45.07 .02 | 48.07.020 | 45.10 .10 | 48.10.100 | 45.13 .05 | 48.13 .050 |
| 42-3b | 2.32.230 | 45.04.04 | 48.04.040 | 45.07 .03 | 48.07.030 | 45.10.11 | 48.10.110 | 45.13 .06 | 48.13 .060 |
| 42-4 | 2.32.320 | 45.04 .05 | 48.04.050 | 45.07 .04 | 48.07.040 | 45.10 .12 | 48.10.120 | 45.13 .07 | 48.13 .070 |
| 42-5 | 2.32.240 | 45.04.06 | 48.04.060 | 45.07 .05 | 48.07.050 | 45.10 .13 | 48.10.130 | 45.13 .08 | 48.13 .080 |
| 42-6 | 2.32.250 | 45.04 .07 | 48.04.070 | 45.07 .06 | 48.07.060 | 45.10.14 | 48.10.140 | 45.13 .09 | 48.13 .090 |
| 42-7 | 2.32.260 | 45.04.08 | 48.04.080 | 45.07 .07 | 48.07.070 | 45.10 .15 | 48.10.150 | 45.13 .10 | 48.13 .100 |
| 42-8 | 2.32.270 | 45.04.09 | 48.04.090 | 45.07 .08 | 48.07.080 | 45.10.16 | 48.10 .160 | 45.13 .11 | 48.13 .110 |
| 42-9 | 2.32.280 | 45.04.10 | 48.04.100 | 45.07 .09 | 48.07.090 | 45.10 .17 | 48.10 .170 | 45.13 .12 | 48.13 .120 |
| 42-10 | 2.32.290 | 45.04.11 | 48.04.110 | 45.07.10 | 48.07.100 | 45.10.18 | 48.10 .180 | 45.13.13 | 48.13.130 |
| 42-11 | 2.32.300 | 45.04.12 | 48.04.120 | 45.07.11 | 48.07.110 | 45.10 .19 | 48.10.190 | 45.13 .14 | 48.13 .140 |
| 42-14 | 2.32 .310 | 45.04.13 | 48.04.130 | 45.07.13 | 48.07.130 | 45.10 .20 | 48.10.200 | 45.13.15 | 48.13 .150 |
| 42-15 | Repealer | 45.04.14 | 48.04.140 | 45.07.14 | 48.07.140 | 45.10 .22 | 48.10.220 | 45.13 .16 | 48.13 .160 |
| 43 | 3.20.010 | 45.04.15 | 48.04.150 | 45.07.15 | 48.07.150 | 45.10 .23 | 48.10.230 | 45.13 .17 | 48.13.170 |
| 44 | 3.20 .020 | 45.05.01 | 48.05.010 | 45.08.01 | 48.08.010 | 45.10 .25 | 48.10.250 | 45.13.18 | 48.13 .180 |
| 45 | 3.20.030 | 45.05.03 | 48.05.030 | 45.08.02 | 48.08.020 | 45.10 .26 | 48.10.260 | 45.13 .19 | 48.13 .190 |
| 45.01 .01 | 48.01 .010 | 45.05.04 | 48.05.040 | 45.08.03 | 48.08.030 | 45.10 .27 | 48.10.270 | 45.13 .20 | 48.13 .200 |
| 45.01 .02 | 48.01 .020 | 45.05 .05 | 48.05.050 | 45.08.04 | 48.08.040 | 45.10 .28 | 48.10.280 | 45.13.21 | 48.13 .210 |
| 45.01 .03 | 48.01.030 | 45.05 .06 | 48.05.060 | 45.08.05 | 48.08.050 | 45.10 .29 | 48.10 .290 | 45.13.22 | 48.13 .220 |
| 45.01 .04 | 48.01 .040 | 45.05 .07 | 48.05.070 | 45.08.06 | 48.08.060 | 45.10 .30 | 48.10.300 | 45.13.23 | 48.13 .230 |
| 45.01 .05 | 48.01 .050 | 45.05.08 | 48.05.080 | 45.08 .07 | 48.08.070 | 45.10 .31 | 48.10 .310 | 45.13 .24 | 48.13 .240 |
| 45.01 .06 | 48.01 .060 | 45.05 .09 | 48.05.090 | 45.08 .08 | 48.08.080 | 45.10 .32 | 48.10 .320 | 45.13 .25 | 48.13.250 |
| 45.01 .07 | 48.01 .070 | 45.05 .10 | 48.05.100 | 45.09.01 | 48.09.010 | 45.10 .33 | 48.10 .330 | 45.13 .26 | 48.13 .260 |
| 45.01 .08 | 48.01 .080 | 45.05.11 | 48.05.110 | 45.09 .02 | 48.09.020 | 45.10 .34 | 48.10.340 | 45.13 .27 | 48.13.270 |
| 45.01 .09 | 48.01 .090 | 45.05.12 | 48.05.120 | 45.09 .03 | 48.09.030 | 45.11 .01 | 48.11.010 | 45.13 .28 | 48.13.280 |
| 45.01 .10 | 48.01.100 | 45.05.13 | 48.05.130 | 45.09.04 | 48.09.040 | 45.11 .02 | 48.11 .020 | 45.13 .29 | 48.13 .290 |
| 45.01.11 | 48.01.110 | 45.05.14 | 48.05.140 | 45.09.05 | 48.09.050 | 45.11 .03 | 48.11.030 | 45.13 .34 | 48.13 .340 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | $\begin{gathered} \text { Rem. } \\ \text { Rev. Stats. } \end{gathered}$ | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 45.13 .35 | 48.13 .350 | 45.17 .50 | 48.17.500 | 45.19 .30 | 48.19.300 | 45.24 .10 | 48.24.100 | 45.30 .25 | 48.30 .250 |
| 45.13 .36 | 48.13 .360 | 45.17.51 | 48.17.510 | 45.19.31 | 48.19.310 | 45.24.11 | 48.24.110 | 45.31 .01 | 48.31 .010 |
| 45.14 .01 | 48.14.010 | 45.17.52 | 48.17.520 | 45.19.32 | 48.19.320 | 45.24.12 | 48.24.120 | 45.31 .02 | 48.31 .020 |
| 45.14 .02 | 48.14 .020 | 45.17.53 | 48.17.530 | 45.19 .33 | 48.19.330 | 45.24.13 | 48.24.130 | 45.31.03 | 48.31 .030 |
| 45.14 .03 | 48.14.030 | 45.17.54 | 48.17.540 | 45.19 .34 | 48.19 .340 | 45.24.14 | 48.24.140 | 45.31 .04 | 48.31 .040 |
| 45.14.04 | 48.14.040 | 45.17.55 | 48.17.550 | 45.19 .35 | 48.19 .350 | 45.24 .15 | 48.24.150 | 45.31 .05 | 48.31 .050 |
| 45.14 .05 | 48.14.050 | 45.17.56 | 48.17.560 | 45.19 .36 | 48.19 .360 | 45.24.16 | 48.24 .160 | 45.31 .06 | 48.31 .060 |
| 45.14 .06 | 48.14.060 | 45.17.57 | 48.17.570 | 45.19.37 | 48.19 .370 | 45.24 .17 | 48.24 .170 | 45.31 .07 | 48.31 .070 |
| 45.14 .07 | 48.14.070 | 45.17.58 | 48.17.580 | 45.19.38 | 48.19 .380 | 45.24 .18 | 48.24.180 | 45.31.08 | 48.31 .080 |
| 45.14 .08 | 48.14 .080 | 45.18.01 | 48.18.010 | 45.19.39 | 48.19 .390 | 45.24 .19 | 48.24.190 | 45.31 .09 | 48.31 .090 |
| 45.15 .02 | 48.15.020 | 45.18.02 | 48.18.020 | 45.19 .40 | 48.19 .400 | 45.24 .20 | 48.24.200 | 45.31 .10 | 48.31 .100 |
| 45.15 .03 | 48.15 .030 | 45.18 .03 | 48.18.030 | 45.19.41 | 48.19 .410 | 45.24 .21 | 48.24.210 | 45.31.11 | 48.31 .110 |
| 45.15 .04 | 48.15.040 | 45.18.04 | 48.18.040 | 45.19.42 | 48.19.420 | 45.24.24 | 48.24.240 | 45.31 .12 | 48.31 .120 |
| 45.15 .05 | 48.15 .050 | 45.18 .05 | 48.18.050 | 45.19 .43 | 48.19.430 | 45.24 .26 | 48.24.260 | 45.31.13 | 48.31 .130 |
| 45.15 .06 | 48.15.060 | 45.18.06 | 48.18.060 | 45.20.01- | R 1951 | 45.25.01 | 48.25.010 | 45.31.14 | 48.31 .140 |
| 45.15 .07 | 48.15 .070 | 45.18.07 | 48.18.070 | 45.20 .33 | c 229 § 34 | 45.25 .02 | 48.25 .020 | 45.31 .15 | 48.31 .150 |
| 45.15 .08 | 48.15 .080 | 45.18.08 | 48.18.080 |  | but see | 45.25 .03 | 48.25 .030 | 45.31 .16 | 48.31 .160 |
| 45.15 .09 | 48.15 .090 | 45.18.09 | 48.18.090 |  | Ch. 48.20 | 45.25 .04 | 48.25 .040 | 45.31 .17 | 48.31 .170 |
| 45.15 .10 | 48.15.100 | 45.18 .10 | 48.18 .100 | 45.20 .34 | 48.20.340 | 45.25 .05 | 48.25.050 | 45.31 .18 | 48.31 .180 |
| 45.15.11 | 48.15 .110 | 45.18.11 | 48.18 .110 | 45.20 .35 | 48.20.350 | 45.25 .06 | 48.25 .060 | 45.31 .19 | 48.31 .190 |
| 45.15 .12 | 48.15.120 | 45.18.12 | 48.18.120 | 45.20 .36 | 48.20.360 | 45.25 .07 | 48.25 .070 | 45.31 .20 | 48.31 .200 |
| 45.15 .13 | 48.15 .130 | 45.18 .13 | 48.18.130 | 45.20 .37 | R 1951 | 45.25 .08 | 48.25 .080 | 45.31 .21 | 48.31 .210 |
| 45.15 .14 | 48.15.140 | 45.18.14 | 48.18.140 |  | c 229 § 34 | 45.25 .09 | 48.25 .090 | 45.31 .22 | 48.31 .220 |
| 45.15 .15 | 48.15 .150 | 45.18 .15 | 48.18.150 |  | but see | 45.25 .10 | 48.25.100 | 45.31 .23 | 48.31 .230 |
| 45.15 .16 | 48.15 .160 | 45.18 .16 | 48.18.160 |  | 48.20.122 | 45.25 .11 | 48.25 .110 | 45.31 .24 | 48.31 .240 |
| 45.15 .17 | 48.15 .170 | 45.18 .17 | 48.18 .170 | 45.20 .38 | 48.20.380 | 45.25.12 | 48.25.120 | 45.31 .25 | 48.31 .250 |
| 45.16.01 | 48.16.010 | 45.18 .18 | 48.18.180 | 45.21.01 | 48.21.010 | 45.25.13 | 48.25.130 | 45.31 .26 | 48.31 .260 |
| 45.16 .02 | 48.16.020 | 45.18.19 | 48.18.190 | 45.21 .02 | 48.21 .020 | 45.25.14 | 48.25.140 | 45.31 .27 | 48.31 .270 |
| 45.16.03 | 48.16.030 | 45.18.20 | 48.18.200 | 45.21 .03 | 48.21 .030 | 45.25 .15 | 48.25.150 | 45.31 .28 | 48.31 .280 |
| 45.16.05 | 48.16.050 | 45.18.21 | 48.18.210 | 45.21 .04 | 48.21.040 | 45.25 .16 | 48.25.160 | 45.31 .29 | 48.31 .290 |
| 45.16 .06 | 48.16.060 | 45.18 .23 | 48.18.230 | 45.21 .05 | 48.21.050 | 45.25 .17 | 48.25 .170 | 45.31 .30 | 48.31 .300 |
| 45.16 .07 | 48.16.070 | 45.18.24 | 48.18.240 | 45.21.06 | 48.21 .060 | 45.25 .18 | 48.25.180 | 45.31 .31 | 48.31 .310 |
| 45.16.08 | 48.16.080 | 45.18.25 | 48.18.250 | 45.21 .07 | 48.21 .070 | 45.25.19 | 48.25.190 | 45.31 .32 | 48.31 .320 |
| 45.16.09 | 48.16.090 | 45.18 .26 | 48.18.260 | 45.21 .08 | 48.21 .080 | 45.25 .20 | 48.25.200 | 45.31 .33 | 48.31 .330 |
| 45.16 .10 | 48.16.100 | 45.18 .28 | 48.18.280 | 45.21.09 | 48.21 .090 | 45.25 .21 | 48.25 .210 | 45.31 .34 | 48.31 .340 |
| 45.16.11 | 48.16.110 | 45.18.29 | 48.18.290 | 45.21 .10 | 48.21.100 | 45.25 .22 | 48.25 .220 | 45.31 .35 | 48.31 .350 |
| 45.16.12 | 48.16.120 | 45.18 .30 | 48.18.300 | 45.21.11 | 48.21.110 | 45.25 .23 | 48.25.230 | 45.31 .36 | 48.31.360 |
| 45.16.13 | 48.16.130 | 45.18.31 | 48.18 .310 | 45.21.12 | 48.21.120 | 45.27 .01 | 48.27.010 | 45.32.01 | 48.36.010 |
| 45.17.01 | 48.17.010 | 45.18 .32 | 48.18.320 | 45.22 .02 | 48.22.020 | 45.27 .02 | 48.27.020 | 45.32 .02 | 48.36.020 |
| 45.17 .02 | 48.17.020 | 45.18.34 | 48.18.340 | 45.23.01 | 48.23.010 | 45.28 .01 | 48.28 .010 | 45.32 .03 | 48.36.030 |
| 45.17 .03 | 48.17 .030 | 45.18.35 | 48.18.350 | 45.23 .02 | 48.23 .020 | 45.28 .02 | 48.28.020 | 45.32 .04 | 48.36.040 |
| 45.17.04 | 48.17 .040 | 45.18 .36 | 48.18.360 | 45.23.03 | 48.23.030 | 45.28 .03 | 48.28.030 | 45.32 .05 | 48.36.050 |
| 45.17 .05 | 48.17 .050 | 45.18 .37 | 48.18.370 | 45.23.04 | 48.23.040 | 45.28 .04 | 48.28.040 | 45.32.06 | 48.36.060 |
| 45.17 .06 | 48.17 .060 | 45.18 .38 | 48.18.380 | 45.23.05 | 48.23.050 | 45.28.05 | 48.28.050 | 45.32 .07 | 48.36.070 |
| 45.17 .07 | 48.17.070 | 45.18 .39 | 48.18.390 | 45.23 .06 | 48.23 .060 | 45.29 .01 | 48.29 .010 | 45.32 .08 | 48.36.080 |
| 45.17.08 | 48.17.080 | 45.18 .40 | 48.18.400 | 45.23 .07 | 48.23.070 | 45.29 .02 | 48.29.020 | 45.32.09 | 48.36.090 |
| 45.17.09 | 48.17 .090 | 45.18 .41 | 48.18 .410 | 45.23 .08 | 48.23 .080 | 45.29 .03 | 48.29 .030 | 45.32 .10 | 48.36.100 |
| 45.17 .10 | 48.17 .100 | 45.18 .42 | 48.18.420 | 45.23.09 | 48.23 .090 | 45.29 .04 | 48.29 .040 | 45.3..11 | 48.36.110 |
| 45.17.11 | 48.17 .110 | 45.18 .43 | 48.18.430 | 45.23 .10 | 48.23.100 | 45.29 .05 | 48.29 .050 | 45.32 .12 | 48.36.120 |
| 45.17 .12 | 48.17.120 | 45.18 .44 | 48.18.440 | 45.23.11 | 48.23 .110 | 45.29 .06 | 48.29 .060 | 45.32 .13 | 48.36 .130 |
| 45.17 .13 | 48.17 .130 | 45.18 .46 | 48.18.460 | 45.23.12 | 48.23 .120 | 45.29 .07 | 48.29 .070 | 45.32.14 | 48.36.140 |
| 45.17 .14 | 48.17.140 | 45.18 .47 | 48.18.470 | 45.23.13 | 48.23 .130 | 45.29 .08 | 48.29 .080 | 45.32 .15 | 48.36 .150 |
| 45.17 .15 | 48.17.150 | 45.18.48 | 48.18 .480 | 45.23.14 | 48.23.140 | 45.29 .09 | 48.29.090 | 45.32 .16 | 48.36.160 |
| 45.17 .16 | 48.17.160 | 45.18 .51 | 48.18.510 | 45.23.15 | 48.23.150 | 45.29 .10 | 48.29 .100 | 45.32 .17 | 48.36.170 |
| 45.17 .17 | 48.17.170 | 45.18 .52 | 48.18.520 | 45.23 .16 | 48.23.160 | 45.29.11 | 48.29.110 | 45.32 .18 | 48.36.180 |
| 45.17 .18 | 48.17.180 | 45.19 .01 | 48.19.010 | 45.23.17 | 48.23 .170 | 45.29 .12 | 48.29 .120 | 45.32 .19 | 48.36.190 |
| 45.17.19 | 48.17.190 | 45.19.02 | 48.19.020 | 45.23 .18 | 48.23 .180 | 45.29 .13 | 48.29 .130 | 45.32 .20 | 48.36.200 |
| 45.17 .20 | 48.17.200 | 45.19 .03 | 48.19.030 | 45.23.19 | 48.23.190 | 45.29.14 | 48.29.140 | 45.32.21 | 48.36.210 |
| 45.17 .21 | 48.17.210 | 45.19 .04 | 48.19 .040 | 45.23 .20 | 48.23 .200 | 45.29 .15 | 48.29 .150 | 45.32 .22 | 48.36.220 |
| 45.17 .23 | 48.17.230 | 45.19 .05 | 48.19 .050 | 45.23.21 | 48.23.210 | 45.30.01 | 48.30.010 | 45.32 .23 | 48.36.230 |
| 45.17 .24 | 48.17.240 | 45.19 .06 | 48.19.060 | 45.23.22 | 48.23.220 | 45.30 .02 | 48.30.020 | 45.32 .24 | 48.36.240 |
| 45.17 .25 | 48.17 .250 | 45.19 .07 | 48.19 .070 | 45.23.23 | 48.23 .230 | 45.30.03 | 48.30 .030 | 45.32.25 | 48.36.250 |
| 45.17 .26 | 48.17.260 | 45.19 .08 | 48.19.080 | 45.23.24 | 48.23 .240 | 45.30 .04 | 48.30.040 | 45.32.26 | 48.36.260 |
| 45.17 .27 | 48.17.270 | 45.19 .09 | 48.19.090 | 45.23.25 | 48.23.250 | 45.30 .05 | 48.30.050 | 45.32.27 | 48.36.270 |
| 45.17.28 | 48.17.280 | 45.19 .10 | 48.19 .100 | 45.23 .26 | 48.23.260 | 45.30 .06 | 48.30.060 | 45.32.28 | 48.36.280 |
| 45.17 .29 | 48.17.290 | 45.19 .11 | 48.19 .110 | 45.23 .27 | 48.23.270 | 45.30 .07 | 48.30.070 | 45.32.29 | 48.36.290 |
| 45.17 .30 | 48.17.300 | 45.19.12 | 48.19 .120 | 45.23.29 | 48.23 .290 | 45.30 .08 | 48.30.080 | 45.32.30 | 48.36.300 |
| 45.17 .31 | 48.17.310 | 45.19 .14 | 48.19 .140 | 45.23 .30 | 48.23 .300 | 45.30 .09 | 48.30.090 | 45.32.31 | 48.36.310 |
| 45.17 .32 | 48.17.320 | 45.19 .15 | 48.19 .150 | 45.23.31 | 48.23 .310 | 45.30 .10 | 48.30.100 | 45.32.32 | 48.36.320 |
| 45.17 .33 | 48.17.330 | 45.19 .16 | 48.19.160 | 45.23.32 | 48.23 .320 | 45.30 .11 | 48.30 .110 | 45.32.33 | 48.36.330 |
| 45.17 .34 | 48.17.340 | 45.19.17 | 48.19.170 | 45.23.33 | 48.23.330 | 45.30 .12 | 48.30.120 | 45.32.34 | 48.36.340 |
| 45.17 .38 | 48.17.380 | 45.19.18 | 48.19.180 | 45.23.34 | 48.23 .340 | 45.30 .13 | 48.30.130 | 45.32 .35 | 48.36.350 |
| 45.17 .39 | 48.17 .390 | 45.19.19 | 48.19.190 | 45.23.35 | 48.23 .350 | 45.30 .14 | 48.30.140 | 45.32.36 | 48.36.360 |
| 45.17 .40 | 48.17.400 | 45.19 .20 | 48.19.200 | 45.23 .36 | 48.23.360 | 45.30.15 | 48.30 .150 | 45.32.37 | 48.36.370 |
| 45.17 .41 | 48.17.410 | 45.19.21 | 48.19.210 | 45.24.01 | 48.24.010 | 45.30 .16 | 48.30.160 | 45.32.38 | 48.36.380 |
| 45.17 .42 | 48.17 .420 | 45.19 .22 | 48.19.220 | 45.24 .02 | 48.24 .020 | 45.30 .17 | 48.30.170 | 45.32.39 | 48.36.390 |
| 45.17 .43 | 48.17.430 | 45.19 .23 | 48.19.230 | 45.24 .03 | 48.24 .030 | 45.30 .18 | 48.30.180 | 45.32.40 | 48.36.400 |
| 45.17 .44 | 48.17.440 | 45.19 .24 | 48.19.240 | 45.24 .04 | 48.24 .040 | 45.30 .19 | 48.30 .190 | 45.32 .41 | 48.36.410 |
| 45.17 .45 | 48.17.450 | 45.19 .25 | 48.19.250 | 45.24.05 | 48.24 .050 | 45.30.20 | 48.30.200 | 45.32.42 | 48.36.420 |
| 45.17 .46 | 48.17.460 | 45.19.26 | 48.19.260 | 45.24.06 | 48.24.060 | 45.30.21 | 48.30.210 | 45.33.01 | 48.48.010 |
| 45.17 .47 | 48.17.470 | 45.19.27 | 48.19.270 | 45.24 .07 | 48.24 .070 | 45.30.22 | 48.30.220 | 45.33.02 | 48.48.020 |
| 45.17 .48 | 48.17.480 | 45.19.28 | 48.19.280 | 45.24.08 | 48.24 .080 | 45.30.23 | 48.30 .230 | 45.33.03 | 48.48.030 |
| 45.17 .49 | 48.17.490 | 45.19.29 | 48.19.290 | 45.24.09 | 48.24 .090 | 45.30.24 | 48.30.240 | 45.33.04 | 48.48.040 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 45.33 .05 | 48.48.050 | 138 | 60.40.030 | 162 | 4.16 .090 | 240 | R 1929 c 10 | 308-1 | Court Rules |
| 45.33 .06 | 48.48.060 | 138-1 | Short t. | 163 | 4.16 .140 | 241 | R 4.28.210 | 308-2 | Court Rules |
| 45.33 .07 | 48.48.070 |  | n2.48.010 | 164 | 4.16 .120 | 242 | 4.28 .220 | 308-4 | Court Rules |
| 45.33 .08 | 48.48.080 | 138-2 | n2.48.010 | 165 | 4.16.130 | 243 | 4.28.320 | 308-5 | Court Rules |
| 45.33 .09 | 48.48.090 | 138-3 | 2.48 .020 | 166 | 4.16.150 | 244 | 4.28 .230 | 308-6 | Court Rules |
| 45.33 .10 | 48.48.100 | 138-4 | 2.48 .020 | 167 | 4.16.160 | 245 | 4.28 .240 | 308-7 | Court Rules |
| 45.33.11 | 48.48.110 | 138-5 | 2.48 .030 |  | 4.16 .170 | 246 | 4.28 .250 | 308-8 | Court Rules |
| 45.33.12 | 48.48.120 | 138-6 | 2.48.040 | 167-1 | 81.28 .270 | 247 | 4.28.260 | 308-9 | Court Rules |
| 45.33.13 | 48.48.130 | 138-7 | 2.48.050 | 168 | 4.16 .180 | 248 | 4.28 .270 | 308-10 | Court Rules |
| 46 | 3.20 .040 | 138-7A | 2.48 .070 | 169 | 4.16 .190 | 249 | 4.28 .280 | 308-11 | Court Rules |
| 47 | 3.20.050 | 138-7B | 2.48.080 | 170 | 4.16.200 | 250 | 4.32.250 | 308-12 | Court Rules |
| 48 | 3.04 .090 | 138-7C | 2.48 .090 | 171 | 4.16.210 | 251 | 4.28.290 | 308-13 | Court Rules |
| 49 | 3.04.150 | 138-7D | 2.48 .100 |  | 4.16.220 | 252 | 1.12.040 | 309 | 4.40.010 |
| 50 | 2.20.010 | 138-7E | 2.48 .110 | 172 | 4.16 .230 | 253 | 65.16.010 | 310 | 4.40 .020 |
| 51 | 2.20 .020 | 138-7F | 2.48 .120 | 173 | 4.16.240 | 253a | 65.16.040 | 311 | 4.40 .030 |
| 52 | 2.28.010 | 138-8 | 2.48 .060 | 174 | 4.16.250 | 253b | 65.16.050 |  | 4.40 .040 |
| 53 | 2.28 .020 | 138-9 | 2.48 .130 | 175 | 4.16.260 | 253-1 | 65.16.020 | 312 | 4.44 .010 |
| 54 | 2.28.030 | 138-10 | 2.48 .140 | 176 | 4.16 .280 | 253-2 | 65.16.030 | 313 | 4.40 .050 |
| 55 | 2.28.040 | 138-11 | 2.48 .150 | 177 | 4.16.270 | 253-3 | 65.16.080 | 314 | 4.40.060 |
| 56 | 2.28.050 | 138-12 | 2.48 .160 | 178 | 4.16.290 | 253-4 | 65.16.090 | 315 | 4.40.070 |
| 57 | 2.28.060 | 138-13 | 2.48 .170 | 179 | 4.08.010 | 253-5 | 65.16.060 | 316 | 4.44 .100 |
| 58 | 2.28.070 | 138-14 | 2.48 .180 | 180 | 4.08.020 | 253-5a | 65.16.070 | 317 | 4.44.110 |
| 59 | 2.28.080 | 138-15 | Obsolete | 181 | 4.08.030 | 253-6 | 65.16.100 | 319 | 4.44 .020 |
| 60 | 2.28 .090 | 138-16 | Repealer | 182 | 4.08 .040 | 253-7 | 65.16.110 | 320 | 4.44 .030 |
| 61 | 1.16.050 | 138-17 | Sev. | 183 | 4.20 .010 | 253-8 | Temporary | 321 | 4.32 .260 |
| 64 | 2.28 .100 |  | n2.48.010 | 183-1 | 4.20 .020 | 254 | 4.28.300 | 322 | 4.44 .040 |
| 65 | 2.28 .110 | 139-4 | 2.48 .190 | 183-2 | 4.20 .010 | 254-1 | Temporary | 323 | 4.44 .120 |
| 66 | 2.28.120 | 139-5 | 2.48.200 | 183-3 | 4.20 .030 | 254-2 | Temporary | 324 | 4.44 .130 |
| 67 | 2.28 .130 | 139-12 | 2.48 .210 | 184 | 4.24 .010 | 254-3 | Temporary | 325 | 4.44.140 |
| 68 | 2.28 .140 | 139-14 | 2.48.220 | 185 | 4.24.020 | 255 | 4.32 .010 | 326 | 4.44 .150 |
| 69 | 2.28 .150 | 139-15 | 2.48 .230 | 186 | 4.24 .030 | 256 | 4.32.020 | 327 | 4.44.160 |
| 70 | 36.16.050 | 139-23 | Obsolete | 187 | 4.08.050 | 257 | 4.32.030 | 329 | 4.44 .170 |
| 71 | 36.16.050 | 143 | 1.12 .030 | 188 | 4.08.060 | 258 | 4.32 .040 | 330 | 4.44 .180 |
|  | 36.16.060 |  | 4.04.010 | 190 | 4.08.070 | 259 | 4.32.050 | 331 | 4.44 .190 |
| 72 | 36.23.020 | 144 | 1.12.010 | 191 | 4.08.080 | 260 | 4.32.060 | 332 | 4.44 .200 |
| 73 | 36.16.090 | 145 | 1.12.020 | 192 | 4.08.090 | 261 | 4.32 .070 | 333 | 4.44 .210 |
| 75 | 36.23.030 | 146 | 1.16.080 | 193 | 4.20.050 | 262 | 4.32 .160 | 334 | 4.44 .220 |
| 76 | 36.23.040 | 147 | 42.04 .010 | 194 | 4.20 .060 | 263 | 4.32.190 | 335 | 4.44 .230 |
| 77 | 2.32.050 | 148 | 1.12 .050 | 195 | 4.08 .100 | 264 | 4.32.080 | 336 | 4.44.240 |
|  | 36.23.010 | 149 | 1.16.060 | 196 | 4.08 .130 | 265 | 4.32 .100 | 337 | 4.44 .250 |
| 78 | 2.32.040 | 150 | 1.12.040 | 197 | 4.08.140 | 266 | 4.32.110 | 338 | 4.44.260 |
|  | 36.16.070 | 152-23 | Obsolete | 198 | 4.08.150 | 267 | 4.32.120 | 341 | 4.44 .070 |
| 81 | 2.32 .090 | 152-24 | Obsolete | 199 | 4.08 .160 | 268 | 4.32.130 | 342 | 4.44.080 |
|  | 36.23.060 | 152-25 | Obsolete | 200 | 4.08 .170 | 269 | 4.56.050 | 343 | 4.44 .090 |
| 81-1 | 36.23.070 | 152-26 | Obsolete | 201 | 4.08 .180 | 270 | 4.32.140 | 344 | 4.44.270 |
| 82 | 2.24 .060 | 152-27 | Obsolete | 202 | 4.08 .190 | 271 | 4.32.150 | 345 | 4.44.280 |
| 83 | 2.24 .010 | 152-28 | Obsolete | 203 | 4.08 .200 | 271 1/2 | 4.56.060 | 347 | 4.44.290 |
| 85 | 2.24.040 | 152-29 | Obsolete | 204 | 4.12.010 | 272 | 4.56.070 | 348 | 5.60.010 |
| 86 | 2.24.050 | 152-31 | Obsolete | 205 | 4.12.020 | 273 | 4.32.090 | 349 | 4.44.300 |
| 87 | 2.24.030 | 152-32 | Obsolete | 205-1 | Court Rules | 274 | 4.32.180 | 350 | 4.44.310 |
| 88 | 2.24 .020 | 152-33 | Obsolete | 205-2 | Court Rules | 275 | 4.32.170 | 352 | 4.44 .320 |
| 89 | 2.36 .010 | 152-34 | Obsolete | 208 | Court Rules | 276 | 4.32.200 | 353 | 4.44 .330 |
| 90 | 2.36.020 | 152-35 | Obsolete | 209 | 4.12 .030 | 277 | 4.32 .210 | 354 | 4.44.340 |
| 91 | 2.36.030 | 152-36 | R 1951 | 209-1 | 4.12.040 | 278 | 4.56 .180 | 355 | 4.44.350 |
| 92 | 2.36 .050 |  | c 157 § 19 | 209-2 | 4.12 .050 | 279 | 4.32.220 | 356 | 4.44.360 |
| 93 | 2.36 .160 | 152-37 | R 1951 | 210 | 4.12.060 | 280 | 4.32 .230 | 357 | 4.44 .370 |
| 94 | 2.36.070 |  | c $157 \S 19$ | 211 | 4.12.070 | 281 | 4.36.010 | 358 | 4.44 .380 |
| 95 | 2.36.080 | 152-38 | 1.08.040 | 215 | 4.12 .090 | 282 | 4.36.030 | 359 | 4.44 .390 |
| 96 | 2.36.060 | 152-39 | 1.08.050 | 216 | 4.12 .080 | 283 | 5.40.010 | 360 | 4.44.400 |
| 97 | 2.36 .090 | 152-40 | 1.08.050 | 217 | 4.12 .110 | 284 | 4.36.040 | 361 | 4.44.460 |
| 97-1 | 2.36.110 | $R$-_see | 1.08.020 | 218 | 4.12 .120 | 285 | 4.36.050 | 362 | 4.44.410 |
| 98 | 2.36.040 | footnote to |  | 219 | 4.12 .100 | 286 | 4.36.060 | 363 | 4.44.420 |
| 99 | 2.36.130 | 1951 c 157 |  | 220 | 4.28 .010 | 287 | 4.36.070 | 364 | 4.44.430 |
| 100 | 2.36.100 | § 19 |  | 221 | 4.28 .030 | 288 | 4.36.080 | 365 | 4.44 .440 |
| 101 | 2.36.140 | 152-40a | $\begin{array}{cc}R & 1951\end{array}$ | 222 | 4.28 .040 | 289 | 4.36 .090 | 366 | 4.44.450 |
| 112 | 43.10.030 |  | c 157 § 19 | 223 | 4.28 .050 | 290 | 4.36 .100 | 367 | 4.44.050 |
| 112-1 | 43.10.090 | 152-41 | R 1951 | 224 | 4.28 .060 | 291 | 4.36.110 | 368 | 4.44.060 |
| 113 | Superf. |  | c 157 § 19 | 225 | 4.28 .070 | 292 | 4.36.120 | 369 | 4.44 .100 |
| 114 | 36.27 .030 | 152-42 | Temporary | 226 | 4.28 .080 | 293 | 4.36 .130 |  | 4.48 .010 |
| 115 | 36.27 .040 | 152-43 | Temporary | 227 | 4.28 .090 | 294 | 4.24 .120 | 370 | 4.48.020 |
| 115-1 | $\begin{array}{lllllllll}R & 1941 & \text { c } & 23\end{array}$ | 152-44 | Temporary | 228 | 4.28 .100 | 295 | 4.36 .140 | 371 | 4.48 .030 |
| 115-2 | $\begin{array}{llllll}R & 1941 & \text { c } 23\end{array}$ | 152-45 | Approp. | 228-1 | Obsolete | 296 | 4.36.150 | 372 | 4.48.040 |
| 115-3 | $\begin{array}{lllll}R \\ R & 1941 & \text { c } 23\end{array}$ | 153 | 4.04 .020 | 229 | 4.28 .130 | 297 | 4.36.160 | 373 | 4.48 .050 |
| 115-4 | R 1941 c 23 | 154 | 4.04 .030 | 230 | 4.28 .140 | 298 | 4.36.170 | 374 | 4.48.060 |
| 116 | 36.27.020 | 155 | 4.16.010 | 231 | 4.28 .150 | 299 | 4.36.180 | 375 | 4.48 .070 |
| 130 | 2.44 .010 | 156 | 4.16 .020 | 232 | 4.28 .160 | 300 | 4.36 .190 | 376 | 4.48.080 |
| 131 | 2.44 .020 | 157 | 4.16 .040 | 233 | 4.28 .110 | 301 | 4.36.200 | 377 | 4.48 .090 |
| 132 | 2.44 .030 | 157-1 | 4.16 .050 | 234 | 4.28 .180 | 302 | 4.36.210 | 378 | 4.52 .010 |
| 133 | 2.44 .040 | 157-2 | 4.16 .060 | 235 | 4.28 .200 | 303 | 4.32.240 | 379 | 4.52 .020 |
| 134 | 2.44 .050 | 158 | 4.16 .070 | 236 | 4.28 .190 | 305 | 4.36.220 | 380 | 4.52 .030 |
| 135 | 2.44.060 | 159 | 4.16 .080 | 237 | 4.28 .310 | 306 | 4.36.230 | 381 | 4.80 .010 |
| 136 | 60.40.010 | 160 | 4.16 .100 | 238 | 4.28 .020 | 307 | 4.36.240 | 382 | 4.80 .020 |
| 137 | 60.40.020 | 161 | 4.16 .110 | 239 | 4.28 .120 | 308 | 4.36.250 | 385 | 4.80 .030 |

[Parallel Tables--p 4]

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 386 | 4.80.040 | 447 | 4.56 .090 | 535 | 6.12.120 | 621 | 6.32.090 | 699 | 7.32 .240 |
| 387 | 4.80 .050 | 448 | 4.64 .080 | 536 | 6.12 .130 | 622 | 6.32.100 | 700 | 7.32.250 |
| 388 | 4.80 .060 | 451 | 4.64.090 | 537 | 6.12.140 | 623 | 6.32.110 | 701 | 7.32 .260 |
| 389 | 4.80 .070 | 452 | 4.64 .110 | 538 | 61.2.150 | 624 | 6.32.120 | 702 | 7.32 .270 |
| 390 | 4.80 .080 | 453 | 4.64 .120 | 539 | 61.2.160 | 625 | 6.32.130 | 703 | 7.32 .280 |
| 391 | 4.80 .090 | 454 | 4.56 .100 | 540 | 6.12 .170 | 626 | 6.32.140 | 704 | 7.32 .290 |
| 392 | 4.80 .100 | 457 | 4.56 .110 | 541 | 6.12.180 | 627 | 6.32.150 | 705 | 7.32 .300 |
| 394 | 4.80 .110 | 459 | 4.56 .210 | 542 | 6.12 .190 | 628 | 6.32.160 | 706 | 7.32 .310 |
| 395 | 4.80 .120 | 460 | 4.56.220 | 543 | 6.12.200 | 629 | 6.32.170 | 707 | 7.64.010 |
| 396 | 4.80 .130 | 462 | Obsolete | 544 | 6.12 .210 | 630 | 6.32.180 | 708 | 7.64.020 |
| 397 | 4.80 .140 | 463 | Obsolete | 545 | 6.12.220 | 631 | 6.32.190 | 709 | 7.64 .030 |
| 398 | 4.76 .010 | 464 | 4.72 .010 | 546 | 6.12 .230 | 632 | 6.32.200 | 710 | 7.64.040 |
| 399 | 4.76.020 | 465 | 4.76 .080 | 547 | 6.12.240 | 633 | 6.32.210 | 711 | 7.64 .050 |
| 399-1 | 4.76.030 | 466 | 4.72 .020 | 548 | 6.12 .250 | 634 | 6.32.220 | 712 | 7.64 .060 |
| 399-2 | Sev. | 467 | 4.72 .030 | 549 | 6.12.260 | 635 | 6.32.230 | 713 | 7.64.070 |
|  | n4.76.020 | 468 | 4.72 .040 | 550 | 6.12.270 | 636 | 6.32.240 | 714 | 7.64 .080 |
| 400 | 4.76 .040 | 469 | 4.72 .050 | 551 | 6.12 .280 | 637 | 6.32.250 | 715 | 7.64 .090 |
| 401 | 4.76 .050 | 470 | 4.72 .060 | 552 | 6.12.050 | 638 | 6.32.260 | 716 | 7.64.100 |
| 402 | 4.76 .060 | 471 | 4.72 .070 | 553 | 6.12.290 | 638-1 | 6.32.270 | 717 | 7.64 .110 |
| 403 | 4.76 .070 | 472 | 4.72 .080 | 554 | 6.12.300 | 639 | 6.32.280 | 718 | 7.40 .010 |
| 404 | 4.56.010 | 473 | 4.72 .090 | 555 | 6.12.310 | 640 | 6.32.290 | 719 | 7.40 .020 |
| 405 | 4.56 .020 | 474 | 4.84 .010 | 556 | 6.12.320 | 641 | 6.32.300 | 720 | 7.40 .030 |
| 406 | 4.56 .030 | 475 | 4.84.020 | 557 | 6.12.330 | 642 | 6.32 .310 | 721 | 7.40 .040 |
| 407 | 4.56.040 | 476 | 4.84 .030 | 558 | 6.12.040 | 643 | 6.32.320 | 722 | 7.40 .050 |
| 408 Subd. (1) |  | 477 | 4.84 .040 | 559 | 6.12.060 | 644 | 6.32.330 | 723 | 7.40 .060 |
| see Rule |  | 478 | 4.84 .050 | 560 | 6.12 .070 | 645 | 6.32.340 | 724 | 7.40 .070 |
| 4, p. 70, |  | 479 | 4.84 .060 | 561 | 6.12.080 | 646 | 6.32 .350 | 725 | 7.40 .080 |
| Rules of |  | 480 | 4.84 .070 | 563 | 6.16.020 | 647 | 7.12.010 | 726 | 7.40 .090 |
| Court | 4.56 .120 | 481 | 4.84 .080 | 565 | 6.16.010 | 648 | 7.12 .020 | 727 | 7.40 .100 |
| 409 | 4.56 .130 | 482 | 4.84 .090 | 566 | 6.16.030 | 649 | 7.12 .030 | 728 | 7.40 .110 |
| 410 | 4.56 .140 | 483 | 4.48 .100 | 567 | 6.16.040 | 650 | 7.12 .040 | 729 | 7.40 .120 |
| 410-1 | 4.56 .150 | 484 | 4.84 .100 | 568 | 6.16.050 | 651 | 7.12.050 | 730 | 7.40 .130 |
| 411 | 4.56 .160 | 485 | 4.84 .110 | 569 | $S 48.18 .400$ | 652 | 7.12.060 | 731 | 7.40 .140 |
| 412 | 4.56 .170 | 486 | 4.84 .120 | 570 | 6.16.070 | 653 | 7.12 .070 | 732 | 7.40 .150 |
| 413 | 4.60.010 | 487 | 4.84 .130 | 571 | 6.16.080 | 654 | 7.12.080 | 733 | 7.40.160 |
| 414 | 4.60 .020 | 488 | 4.84 .140 | 572 | 6.16.090 | 655 | 7.12 .090 | 734 | 7.40 .170 |
| 415 | 4.60 .030 | 489 | 4.84 .150 | 573 | 6.20.010 | 656 | 7.12.100 | 735 | 7.40 .180 |
| 416 | 4.60 .040 | 490 | 4.84 .160 | 574 | 6.20.020 | 657 | 7.12.110 | 736 | 7.40 .190 |
| 417 | 4.60 .050 | 491 | 4.84 .170 | 575 | 6.20 .030 | 658 | 7.12 .120 | 737 | 7.40 .200 |
| 418 | 4.60.060 | 492 | 4.84 .180 | 576 | 6.20.040 | 659 | 7.12.130 | 738 | 7.40 .210 |
| 419 | 4.60 .070 | 493 | 4.84 .190 | 577 | 6.20 .050 | 660 | 7.12 .140 | 739 | 7.40 .220 |
| 430-1 | 7.04.010 | 494 | 4.84 .200 | 578 | 6.04.100 | 661 | 7.12.150 | 740 | 7.60.010 |
| 430-2 | 7.04.020 | 495 | 4.84 .210 | 579 | 6.04.110 | 662 | 7.12.160 | 741 | 7.60.020 |
| 430-3 | 7.04.030 | 495-1 | 4.84.220 | 580 | 6.04.120 | 663 | 7.12.170 | 742 | 7.60.030 |
| 430-4 | 7.04.040 | 495-2 | 4.84 .230 | 581 | 6.04.130 | 664 | 7.12 .180 | 743 | 7.60 .040 |
| 430-5 | 7.04.050 | 496 | 4.84 .240 | 582 | 6.24.010 | 665 | 7.12 .190 | 744 | 7.60 .050 |
| 430-6 | 7.04.060 | 497 | 2.32 .070 | 583 | 6.24 .020 | 666 | 7.12 .200 | 745 | 4.44 .480 |
| 430-7 | 7.04.070 |  | 2.40 .010 | 584 | 6.24.030 | 667 | 7.12.210 | 746 | 4.44.490 |
| 430-8 | 7.04.080 |  | 36.18 .020 | 585 | 6.24.040 | 668 | 7.12.220 | 747 | 4.44.500 |
| 430-9 | 7.04.090 |  | 36.18.040 | 586 | 6.24 .050 | 669 | 7.12 .230 | 775 | 10.19 .040 |
| 430-10 | 7.04.100 | 498 | 10.01.130 | 587 | 6.24.060 | 670 | 7.12 .240 | 776 | 10.19 .070 |
| 430-11 | 7.04.110 | 499 | 42.16.020 | 588 | 6.24.070 | 671 | 7.12.250 | 777 | 10.19.120 |
| 430-12 | 7.04.120 | 500 | 1.16.040 | 589 | 6.24.080 | 672 | 7.12.260 | 778 | 7.44.010 |
| 430-13 | 7.04.130 | 501 | 36.18.070 | 590 | 6.24 .090 | 673 | 7.12.270 | 779 | 7.44.020 |
| 430-14 | 7.04.140 | 502 | 2.40 .040 | 591 | 6.24 .100 | 674 | 7.12.280 | 780 | 7.44.030 |
| 430-15 | 7.04.150 | 504 | 65.16.120 | 592 | 6.24.110 | 675 | 7.12.290 | 781 | 7.44.040 |
| 430-16 | 7.04.160 | 505 | 42.04 .050 | 593 | 6.24.120 | 676 | 7.12.300 | 782 | 7.44.050 |
| 430-17 | 7.04.170 | 506 | 36.18.060 | 594 | 6.24 .130 | 677 | 7.12 .310 | 783 | 7.44.060 |
| 430-18 | 7.04.180 | 507 | 2.40 .020 | 595 | 6.24.140 | 678 | 7.12 .320 | 784 | 7.44 .070 |
| 430-19 | 7.04.190 | 508 | 36.01 .060 | 596 | 6.24 .150 | 679 | 7.12 .330 | 784-1 | 7.24 .010 |
| 430-20 | 7.04.200 | 509 | 2.40 .030 | 597 | 6.24.160 | 680 | 7.32 .010 | 784-2 | 7.24.020 |
| 430-21 | 7.04.210 |  | 36.17.060 | 598 | 6.24.170 | 680-1 | 7.32 .060 | 784-3 | 7.24.030 |
| 430-22 | 7.04.220 | 510 | 6.04.010 | 599 | 6.24.180 | 680-2 | 7.32.070 | 784-4 | 7.24.040 |
| 430-23 | $R$ \& Sav. | 511 | 6.04.020 | 600 | 6.24.190 | 680-3 | 7.32 .080 | 784-5 | 7.24 .050 |
|  | n7.04.010 | 512 | 6.04.030 | 601 | 6.24 .200 | 680-4 | 7.32 .090 | 784-6 | 7.24.060 |
| 431 | 4.64 .010 | 513 | 6.04.040 | 602 | 6.24.210 | 681 | 7.32 .020 | 784-7 | 7.24 .070 |
| 431-1 | 4.64 .020 | 515 | 6.04.050 | 603 | 6.24 .220 | 682 | 7.32 .030 | 784-8 | 7.24 .080 |
| 431-2 | 4.64 .100 | 518 | 6.04.060 | 605 | 6.28 .010 | 683 | 7.32 .040 | 784-9 | 7.24 .090 |
| 433 | 4.56 .070 | 519 | 6.04.070 | 606 | 6.28 .020 | 684 | 7.32 .050 | 784-10 | 7.24.100 |
| 434 | 4.56 .080 | 520 | 6.04.080 | 607 | 6.28 .030 | 685 | 7.32 .100 | 784-11 | 7.24.110 |
| 435 | 4.64 .030 | 521 | 6.04.090 | 608 | 6.28.040 | 686 | 7.32 .110 | 784-12 | 7.24.120 |
| 436 | 4.68 .010 | 522 | 6.08.010 | 609 | 6.28 .050 | 687 | 7.32 .120 | 784-13 | 7.24.130 |
| 437 | 4.68 .020 | 523 | 6.08.020 | 610 | 6.28 .060 | 688 | 7.32 .130 | 784-14 | Sev. |
| 438 | 4.68 .030 | 524 | 6.08.060 | 611 | 6.28.070 | 689 | 7.32 .140 |  | n7.24.030 |
| 439 | 4.68 .040 | 525 | 6.08.030 | 612 | 6.28 .080 | 690 | 7.32 .150 | 784-15 | 7.24 .140 |
| 440 | 4.68 .050 | 526 | 6.08.040 | 613 | 6.32.010 | 691 | 7.32 .160 | 784-16 | Short t. |
| 441 | 4.68 .060 | 527 | 6.08.050 | 614 | 6.32.020 | 692 | 7.32 .170 |  | n7.24.010 |
| 442 | 4.64 .040 | 528 | 6.12 .010 | 615 | 6.32.030 | 693 | 7.32 .180 | 784-17 | Obsolete |
| 443 | 4.64 .050 | 530 | 6.12 .020 | 616 | 6.32.040 | 694 | 7.32 .190 | 785 | 7.28.010 |
| 444 | 4.64 .060 | 531 | 6.12 .030 | 617 | 6.32.050 | 695 | 7.32.200 |  | 7.28.020 |
| 445 | 4.56 .190 | 532 | 6.12 .090 | 618 | 6.32.060 | 696 | 7.32 .210 |  | 7.28 .030 |
| 445-1 | 4.56.200 | 533 | 6.12.100 | 619 | 6.32.070 | 697 | 7.32.220 |  | 7.28 .040 |
| 446 | 4.64.070 | 534 | 6.12 .110 | 620 | 6.32.080 | 698 | 7.32.230 | 785-1 | 7.28.300 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 786 | 7.28.050 | 857 | 7.52.200 | 921-4 | Sev. | 982 |  | 1011 | 7.16 .130 |
| 787 | 7.28 .060 | 858 | 7.52.210 |  | n8.20.150 | 982-1 |  | 1012 | 7.16 .140 |
| 788 | 7.28.070 | 859 | 7.52.220 | 922 | 8.20 .020 | 983 |  | 1013 | 7.16 .150 |
| 789 | 7.28.080 | 860 | 7.52.230 |  | 8.20 .030 | 984 |  | 1014 | 7.16.160 |
| 790 | 7.28 .090 | 861 | 7.52 .240 |  | 8.20 .040 | 985 | R 1949 | 1015 | 7.16 .170 |
| 791 | 7.28 .100 | 862 | 7.52 .250 | 923 | $S 888.010$ | 986 | c 215 § 23 | 1016 | 7.16 .180 |
| 792 | 7.28.110 | 863 | 7.52 .260 | 924 | 8.20.060 | 987 |  | 1017 | 7.16.190 |
| 793 | 7.28.120 | 864 | 7.52.270 | 925 | 8.20 .070 | 988 |  | 1018 | 7.16 .200 |
| 794 | 7.28.130 | 865 | 7.52.280 | 926 | 8.20 .080 | 988-1 |  | 1019 | 7.16.210 |
| 795 | 7.28.140 | 866 | 7.52.290 | 927 | 8.20 .090 | 988-2 |  | 1020 | 7.16.220 |
| 796 | 7.28 .150 | 867 | 7.52.300 | 928 | S 8.28.020 | 988-3 | Sev. | 1021 | 7.16.230 |
| 797 | 7.28 .160 | 868 | 7.52.310 | 929 | 8.20 .100 | 988-4 | 26.08.230 | 1022 | 7.16.240 |
| 798 | 7.28.170 | 869 | 7.52.320 | 930 | 8.20 .110 | 989 |  | 1023 | 7.16.250 |
| 799 | 7.28.180 | 870 | 7.52 .330 | 931 | 8.20 .120 | 990. | R 1949 | 1024 | 7.16.260 |
| 800 | 7.28 .190 | 871 | 7.52.340 | 932 | 8.20 .130 | 994 | c $215 \S 23$ | 1025 | 7.16.270 |
| 801 | 7.28.200 | 872 | 7.52.350 | 933 | 8.20.140 | 995 |  | 1026 | 7.16.280 |
| 802 | 7.28.210 | 873 | 7.52.360 | 934 | $S 80.32 .060$ | 995-1 | Obsolete | 1027 | 7.16 .290 |
| 803 | 7.28.220 | 874 | 7.52.370 | 935 | $S 80.32 .070$ | 995-2 |  | 1028 | 7.16 .300 |
| 804 | 7.28.230 | 875 | 7.52 .380 | 936 | S 80.32.060 | 995-3 |  | 1029 | 7.16 .310 |
| 805 | 7.28.240 | 876 | 7.52 .390 | 936-1 | 8.24 .010 | 995-4 |  | 1030 | 7.16 .320 |
| 806 | 7.28.260 | 877 | 7.52 .400 |  | 8.24.020 | 995-5. | R 1949 | 1031 | 7.16.330 |
| 807 | 7.28.270 | 878 | 7.52 .410 | 936-2 | 8.24.030 | 996 | c $215 \S 23$ | 1032 | 7.16.340 |
| 808 | 7.28.280 | 879 | 7.52 .420 | 936-3 | 8.24 .040 | 997 |  | 1033 | 7.16 .350 |
| 809 | 7.28 .290 | 880 | 7.52 .430 | 936-4 | 8.28 .040 | 997-1] |  | 1034 | 7.56.010 |
| 809-1 | 7.28.310 | 881 | 7.52.440 | 937 | 64.12.010 | 997-2 | 26.08.020 | 1035 | 7.56 .020 |
| 809-2 | 7.28.320 | 882 | 7.52 .450 | 938 | 64.12 .020 | 997-3 | 26.08.030 | 1036 | 7.56 .030 |
| 810 | 59.12.010 | 883 | 7.52.460 | 939 | 64.12 .030 | 997-4 | 26.08.040 | 1037 | 7.56.040 |
| 811 | 59.12 .020 | 884 | 7.52 .470 | 940 | 64.12 .040 | 997-5 | 26.08.050 | 1038 | 7.56 .050 |
| 812 | 59.12 .030 | 885 | 7.52 .480 | 941 | 64.12.050 | 997-6 | 26.08.060 | 1039 | 7.56 .060 |
| 813 | 59.04.060 | 886 | 4.92 .010 | 942 | Obsolete | 997-7 | 26.08.070 | 1040 | 7.56 .070 |
| 814 | 59.12.040 | 887 | 4.92.020 | 943 | 7.48.010 | 997-8 | 26.08.080 | 1041 | 7.56 .080 |
| 814-1 | 59.08.010 | 888 | 4.92 .030 | 944 | 7.48.020 | 997-9 | 26.08.090 | 1042 | 7.56 .090 |
| 814-2 | 59.08.020 | 889 | 4.92 .040 | 945 | 7.48 .030 | 997-10 | 26.08.100 | 1043 | 7.56 .100 |
| 814-3 | 59.08.030 | 890 | 4.92 .050 | 946 | 7.48.040 | 997-11 | 26.08.110 | 1044 | 7.56.110 |
| 814-4 | 59.08.040 | 890-1 | 4.92.060 | 946-1 | 7.48.050 | 997-12 | 26.08.120 | 1045 | 7.56 .120 |
| 814-5 | 59.08.050 | 890-2 | 4.92.070 | 946-2 | 7.48.060 | 997-13 | 26.08.130 | 1046 | 7.56 .130 |
| 814-6 | 59.08.060 | 890-3 | 4.92 .080 | 946-3 | 7.48 .070 | 997-14 | 26.08.140 | 1047 | 7.56.140 |
| 814-7 | 59.08.070 | 891 | 8.04.010 | 946-4 | 7.48 .080 | 997-15 | 26.08.150 | 1048 | 7.56.150 |
| 814-8 | 59.08.080 | 892 | 8.04.020 | 946-5 | 7.48 .090 | 997-16 | 26.08.160 | 1049 | 7.20 .010 |
| 814-9 | 59.08.090 |  | 8.04 .030 | 946-6 | 7.48.100 | 997-17 | 26.08.170 | 1050 | 7.20.020 |
| 814-10 | 59.08.100 |  | 8.04.040 | 946-7 | 7.48.110 | 997-18 | 26.08.180 | 1051 | 7.20 .030 |
| 815 | 59.12.050 |  | 8.04 .050 | 947 | 58.04.020 | 997-19 | 26.08.190 | 1052 | 7.20 .040 |
| 816 | 59.12 .060 | 893 | 8.04.060 | 948 | 58.04 .030 | 997-20 | 26.08.200 | 1053 | 7.20 .050 |
| 817 | 59.12 .070 | 894 | 8.04 .070 | 949 | 58.04.040 | 997-21 | 26.08.210 | 1054 | 7.20 .060 |
| 818 | 59.12 .080 |  | 8.04.080 | 950 | 4.08.110 | 997-22 | 26.08.220 | 1055 | 7.20 .070 |
| 819 | 59.12 .090 |  | 8.04 .090 | 951 | 4.08 .120 | 997-30 | 26.12.010 | 1056 | 7.20 .080 |
| 820 | 59.12.100 |  | 8.04 .100 | 952 | 4.36 .020 | 997-31 | 26.12.020 | 1057 | 7.20 .090 |
| 812 | 59.12.110 | 895 | 8.04 .110 | 953 | 6.04 .140 | 997-32 | 26.12.030 | 1058 | 7.20 .100 |
| 822 | 59.12 .120 | 896 | 8.04.120 | 954 | 6.04.150 | 997-33 | 26.12.040 | 1059 | 7.20.110 |
| 823 | 59.12.120 | 897 | 8.04.130 | 955 | 84.68.070 | 997-34 | 26.12.050 | 1060 | 7.20.120 |
| 824 | 59.12 .130 | 898 | 8.04.140 | 956 | 84.68.080 | 997-35 | 26.12.060 | 1061 | 7.20 .130 |
| 825 | 59.12.140 | 899 | 8.04.150 | 957 | 84.68.090 | 997-36 | 26.12.070 | 1062 | 7.20.140 |
| 826 | 59.12.150 | 900 | 8.04 .160 | 958 | 42.08.010 | 997-37 | 26.12.080 | 1063 | 7.36.010 |
| 827 | 59.12 .170 | 900-1 | 8.04 .170 | 958-1 | 19.72 .020 | 997-38 | 26.12.090 | 1064 | 7.36.020 |
| 828 | 59.12.160 | 900-2 | 8.04.180 | 958-2 | 19.72 .030 | 997-39 | 26.12.100 | 1065 | 7.36.030 |
| 829 | 59.12 .180 | 901 | 8.08 .090 | 958-3 | 19.72 .040 | 997-40 | 26.12.110 | 1066 | 7.36.040 |
| 830 | 59.12 .190 | 902 | 8.08.110 |  | 19.72.050 | 997-41 | 26.12.120 | 1067 | 7.36 .050 |
| 831 | 59.12.200 | 903 | 8.08.100 | 958-4 | 4.44.470 | 997-42 | 26.12.130 | 1068 | 7.36.060 |
| 832 | 59.12 .210 | 903-1 | Obsolete | 959 | 42.08.020 | 997-43 | 26.12.140 | 1069 | 7.36.070 |
| 833 | 59.12 .220 | 904 | 8.08 .120 | 960 | 42.08.030 | 997-44 | 26.12.150 | 1070 | 7.36.080 |
| 834 | 59.16.010 | 905 | 8.08.130 | 961 | 42.08.040 | 997-45 | 26.12.160 | 1071 | 7.36 .090 |
| 835 | 59.16 .020 | 905-1 | R 1941 | 962 | 42.08.050 | 997-46 | 26.12.170 | 1072 | 7.36.100 |
| 836 | 59.16.030 |  | c 21 §5 | 963 | Obsolete | 997-47 | 26.12.180 | 1073 | 7.36.110 |
| 837 | 59.16.040 | 905-2 | 36.85 .020 | 964 | Obsolete | 997-48 | 26.12.190 | 1074 | 7.36.120 |
| 838 | 7.52 .010 | 906 | 8.16.010 | 965 | Obsolete | 997-49 | 26.12.200 | 1075 | 7.36.130 |
| 839 | 7.52.020 | 907 | 8.16.020 | 966 | Obsolete | 997-50 | 26.12.210 | 1076 | 7.36.150 |
| 840 | 7.52 .030 | 908 | 8.16 .030 | 967 | 4.20 .040 | 998 | 4.24 .130 | 1077 | 7.36.160 |
| 841 | 7.52 .040 | 909 | 8.16 .040 | 968 | 11.48 .150 | 998-1 | 19.64.010 | 1078 | 7.36.170 |
| 842 | 7.52 .050 | 910 | 8.16 .050 | 969 | 11.48 .160 | 998-2 | 19.64.020 | 1079 | 7.36.180 |
| 843 | 7.52 .060 | 911 | 8.16.060 | 970 | 11.48 .170 | 998-3 | Saving | 1080 | 7.36.190 |
| 844 | 7.52 .070 | 912 | 8.16 .070 | 971 | 11.48.180 |  | n19.64.010 | 1081 | 7.36.200 |
| 845 | 7.52 .080 | 913 | 8.16 .080 | 972 | 11.48 .190 | 999 | 7.16.010 | 1082 | 7.36.210 |
| 846 | 7.52 .090 | 914 | 8.16 .090 | 973 | 11.48 .200 | 1000 | 7.16.020 | 1083 | 7.36.220 |
| 847 | 7.52 .100 | 915 | 8.16 .100 | 974 | 19.72 .100 | 1001 | 7.16 .030 | 1084 | 7.36.230 |
| 848 | 7.52 .110 | 916 | 8.16 .110 | 975 | 19.72.100 | 1002 | 7.16.040 | 1085 | 7.36.240 |
| 849 | 7.52.120 | 917 | 8.16 .120 | 976 | 19.72 .140 | 1003 | 7.16.050 | 1085-1 | 7.36.250 |
| 850 | 7.52 .130 | 918 | 8.16 .130 | 977 | 19.72 .140 | 1004 | 7.16.060 | 1085-2 | 7.36.140 |
| 851 | 7.52 .140 | 919 | 8.16 .140 | 978 | 19.72.070 | 1005 | 7.16 .070 | 1086 | 7.08.010 |
| 852 | 7.52.150 | 920 | 8.16.150 | 979 | 19.72 .080 | 1006 | 7.16.080 | 1087 | 7.08.020 |
| 853 | 7.52.160 | 921 | 8.20.010 | 980 | 19.72.090 | 1007 | 7.16 .090 | 1088 | 7.08.030 |
| 854 | 7.52 .170 | 921-1 | 8.20 .150 | 981 | 19.72.150 | 1008 | 7.16 .100 |  | 7.08.040 |
| 855 | 7.52.180 | 921-2 | 8.20 .160 |  |  | 1009 | 7.16 .110 | 1089 | 7.08.050 |
| 856 | 7.52.190 | 921-3 | 8.20.170 |  |  | 1010 | 7.16.120 | 1090 | 7.08.060 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1091 | 7.08.070 | 1158 | 60.08.060 | 1210 | 5.60.020 | 1279 | 5.24 .020 | 1396 | 11.12.220 |
| 1092 | 7.08.080 | 1159 | 39.08.010 | 1211 | 5.60 .030 | 1280 | 5.24 .030 | 1397 | 11.12 .030 |
| 1093 | 7.08.090 | 1159-1 | 39.08.020 | 1212 | 5.60 .040 | 1281 | 5.24 .040 | 1398 | 11.12 .040 |
| 1094 | 7.08.100 | 1160 | 39.08.070 | 1213 | 5.60.050 | 1282 | 5.24 .050 | 1399 | 11.12 .050 |
| 1095 | 7.08.110 | 1161 | 39.08.030 | 1214 | 5.60 .060 | 1283 | 5.24 .060 | 1400 | 11.12 .060 |
| 1096 | 7.08.120 |  | 39.08.040 | 1215 | 5.56 .010 | 1284 | Short t. | 1401 | 11.12 .070 |
| 1097 | 7.08.130 |  | 39.08.050 | 1216 | 5.56 .030 |  | n5.24.010 | 1402 | 11.12 .090 |
| 1098 | 7.08.140 |  | 39.08.060 | 1217 | 5.56.020 | 1341 | 11.04.020 | 1403 | 11.12 .100 |
| 1099 | 7.08.150 | 1162 | 60.24.020 | 1218 | 5.56.040 | 1342 | 11.04.050 | 1404 | 11.12 .110 |
|  | 7.08.160 | 1163 | 60.24.010 | 1219 | 5.56.050 | 1343 | 11.04.060 | 1404-1 | 11.12 .120 |
| 1100 | 7.08.170 |  | 60.24.030 | 1220 | 5.56 .060 | 1344 | 11.04.070 | 1404-2 | 11.12 .130 |
| 1101 | 7.08.180 | 1164 | 60.24.060 | 1221 | 5.56 .070 | 1345 | 11.04.080 | 1404-3 | 11.12 .140 |
| 1102 | 7.08.190 | 1165 | 60.24.090 | 1222 | 5.56.080 | 1346 | 11.04.090 | 1404-4 | 11.12 .150 |
| 1103 | 7.08.200 | 1166 | 60.24.040 | 1223 | 5.56 .090 | 1347 | 11.04.100 | 1405 | 11.12 .080 |
| 1104 | 61.08.010 | 1167 | 60.24.070 | 1224 | 5.56.100 | 1348 | 11.04.120 | 1408 | 11.12 .160 |
| 1105 | 61.08.020 | 1168 | 60.24.050 | 1225 | 5.04 .010 | 1349 | 11.04.130 | 1409 | 11.12 .170 |
| 1106 | 61.08.030 | 1169 | 60.24.080 | 1226 | 5.04.020 | 1350 | 11.04.140 | 1410 | 11.12 .180 |
| 1107 | 61.08 .040 | 1170 | 60.24.100 | 1227 | 5.04 .030 | 1351 | 11.04.150 | 1411 | 11.12 .190 |
| 1108 | 61.08.050 | 1171 | 60.24.110 | 1228 | 5.04.040 | 1352 | 11.04.160 | 1412 | 11.12 .200 |
| 1109 | 61.08.060 | 1172 | 60.24.120 | 1229 | 5.04.050 | 1353 | 11.04.170 | 1413 | 11.12 .210 |
| 1110 | 61.08.070 | 1173 | 60.24.130 | 1230 | 5.04 .060 | 1354 | 11.04 .010 | 1414 | 11.12 .240 |
| 1111 | 61.08.080 | 1174 | 60.24.140 | 1230-1 | 5.32 .010 | 1355 | 11.04.110 | 1415 | 11.12 .230 |
| 1112 | 61.08.090 | 1175 | 60.24.150 | 1232 | 5.08.010 | 1356 | 11.08.020 | 1416 | Constr. |
| 1113 | 61.08.100 | 1776 | 60.24.160 | 1233 | 5.12 .010 | 1356-1 | 11.08 .010 | 1417 | 11.28 .010 |
| 1114 | 61.08.110 | 1177 | 60.24.170 | 1234 | 5.12 .020 | 1356-2 | 11.08 .010 | 1418 | 11.28 .020 |
| 1115 | 61.08.120 | 1178 | 60.24.180 | 1235 | 5.12 .030 | 1356-3 | 11.08.020 | 1419 | 11.28 .030 |
| 1116 | 61.12.040 | 1179 | 60.24.190 | 1236 | 5.12 .040 | 1357 | 11.08.030 | 1420 | 11.28 .040 |
| 1117 | 61.12.050 | 1180 | 60.24.190 | 1237 | 5.12 .050 | 1358 | 11.08.040 | 1421 | 11.28 .150 |
| 1118 | 61.12.060 | 1181 | 60.24.200 | 1238 | 5.12 .060 | 1359 | 11.08 .050 | 1422 | 11.28 .160 |
| 1118-1 | 61.12.060 | 1182 | 60.36.010 | 1239 | 5.16.010 | 1360 | 11.08 .060 | 1423 | 11.28 .060 |
| 1119 | 61.12.070 | 1183 | 60.36.020 | 1240 | 5.08.020 | 1361 | 11.08 .070 | 1424 | 11.28 .050 |
| 1120 | 61.12.080 | 1184 | 60.36.030 |  | 5.16.020 | 1362 | 11.08.080 | 1425 | 11.28 .070 |
| 1121 | 61.12.090 | 1185 | 60.36.040 | 1241 | 5.08.030 | 1363 | 11.08 .090 | 1426 | 11.28 .080 |
| 1123 | 61.12.100 | 1186 | 60.36.050 | 1242 | 5.08.040 | 1363-1 | Repealed, | 1427 | 36.23.030 |
| 1124 | 61.12.110 | 1187 | 60.36.060 | 1243 | 5.08.060 | 1363-2 | 1951 c 138 | 1428 | 11.28 .320 |
| 1125 | 61.12.120 | 1188-1 | 60.12.010 | 1244 | 5.08.050 |  | § 4 but | 1429 | 11.28 .090 |
| 1126 | 61.12.130 | 1188-2 | 60.12.020 |  | 5.08.070 |  | see 11.08.101 | 1430 | 11.28 .100 |
| 1127 | 61.12.140 | 1188-3 | 60.12.030 | 1245 | 5.08.080 |  | 11.08.111 | 1431 | 11.28 .120 |
| 1128 | 61.12.150 | 1188-4 | 60.12.040 | 1246 | 5.08 .090 |  | 11.08.120 | 1432 | 11.28 .110 |
| 1129 | 60.04.010 |  | 60.12.050 | 1247 | 5.20 .060 | 1364 | 11.04.030 | 1433 | 11.28 .130 |
| 1130 | 60.04.030 | 1188-5 | 60.12 .060 | 1248 | 5.08 .100 | 1365 | 11.04 .040 | 1434 | 11.28 .240 |
| 1131 | 60.04.040 | 1188-6 | 60.12.070 | 1249 | 5.20 .010 | 1366 | 11.04.250 | 1435 | 11.28 .140 |
| 1131-1 | 60.16.010 | 1188-7 | 60.12.080 | 1250 | 5.20 .020 | 1367 | 11.04 .260 | 1436 | 11.28 .170 |
| 1131-2 | 60.16.020 | 1188-8 | 60.12 .090 | 1251 | 5.02 .030 | 1368 | 11.04 .270 | 1437 | 11.28 .180 |
| 1131-3 | 60.16.030 | 1188-9 | 60.12.100 | 1252 | 5.02 .040 | 1369 | 11.04.280 | 1438 | 11.28 .190 |
| 1131-4 | 60.48.010 | 1188-10 | 60.12.110 | 1253 | 5.20 .050 | 1370 | 11.04.290 | 1439 | 11.28.200 |
| 1131-5 | 60.48.020 | 1188-11 | 60.12.120 | 1254 | 5.44 .010 | 1370-1 | 11.04.180 | 1440 | 11.28 .210 |
| 1132 | 60.04.050 | 1188-12 | 60.12.130 | 1255 | 5.44 .020 | 1370-2 | 11.04.190 | 1441 | 11.28 .220 |
| 1133 | 60.04.020 | 1188-13 | 60.12.140 | 1256 | 5.44 .030 | 1370-3 | 11.04.200 | 1442 | 36.23.030 |
| 1134 | 60.04.060 | 1188-14 | 60.12.150 | 1257 | 5.44 .040 | 1370-4 | 11.04.210 | 1443 | 11.28.230 |
| 1134-1 | 60.04.060 | 1188-15 | 60.12.160 | 1257-1 | 5.40 .020 | 1370-5 | Applic. | 1444 | 11.28 .250 |
| 1134-2 | 60.04.060 | 1188-16 | 60.12.170 | 1257-2 | 5.40 .030 | 1370-6 | 11.04 .220 | 1445 | 11.28.260 |
| 1135 | 60.04.070 | 1191 | 60.60.010 | 1257-3 | 5.40 .040 | 1370-7 | Constr. | 1446 | 11.28 .270 |
| 1136 | 60.04.080 | 1192 | 60.60.020 | 1257-4 | 40.20.020 |  | n11.04.180 | 1447 | 11.28 .280 |
| 1137 | 60.04.090 | 1193 | 60.60.030 | 1257-5 | 40.20 .030 | 1370-8 | Sev. | 1448 | 11.28 .290 |
| 1138 | 60.04.100 | 1194 | 60.60.040 | 1257-6 | 40.20.010 |  | n11.04.180 | 1449 | 11.28 .300 |
| 1139 | 60.04.110 | 1195 | 60.60.050 | 1258 | 5.44 .130 | 1370a | Obsolete | 1450 | 11.28 .310 |
| 1140 | 60.04.120 | 1196 | 60.60.060 | 1259 | 5.44.050 | 1371 | 11.16.010 | 1451 | 11.32.010 |
| 1141 | 60.04.130 | 1197 | 60.56.010 | 1260 | 5.44 .060 | 1372 | 26.04.100 | 1452 | 11.32.020 |
| 1142 | 60.04.180 | 1198 | 60.56.020 | 1260 1/2 | 5.44 .080 |  | 36.23.030 | 1453 | 11.32 .030 |
| 1143 | 60.04.140 | 1199 | 60.56.020 | 1262 | 5.36 .010 | 1373 | 11.16.080 | 1454 | 11.32 .040 |
| 1144 | 60.04.150 | 1200 | 60.56.030 | 1263 | 5.36 .020 | 1374 | 11.16.090 | 1455 | 11.32 .050 |
| 1145 | 60.04.160 | 1201 | S--see | 1263-1 | 5.44 .100 | 1375 | 11.16.100 | 1456 | 11.32 .060 |
| 1146 | 60.04.170 |  | Ch. 60.64 | 1263-2 | 5.44 .110 | 1376 | 11.16.050 | 1457 | 11.36 .010 |
| 1147 | Constr. | 1202 | $S-$ see | 1263-3 | 5.44 .120 | 1377 | 11.16.060 |  | 11.36 .020 |
|  | n60.04.010 |  | Ch. 60.64 | 1263-4 | Short t. | 1378 | 11.16.070 | 1458 | Repealed, |
| 1148 | Saving | 1203-1 | 60.72 .010 |  | n5.44.100 | 1379 | 11.20 .010 |  | 1951 c 197 |
| 1148-1 | 60.20.010 |  | 60.72.020 | 1263-5 | Repealer | 1380 | 11.20 .020 |  | § 7 but see |
| 1148-2 | 60.20.020 |  | 60.72.030 | 1264 | 5.28 .010 | 1381 | 11.20 .030 |  | Ch. 11.64 |
| 1148-3 | 60.20.030 | 1203-2 | 60.72.040 | 1265 | 5.28 .020 | 1382 | 11.20 .040 | 1459 | 11.64 .030 |
| 1148-4 | 60.20.040 | 1204 | 49.56.010 | 1266 | 5.28 .030 | 1383 | 11.20 .050 | 1460 | 11.64 .040 |
| 1148-5 | 60.20 .050 | 1205 | 49.56.020 | 1267 | 5.28 .040 | 1384 | 11.20 .060 | 1461 | Repealed, |
| 1148-6 | 60.20.060 | 1206 | 49.56.030 | 1268 | 5.28 .050 | 1385 | 11.24.010 |  | 1951 c 197 |
| 1149 | 60.32 .010 | 1208 | Constr. | 1269 | 5.28 .060 | 1386 | 11.24 .020 |  | § 7 but see |
| 1150 | 60.32.020 |  | n49.56.010 | 1270 | 5.48 .010 | 1387 | 11.24.030 |  | Ch. 11.64 |
| 1151 | 60.32.030 | 1209 | Constr. | 1271 | 5.48 .020 | 1388 | 11.24.040 | 1462 | 11.68 .010 |
| 1152 | 60.32.040 |  | n49.56.010 | 1272 | 5.48.030 | 1389 | 11.24 .050 |  | 11.68 .020 |
| 1153 | 60.32.050 | 1209-1 | 60.44.010 | 1273 | 5.48 .040 | 1390 | 11.20.070 |  | 11.68 .030 |
| 1154 | 60.08.010 | 1209-2 | 60.44.020 | 1274 | 5.48 .050 | 1391 | 11.20.080 | 1463 | 11.68 .040 |
| 1155 | 60.08.020 | 1209-3 | 60.44.030 | 1275 | 5.48 .070 | 1392 | 11.20 .090 | 1464 | 11.48 .020 |
| 1156 | 60.08.030 | 1209-4 | 60.44.040 | 1276 | 5.48 .060 | 1393 | 11.20.100 | 1464-1 | 49.48.120 |
| 1157 | 60.08.040 | 1209-5 | 60.44.050 | 1277 | $S 5.48 .070$ | 1394 | 11.12.010 | 1464-2 | 49.48.120 |
| 1157a | 60.08.050 | 1209-6 | 60.44.060 | 1278 | 5.24 .010 | 1395 | 11.12.020 | 1465 | 11.44.010 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1466 | 11.44.020 | 1543 | 11.76.140 | 1699-17 | Sev. | 1756 | 3.20 .060 | 1839 | 12.32.170 |
| 1467 | 11.44.030 | 1544 | 11.76.150 |  | n26.32.010 | 1756-1 | 3.20 .070 | 1840 | 12.32.180 |
| 1468 | 11.44.040 | 1545 | 11.76.130 | 1700 | Obsolete | 1756-2 | 3.20.080 | 1841 | 12.32.190 |
| 1469 | 11.44.050 | 1546 | 11.76.160 | 1700-1 | 26.36.010 | 1757 | 3.20 .090 | 1842 | 12.32.200 |
| 1470 | 11.44.060 | 1547 | 11.76.170 | 1700-2 | 26.36.020 | 1758 | 12.04.020 | 1843 | 12.32.210 |
| 1471 | 11.48 .060 | 1548 | 11.76.180 | 1700-3 | 26.36.030 | 1759 | 12.04.030 | 1844 | 12.32.220 |
| 1472 | 11.48.070 | 1549 | 11.76.190 | 1700-4 | 26.36.040 | 1760 | 12.04.060 | 1845 | 12.32.230 |
| 1473 | 11.52 .010 | 1550 | 11.76.250 | 1700-5 | R 1951 | 1761 | 12.04.040 | 1846 | 12.32.240 |
|  | 11.52 .012 | 1551 | 11.72 .010 |  | c 251 § 3 | 1762 | 12.04.050 | 1847 | 12.12.010 |
|  | 11.52.014 | 1552 | 11.72.020 | 1700-6 | 26.36.060 |  | 12.04 .060 | 1848 | 12.12.020 |
|  | 11.52 .016 | 1553 | 11.72 .030 | 1701 | Obsolete | 1763 | 12.04.070 | 1849 | 12.12.030 |
| 1474 | 11.52 .020 | 1554 | 11.72 .040 | 1702 | Obsolete | 1764 | 12.04.080 | 1850 | 12.12.040 |
|  | 11.52.022 | 1555 | 11.72 .050 | 1703 | Obsolete | 1765 | 12.04 .090 | 1851 | 12.12 .050 |
|  | 11.52.024 | 1556 | 11.72.060 | 1704 | Obsolete | 1766 | 12.04.100 | 1852 | 12.12.060 |
| 1475 | 11.52 .030 | 1557 | 11.72 .070 | 1705 | Obsolete | 1767 | 12.04.110 | 1853 | 12.12.070 |
| 1476 | 11.52 .040 | 1558 | 11.60 .010 | 1706 | Obsolete | 1768 | 12.04.120 | 1854 | 12.12.080 |
| 1477 | 11.40 .010 | 1559 | 11.60 .020 | 1707 | Obsolete | 1769 | 12.04.130 | 1855 | 12.12 .090 |
| 1478 | 11.40 .020 | 1560 | 11.60 .030 | 1708 | 71.08.030 | 1770 | 3.04.110 | 1856 | 12.12.100 |
| 1479 | 11.40 .030 | 1561 | 11.60 .040 | 1709 | 71.08.040 | 1771 | 12.04.140 | 1857 | 12.20.010 |
| 1480 | 11.40 .040 | 1562 | 11.60 .050 | 1710 | 71.08.050 | 1772 | 12.04.150 | 1858 | 12.20.020 |
| 1481 | 11.40 .050 | 1563 | 11.60 .060 | 1711 | 71.08 .060 | 1773 | 12.04.160 | 1859 | 12.20.030 |
| 1482 | 11.40 .060 | 1564 | 11.60.070 | 1712 | 71.08 .070 | 1774 | 3.20 .100 | 1860 | 12.20 .040 |
| 1483 | 11.40 .070 | 1565 | 11.88.010 | 1713 | 71.08.080 | 1775 | 3.20 .110 | 1861 | 12.20 .050 |
| 1484 | 11.40 .080 | 1566 | 11.88 .020 | 1715 | 71.08 .090 | 1776 | 12.04.190 | 1862 | 12.20 .060 |
| 1485 | 11.40 .090 | 1567 | 11.88 .030 | 1715-1 | 11.80 .010 | 1777 | 12.04.170 | 1863 | 12.20.070 |
| 1486 | 11.40 .100 | 1568 | 11.88 .040 | 1715-2 | 11.80 .020 | 1777 1/2 | 12.04.180 | 1864 | 3.16 .070 |
| 1487 | 11.40.110 | 1569 | 11.88 .050 | 1715-3 | 11.80 .030 | 1777-1 | 12.40.010 | 1865 | 3.16.080 |
| 1488 | 11.40.120 | 1570 | 11.88.060 | 1715-4 | 11.80 .040 | 1777-2 | 12.40 .020 | 1866 | 3.16.090 |
| 1489 | 11.40 .130 | 1571 | 11.88.070 | 1715-4a | 11.80 .050 | 1777-3 | 12.40.030 | 1867 | 12.24.010 |
| 1490 | 11.40 .140 | 1572 | 11.92 .010 | 1715-5 | 11.80 .060 | 1777-4 | 12.40 .040 | 1868 | 12.24.020 |
| 1491 | 11.40 .150 |  | 11.92.020 | 1715-6 | 11.80 .070 | 1777-5 | 12.40 .050 | 1869 | 12.24.030 |
| 1492 | 11.56.010 | 1573 | 11.88.100 | 1715-7 | 11.80 .080 | 1777-6 | 12.40 .060 | 1870 | 12.24.050 |
| 1493 | 11.56 .020 | 1574 | 11.88.110 | 1715-8 | 11.80 .090 | 1777-7 | 12.40 .070 | 1871 | 12.24.060 |
| 1494 | 11.56 .030 | 1575 | 11.92.040 | 1715-9 | 11.80.100 | 1777-8 | 12.40.080 | 1872 | 12.24.040 |
| 1495 | 11.56 .040 | 1575-1 | 11.92 .050 | 1715-10 | 11.80.110 | 1777-9 | 12.40 .090 | 1873 | 12.24.070 |
| 1496 | 11.56 .050 | 1576 | 11.92 .060 | 1716 | 4.88 .010 | 1777-10 | 12.40.100 | 1874 | 12.24.080 |
| 1497 | 11.56 .060 | 1577 | 11.92 .070 | 1717 | 4.88 .020 | 1777-11 | 12.40.110 | 1875 | 12.24 .090 |
| 1498 | 11.56 .070 | 1578 | 11.92 .080 | 1718 | Court Rules | 1777-12 | 3.04.120 | 1876 | 12.24.100 |
| 1499 | 11.56.080 | 1579 | 11.88.120 | 1719 | 4.88.030 | 1778 | 12.08.010 | 1877 | 12.24.110 |
| 1500 | 11.56 .090 | 1580 | 11.88 .080 | 1720 | 4.88 .040 | 1779 | 12.08.020 | 1878 | 12.24.120 |
| 1501 | 11.56.100 | 1581 | 11.88.090 | 1721 | 4.88.050 | 1780 | 12.08.030 | 1879 | 12.24.130 |
| 1502 | 11.56.110 | 1582 | 11.92 .090 | 1722 | 4.88 .060 | 1781 | 12.08.040 | 1880 | 12.24.140 |
| 1503 | 11.56.120 | 1583 | 11.92 .100 | 1723 | 4.88 .310 | 1782 | 12.08.050 | 1881 | 12.24.150 |
| 1504 | 11.56.130 | 1583-1 | Repealed, | 1724 | 4.88 .320 | 1783 | 12.08.060 | 1882 | 12.24.160 |
| 1505 | 11.56.140 |  | 1951 c 218 | 1725 | 4.88 .070 | 1784 | 12.08.070 | 1883 | 12.24.170 |
| 1506 | 11.56.150 |  | $\S 2$ but see | 1726 | 4.88 .080 | 1785 | 12.08.080 | 1884 | 12.24.180 |
| 1507 | 11.56.160 |  | 30.24 .015 | 1727 | 4.88 .090 | 1786 | 12.08.090 | 1885 | Obsolete |
| 1508 | 11.56.170 | 1584 | 11.92.110 | 1728 | 4.88 .100 | 1787 | 12.08.100 | 1886 | $S$ Ch. 12.32 |
| 1509 | 11.56.180 | 1585 | 11.92.120 | 1730-2 | 4.88.130 | 1788 | 12.08.110 |  | see 189 |
| 1510 | 11.56.190 | 1585a | 11.92.130 | 1730-4 | Court Rules | 1789 | 12.08.120 |  | Wash. 87 |
| 1511 | 11.56.200 | 1586 | 11.92.180 | 1730-5 | Court Rules | 1790 |  | 1887 | 12.24.190 |
| 1512 | 11.56.210 | 1586-1 | 11.92.150 | 1730-6 | Court Rules | 1791 | S 1927 | 1888 | 12.24.200 |
| 1513 | 11.56 .220 | 1586-2 | 11.92 .160 | 1730-7 | 4.88.120 | 1792 | c 162 § 4, | 1889 | 12.24.210 |
| 1514 | 11.56.230 | 1587 | 11.92.170 | 1730-8 | Court Rules | 1793 | see 78 | 1890 | 12.04.200 |
| 1515 | 11.56.240 | 1588 | 11.92.030 | 1730-9 | 4.88 .110 | 1794 | Wash. 685, | 1891 | 3.28 .010 |
| 1516 | 11.56.250 | 1589 | 11.16.020 | 1731 | 4.88 .140 | 1795 | 81 Wash. 394 | 1892 | 3.28.060 |
| 1517 | 11.48 .010 | 1590 | 11.16.030 | 1733 | 4.88 .150 | 1796 | 12.28.010 | 1893 | 3.28 .020 |
| 1518 | 11.48 .090 | 1590-a | 11.16.110 | 1734 | 4.88 .160 | 1797 | 12.28.020 | 1894 | 3.28 .030 |
| 1519 | 11.48.100 | 1590-1 | 11.76.060 | 1735 | 4.88 .170 | 1798 | 12.28 .030 | 1895 | 3.28 .040 |
| 1520 | 11.48.110 | 1590-2 | 11.76 .070 | 1736 | 4.88 .180 | 1799 | 12.28.040 | 1896 | 3.28 .050 |
| 1521 | 11.48.120 | 1591 | 11.16.040 | 1737 | 4.88 .190 | 1800 | 12.28 .050 | 1897 | 3.28 .070 |
| 1522 | 11.48 .130 | 1592 | Val. | 1738 | 4.88 .200 | 1801 | 12.28.060 | 1898 | 12.16.010 |
| 1523 | 11.48 .140 | 1693 | 11.56.260 | 1739 | 4.88 .210 | 1802 | 12.28 .070 | 1899 | 12.16.020 |
| 1524 | 11.48 .040 | 1695 | Applic. | 1740 | 4.88 .220 | 1803 | 12.28.080 | 1900 | 12.16.030 |
| 1525 | 11.48 .030 |  | Val. | 1741 | 4.88 .230 | 1804 | 12.28.090 | 1901 | 12.16 .040 |
| 1526 | 11.48 .050 | 1699-1 | Short t. | 1742 | 4.88 .240 | 1805 | 12.28.100 | 1902 | 12.16.050 |
| 1527 | 11.48 .080 |  | n26.32.010 | 1743 | 4.88 .250 | 1806 | 12.28 .110 | 1903 | 12.16.060 |
| 1528 | 11.48 .210 | 1699-2 | 26.32.010 | 1744 | 4.88 .260 | 1823 | 12.32.010 | 1904 | 12.16.070 |
| 1529 | 11.76 .010 | 1699-3 | 26.32.020 | 1745 | 10.73.030 | 1824 | 12.32.020 | 1905 | 12.16.080 |
| 1530 | 11.76 .020 | 1699-4 | 26.32.030 | 1746 | 10.70.030 | 1825 | 12.32.030 | 1906 | 12.16.090 |
| 1531 | 11.76 .030 | 1699-5 | 26.32.040 |  | 10.73.030 | 1826 | 12.32.040 | 1907 | 12.16.100 |
| 1532 | 11.76 .040 | 1699-6 | 26.32.050 | 1747 | 10.73 .040 | 1827 | 12.32.050 | 1908 | 12.16.110 |
| 1533 | 11.76 .050 | 1699-7 | 26.32.060 | 1748 | 10.73 .050 | 1828 | 12.32.060 | 1909 | 12.16.120 |
| 1534 | 11.76 .080 | 1699-8 | 26.32.070 |  | 10.73 .060 | 1829 | 12.32.070 | 1910 | 12.36.010 |
| 1534-1 | 11.76 .090 | 1699-9 | 26.32.080 | 1749 | 10.73 .070 | 1830 | 12.32.080 | 1911 | 12.36.020 |
| 1535 | 11.76 .200 | 1699-10 | 26.32.090 |  | 10.73 .080 | 1831 | 12.32 .090 | 1912 | 12.36.030 |
| 1536 | 11.76 .210 | 1699-11 | 26.32.100 | 1750 | 10.73.070 | 1832 | 12.32.100 | 1913 | 12.36.040 |
| 1537 | 11.76 .220 | 1699-12 | 26.32.120 | 1751 | 4.88 .270 | 1833 | 12.32.110 | 1914 | 12.36.050 |
| 1538 | 11.76 .230 |  | 26.32.130 | 1752 | 4.88 .280 | 1834 | 12.32.120 | 1915 | 12.36.060 |
| 1539 | 11.76 .240 | 1699-13 | 26.32.140 | 1753 | 4.88 .290 | 1835 | 12.32.130 | 1916 | 12.36.070 |
| 1540 | 11.76 .100 | 1699-14 | 26.32.150 | 1754 | 4.88 .300 | 1836 | 12.32.140 | 1917 | 12.36.080 |
| 1541 | 11.76.110 | 1699-15 | 26.32.110 | 1754-1 | 2.32.080 | 1837 | 12.32.150 | 1918 | 12.36.090 |
| 1542 | 11.76.120 | 1699-16 | 26.32.160 | 1755 | 12.04.010 | 1838 | 12.32.160 | 1919 | 10.10.010 |

[Parallel Tables-—p 8]

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1920 | 10.10.020 | 1979-4 | 26.24.140 | 2045 | 10.28.200 | 2129 | 10.79.050 | 2205 | 10.82.020 |
|  | 10.10.030 | 1979-5 | 26.24.150 | 2046 | 10.28.200 | 2130 | 10.85.010 | 2206 | 10.82 .030 |
|  | 10.10.060 | 1979-6 | 26.24.160 |  | 10.28.210 | 2134 | 10.46.020 |  | 10.82.050 |
|  | 10.10.080 | 1979-7 | 26.24.170 | 2047 | 10.28.170 | 2135 | 10.46.080 | 2206-1 | 10.70.140 |
| 1921 | 10.10.040 | 1979-8 | 26.24.180 | 2048 | 10.28 .180 | 2137 | 10.46.070 | 2206-2 | 10.70.150 |
|  | 10.10.050 | 1979-9 | 26.24.190 | 1049 | 10.28.080 |  | 10.49.020 | 2207 | 10.70.020 |
|  | 10.10.070 | 1980 | 13.08.010 | 2050 | 10.37.030 | 2137-1 | 10.49 .070 | 2208 | 10.64.060 |
| 1922 | 10.13.120 |  | 13.08.020 |  | 10.52.010 |  | 10.49 .080 | 2209 | 10.82.040 |
| 1923 | 10.13.130 |  | 13.08.050 | 2050-1 | 10.37 .010 |  | 10.49 .090 | 2210 | 10.70 .050 |
| 1924 | 10.13.140 | 1981 | $S$ Title 13 | 2051 | 10.37 .030 | 2138 | 10.49 .060 | 2212 | 10.70 .090 |
| 1925 | 10.04.010 | 1982 | $S$ Title 13 | 2052 | 10.19 .020 | 2140 | 10.49 .030 | 2213 | 10.70 .060 |
| 1925-1 | 3.20 .120 | 1983 | $S$ Title 13 | 2053 | 10.16.110 | 2141 | 10.49.040 | 2214 | 10.70.080 |
| 1926 | 10.04.020 | 1984 | 13.08.060 |  | 10.16.120 | 2142 | 10.49.050 | 2215 | 10.70.100 |
|  | 10.04.030 | 1985 | $S$ Title 13 | 2054 | 10.37.010 | 2143 | 10.49.100 | 2216 | 10.70.110 |
| 1927 | 10.04.050 | 1986 | 13.08.010 | 2055 | 10.37 .050 | 2145 | 10.46.120 | 2217 | 10.70.070 |
| 1928 | 10.04.100 |  | 13.08.020 | 2056 | 10.37.040 | 2146 | 10.46.130 | 2218 | 10.70 .130 |
| 1929 | 10.04.070 |  | 13.08.070 | 2057 | 10.37 .050 | 2147 | 10.52.020 | 2219 | 10.70.040 |
| 1930 | 10.04.090 | 1987-1 | 13.04.010 | 2058 | 10.46.060 | 2148 | 10.52.040 | 2220 | Repealer |
| 1931 | 10.04.080 |  | 13.04.020 | 2059 | 10.37.060 |  | 10.52.050 | 2221 | Saving |
| 1932 | 10.04.060 | 1987-2 | 13.04.030 | 2060 | 10.37.180 |  | 10.52.070 |  | n10.70.040 |
| 1933 | 10.04.110 | 1987-3 | 13.04.040 | 2061 | 10.37.090 |  | 10.52.080 | 2222 | 10.70.120 |
| 1934 | 10.04.120 | 1987-4 | 13.04.050 | 2062 | 10.37 .070 | 2149 | S 9.18 .080 | 2223 | 10.01.120 |
| 1935 | 10.07.010 | 1987-5 | 13.04.060 | 2063 | 10.37.190 | 2150 | S 9.18 .080 | 2224 | 10.64.100 |
|  | 10.07.020 | 1987-6 | 13.04.070 | 2064 | 10.37.160 | 2150-1 | 10.55.010 | 2225 | 10.46.210 |
|  | 10.07.030 | 1987-7 | 13.04.080 | 2065 | 10.37.050 | 2150-2 | 10.55.020 | 2226 | 10.28.190 |
|  | 10.07.040 | 1987-8 | 13.04.100 | 2066 | 10.37.050 |  | 10.55.030 | 2227 | 10.46.190 |
|  | 10.07.050 | 1987-9 | 13.04.110 | 2067 | 10.37 .150 |  | 10.55 .040 | 2228 | 10.46.220 |
|  | 10.07.060 | 1987-10 | 13.04.090 | 2068 | 10.37.100 |  | 10.55.050 | 2229 | 10.46.230 |
|  | 10.07.070 | 1987-11 | 13.16.090 | 2069 | 10.37.170 | 2150-3 | 10.55.060 | 2231 | 10.19 .090 |
|  | 10.07.080 | 1987-12 | 13.04.120 | 2070 | 10.37.120 |  | 10.55.070 | 2232 | 10.19.100 |
| 1936 | 10.13.010 | 1987-12a | 13.04.130 | 2071 | 10.37.080 |  | 10.55 .080 | 2233 | 10.19.100 |
| 1937 | 10.13.020 | 1987-13 | 13.16.010 | 2072 | 10.37.140 |  | 10.55.090 | 2234 | 10.19.110 |
| 1938 | 10.13.040 | 1987-14 | 13.04.140 | 2073 | 10.61 .030 | 2150-4 | 10.55.100 | 2235 | 10.19.120 |
| 1939 | 10.13.030 | 1987-15 | 13.04.150 | 2074 | 10.37.110 | 2150-5 | 10.55.110 | 2236 | 10.46.200 |
| 1940 | 10.13.060 | 1987-16 | 13.04.160 | 2075 | 10.37.130 | 2150-6 | Short t. | 2237 | 10.79.010 |
| 1941 | 10.13.070 | 1987-17 | 13.04.170 | 2076 | Obsolete- |  | n10.55.010 | 2238 | 10.79.010 |
| 1942 | 10.13.050 | 1987-18 | 13.04.180 |  | see 1927 c 25 | 2150-7 | Sev. | 2239 | 10.79.020 |
| 1943 | 10.13.110 | 2004-1 | 13.16.020 | 2077 | 10.31 .010 |  | n10.55.010 | 2240 | 10.79.030 |
| 1944 | 10.13.070 | 2004-2 | 13.16.030 | 2079 | 10.19 .020 | 2151 | 10.58.030 | 2240-1 | 10.79.040 |
| 1945 | 10.13.080 | 2004-3 | 13.16.040 | 2080 | 10.31.020 | 2152 | 10.58.010 | 2240-7 | 10.79.040 |
| 1946 | 10.13.150 | 2004-4 | 13.16.050 | 2081 | 10.31 .060 | 2153 | 10.58.050 | 2241 | 10.34.030 |
| 1947 | 10.13.090 | 2004-5 | 13.16.060 |  | 10.31 .070 | 2154 | 10.58.070 | 2242 | 10.88.010 |
| 1948 | 10.13.100 | 2004-6 | 13.16.070 |  | 10.31.080 | 2156 | 10.58.060 |  | 10.88.020 |
| 1949 | 10.16.010 | 2004-7 | 13.16.080 |  | 10.31 .090 | 2158 | 10.46.070 | 2243 | 10.88.030 |
|  | 10.16.020 | 2005 | 10.01.020 | 2082 | 10.31 .040 | 2159 | 10.49.110 | 2244 | 10.88.040 |
| 1950 | 10.34.010 | 2006 | 10.01.040 | 2083 | 10.31 .030 | 2160 | 10.58.080 | 2245 | 10.88.050 |
| 1951 | 10.16.030 | 2010 | 10.01.010 | 2084 | 10.31 .050 | 2161 | 10.46.100 | 2246 | 10.88.060 |
| 1952 | 10.16.040 | 2011-1 | 10.01.070 | 2085 | 10.34.020 | 2162 | 10.46.110 | 2247 | 10.85.020 |
| 1953 | 10.16.060 | 2011-2 | 10.01.080 | 2086 | Obsolete- | 2163 | 10.46.170 | 2248 | 10.85.020 |
| 1954 | 10.16.080 | 2011-3 | 10.01.090 |  | see Ch. 10.19 | 2164 | 10.25.110 | 2249 | 10.85.030 |
| 1955 | 10.16.130 | 2011-4 | 10.01.100 | 2087 | 10.19 .040 | 2165 | 10.46.180 | 2250 | Superf.- |
| 1956 | 10.19.050 | 2012 | 10.25.010 | 2088 | 10.19.060 | 2166 | 10.43.020 |  | see Ch. 10.85 |
| 1957 | 10.16.070 | 2013 | 10.25.020 | 2089 | 10.19.070 | 2167 | 10.61.010 | 2251 | 10.85 .040 |
|  | 10.19.040 | 2014 | 10.25.030 | 2090 | 10.19.080 | 2168 | 10.61 .010 | 2252 | Obsolete |
|  | 10.19.030 | 2015 | 10.25.040 | 2091 | 10.46.030 | 2169 | 10.61.030 | 2252-1 | 10.88.070 |
| 1957 1/2 | 10.04.040 | 2016 | 10.25.050 | 2092 | 10.46.040 | 2170 | 10.61.060 | 2252-2 | 10.88.080 |
| 1958 | 10.16.050 | 2017 | 10.25.060 | 2093 | 10.40 .010 | 2171 | 10.61.040 | 2252-3 | 10.88.100 |
| 1959 | 10.16.140 | 2018 | 10.25 .070 | 2094 | 10.40 .020 | 2172 | 10.61 .050 | 2252-4 | 10.88.110 |
| 1960 | 10.16.140 | 2019 | 10.25.080 | 2095 | 10.40.030 |  | 10.64.050 | 2252-5 | 10.88.090 |
| 1961 | 10.16.150 | 2020 | 10.25.090 | 2096 | 10.40 .040 | 2173 | 10.76.010 | 2252-6 | Obsolete |
| 1962 | 10.16.160 | 2021 | 10.25.100 | 2097 | 10.40 .050 | 2174 | 10.76.020 | 2252-7 | Sev. |
|  | 10.16.170 | 2022 | 10.01.030 | 2098 | 10.40 .060 | 2175 | 10.76.030 |  | n10.88.070 |
|  | 10.16.180 | 2023 | 10.37.010 | 2099 | 10.40.070 | 2176 | 10.76.040 |  | Short t. |
| 1963 | 10.16.090 | 2024 | 10.37.010 | 2100 | 10.40.070 | 2181 | 10.67.010 |  | n10.88.070 |
| 1964 | 10.22.010 | 2025 | 10.28 .010 | 2101 | 10.40 .080 |  | 10.67.020 | 2252-10- |  |
| 1965 | 10.19.110 | 2026 | 10.28.030 | 2102 | 10.40.100 | 2182 | 10.67 .030 | 2252-15 | R 1951 |
| 1966 | 10.16.100 | 2027 | 10.28.020 | 2103 | 10.40.130 | 2183-1 | 10.73.020 |  | c 223 § 28 |
| 1967 | Obsolete | 2028 | 10.28.040 | 2104 | 10.40 .090 | 2183-2 | ${ }_{0}^{\text {Sev. }}$ |  | but see |
| 1968 | Superf. | 2029 | 10.28.050 | 2105 | 10.40.110 |  | n10.28.150 |  | Ch. 71.06 |
| 1969 | 9.87 .030 | 2030 | 10.28.060 | 2106 | 10.40.120 | 2184 | Court Rules | 2253 | 9.01 .020 |
| 1970 | 26.24.010 | 2031 | 10.28.080 | 2107 | 10.40.140 | 2187 | 10.64.010 | 2254 | 9.01 .050 |
| 1971 | 26.24.020 | 2032 | 10.28.070 | 2108 | 10.40.150 | 2188 | 10.64.080 | 2255 | 10.46.150 |
| 1972 | 26.24.030 | 2033 | 10.28.090 | 2109 | 10.40.160 | 2189 | 10.82.060 | 2256 | 10.46.150 |
| 1973 | 26.24.040 | 2034 | 10.28.130 | 2110 | 10.40.170 | 2190 | 10.64.010 | 2257 | 10.46.140 |
| 1974 | 26.24.050 | 2035 | 10.28.140 | 2111 | 10.40 .170 | 2196 | 10.64.020 | 2258 | 10.46.160 |
| 1975 | 26.24.060 | 2036 | 10.28.190 | 2112 | 10.40.180 | 2197 | 10.64.030 | 2260 | 9.01 .030 |
| 1976 | 26.24.070 | 2037 | 10.28.110 | 2114 | 10.40.120 | 2198 | 10.64.040 | 2261 | 9.01 .040 |
| 1977 | 26.24.080 | 2038 | 10.28.120 | 2115 | 10.40.190 | 2199 | 10.64.030 | 2262 | 9.01 .060 |
| 1978 | 26.24.090 | 2039 | 10.28.210 | 2116 | 10.49.010 | 2200 | 10.70.010 | 2263 | 10.61.010 |
| 1979 | 26.24.100 | 2040 | 10.28.100 | 2118 | 10.01.050 | 2201 | 10.82.010 | 2264 | 9.01 .070 |
| 1979-1 | 26.24.110 | 2041 | 10.28.220 | 2126 | 10.22.010 | 2202 | 10.64.070 | 2264-1 | 9.01 .080 |
| 1979-2 | 26.24.120 | 2042 | 10.28.150 | 2127 | 10.22.020 | 2203 | 10.64.070 | 2265 | 9.92 .010 |
| 1979-3 | 26.24.130 | 2044 | 10.28.160 | 2128 | 10.22.030 | 2204 | 10.82.020 | 2266 | 9.92.030 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2267 | 9.92 .020 | 2335 | 42.20 .020 | 2417 | 9.11 .050 | 2491 | 68.08.140 | 2517-1 | 9.41 .170 |
| 2268 | 42.20.100 | 2336 | 42.20 .030 | 2418 | 9.75 .010 | 2492 | $S$ 68.08.120, | 2518 | 9.41 .180 |
| 2269 | 9.01 .090 | 2337 | 9.55.010 | 2419 | 9.30 .010 |  | 68.48.010 | 2518-1 | 9.41 .190 |
| 2270 | 9.01 .100 | 2338 | 9.55 .020 | 2420 | 9.30 .020 | 2493 | 68.24 .190 | 2518-2 | 9.41 .200 |
| 2271 | 10.43.040 | 2339 | 9.31 .060 | 2421 | 9.30 .030 | 2494 | 9.76.010 | 2518-3 | 9.41 .210 |
| 2272 | 10.43.030 | 2340 | 9.31 .070 | 2422 | 9.30.040 | 2495 | 66.44.220 | 2518-4 | 9.41 .220 |
| 2273 | 9.92 .040 | 2341 | 9.31 .090 | 2423 | 9.30 .050 | 2496 | 9.76.020 | 2519 | 9.40 .010 |
| 2274 | 9.01 .130 | 2342 | 9.31 .010 | 2424 | 9.58.010 | 2497 | 9.76.030 | 2520 | 9.40 .020 |
| 2275 | 9.01 .110 | 2343 | 9.31 .020 | 2425 | 9.58 .020 | 2498 | 9.76.040 | 2521 | 9.40 .030 |
| 2276 | 13.08.030 | 2344 | 9.31 .030 | 2426 | 9.58 .030 | 2499 | 9.76.050 | 2522 | 76.04.160 |
| 2277 | 9.92.050 | 2345 | 9.31 .040 | 2427 | 9.58 .040 | 2499-1 | 67.24 .010 | 2523 | 76.04.220 |
| 2279 | 36.28 .100 | 2346 | 9.31 .050 | 2428 | 9.58 .050 |  | 67.24.020 | 2524 | 9.40 .040 |
| 2280 | 9.92.060 | 2347 | 40.16.010 | 2429 | 9.58.060 | 2500 | 9.66.010 | 2525 | 70.54 .070 |
| 2280-1 | 9.92.070 | 2348 | 40.16.020 | 2430 | 9.58 .070 | 2501 | 9.66.020 | 2526 | 81.40 .100 |
| 2284 | 72.04.120 | 2349 | 40.16.030 | 2431 | 9.58.080 | 2502 | 9.66.030 | 2527 | 9.91 .020 |
| 2285 | 9.92 .080 | 2350 | 42.20 .040 | 2432 | 9.58 .090 | 2503 | 9.66.040 | 2528 | 81.48 .010 |
| 2286 | 9.92.090 | 2351 | 9.72.010 | 2432-1 | 9.58 .100 | 2504 | 70.74.290 | 2529 | 81.48 .060 |
| 2287 | 9.92 .100 | 2352 | 9.72.020 | 2433 | 9.58 .110 | 2504-1 | 70.74.310 | 2530 | 81.48 .020 |
| 2288 | 9.92 .110 | 2353 | 9.72 .030 | 2434 | 9.58.120 | 2505 | Obsolete | 2532 | 70.54 .080 |
| 2289 | 9.92.120 | 2354 | 9.72 .040 | 2435 | 9.79.010 | 2506 | 70.74.300 | 2533 | 49.44.080 |
| 2290 | 10.52.030 | 2355 | 9.72.050 | 2436 | 9.79 .020 | 2507 | 69.40.040 | 2534 | 9.27 .020 |
| 2291 | 10.52.090 | 2356 | 9.72 .060 | 2437 | 9.79.030 | 2508 | 69.40.050 | 2535 | 9.41 .260 |
| 2292 | 10.58.040 | 2357 | 9.72.070 | 2438 | 9.79 .040 | 2508-1 | 69.36.010 | 2537 | 9.66.050 |
| 2294 | Obsolete | 2358 | 9.72 .080 | 2439 | 9.79 .050 |  | 69.36.020 | 2538 | 9.08.010 |
| 2295 | Obsolete | 2359 | 9.72 .090 | 2440 | 9.79 .060 | 2508-2 | 69.36.020 | 2539 | 70.54 .050 |
| 2296 | 9.01 .120 | 2360 | 9.72 .100 | 2441 | 9.79 .070 | 2508-3 | 69.36.030 | 2540 | 9.08 .020 |
| 2297 | 42.04.040 | 2361 | 9.72 .110 | 2442 | 9.79 .080 | 2508-4 | 69.36.060 | 2542 | 70.54 .010 |
| 2298 | Superf. | 2362 | 9.69 .070 | 2445 | 26.28.080 | 2508-5 | 69.36.040 | 2543 | 70.54 .020 |
| 2299 | 9.01 .150 | 2363 | 9.69.080 |  | 26.28.090 | 2508-6 | 69.36.050 | 2544 | $S$ 18.32.190, |
| 2300 | Obsolete | 2364 | 9.69.020 |  | 26.28.100 | 2508-7 | Short t. |  | in part |
| 2301 | Repealer | 2365 | 9.69 .030 | 2446 | 26.28.070 |  | n69.36.010 | 2545 | 88.08.060 |
| 2302 | Effect | 2366 | 9.69.040 | 2447 | 26.28.060 | 2508-8 | Eff. date | 2545-1 | 77.16.250 |
|  | n9.01.010 | 2367 | 9.69 .090 | 2448 | 9.02.010 | 2509-1 | Preamble | 2545-2 | 77.16.260 |
| 2303 | 9.01 .010 | 2368 | 9.69.050 | 2449 | 9.02.020 |  | n69.32.010 | 2545-3 | 77.16.270 |
|  | 42.04.010 | 2369 | 9.62 .010 | 2450 | 9.02.030 | 2509-2 | 69.32.010 | 2545-4 | 77.16.280 |
| 2304 | Repealer | 2370 | 9.12 .010 | 2451 | 9.02.040 | 2509-3 | part | 2545-5 | 77.16.290 |
| 2305 | 10.01.110 | 2371 | 9.12 .020 | 2452 | 9.02.050 |  | 69.32.030 | 2545-6 | 77.16 .300 |
| 2306 | 10.52.060 | 2372 | 9.23 .010 | 2453 | 9.15 .010 | $R$-_see |  | 2547 | 9.27 .010 |
| 2307 | 10.46.050 | 2373 | 9.51 .040 | 2454 | 9.15 .020 | footnote | 69.32.020 | 2548 | 9.27 .040 |
| 2308 | 10.58.020 | 2374 | 9.45 .010 | 2455 | 9.79 .090 | to 1951 | \{69.32.040 | 2549 | 9.27 .050 |
|  | 10.61.020 | 2375 | 9.45.020 | 2456 | 9.79 .100 | 2nd ex.s. | 69.32.050 | 2550 | 9.27 .060 |
| 2309 | 10.01.060 | 2376 | 9.62 .020 | 2457 | 9.79 .110 | c 22 § 28 |  | 2551 | 9.27 .070 |
| 2310 | 10.19.010 | 2377 | 9.31 .080 | 2458 | 9.79 .120 | 2509-4 | 69.32.080 | 2552 | 9.27 .080 |
| 2311 | 10.37.020 | 2378 | 9.51 .050 | 2459 | 9.68.010 | 2509-5 | 69.32.060 | 2553 | 9.27 .090 |
| 2312 | 10.46.010 | 2379 | 9.51 .060 | 2460 | 9.68 .030 | 2509-6 | 69.32 .070 | 2554 | 9.27 .100 |
| 2313 | 10.64.090 | 2380 | 42.20 .050 | 2461 | 9.68 .020 | 2509-7 | 69.32 .090 | 2555 | 9.69 .010 |
| 2314 | 10.46.090 | 2381 | 42.20 .060 | 2462 | 9.04.030 | 2509-8 | 69.32.100 | 2558 | 59.12.230 |
| 2315 | 10.43.010 | 2382 | 9.22.010 | 2462-1 | 9.04.040 | 2509-9 | 69.32.130 | 2559 | 9.41 .230 |
| 2316 | 10.43 .050 | 2383 | 9.22 .020 | 2463 | 9.04.020 | 2509-10 | 69.32.110 | 2560 | 9.41 .240 |
| 2317 | 9.82.010 | 2384 | 9.22 .030 | 2464 | 9.59 .010 | 2509-11 | 69.32.120 | 2561 | 9.27 .030 |
| 2318 | 9.82 .020 | 2385 | 9.80 .010 | 2465 | 9.59 .020 | 2509-12 | Constr. | 2562 | 9.05 .010 |
| 2319 | 9.82.030 | 2386 | 9.80 .020 | 2466 | 9.59 .030 |  | n69.32.010 | 2563 | 9.05 .020 |
| 2320 | 9.18.010 | 2387 | 9.80.030 | 2467 | 9.59.040 | 2509-13 | Constr. | 2563-3 | 9.05 .060 |
| 2321 | 9.18 .020 | 2388 | 9.80 .040 | 2468 | 9.59 .050 |  | n69.32.010 | 2563-4 | 9.05 .070 |
| 2321-1 | 67.04.010 | 2389 | 9.80 .050 | 2469 | 9.47 .010 | 2509-14 | Sev. | 2563-5 | 9.05 .080 |
| 2321-2 | 67.04.020 | 2390 | 9.48.010 | 2470 | 9.47 .020 |  | n69.32.010 | 2563-6 | 9.05 .090 |
| 2321-3 | 67.04.030 | 2391 | 9.48 .020 | 2471 | 9.45 .030 | 2509-15 | 69.40.060 | 2563-7 | 9.05 .100 |
| 2321-4 | 67.04.040 | 2392 | 9.48.030 | 2472 | 9.47 .030 | 2509-16 | 69.40.070 | 2563-8 | 9.05 .110 |
| 2321-5 | 67.04.050 | 2393 | 9.48 .040 | 2472-1 | 9.47 .040 | 2516 | 69.40.030 | 2563-9 | 9.05 .120 |
| 2321-6 | 67.04.060 | 2394 | 9.48 .050 | 2472-2 | 9.47 .050 | 2516-1 | 9.41 .010 | 2563-10 | 9.05 .130 |
| 2321-7 | 67.04.070 | 2395 | 9.48.060 | 2473 | 9.47 .060 | 2516-2 | 9.41 .020 | 2563-11 | 9.05 .140 |
| 2321-8 | 67.04.080 | 2396 | 9.48.070 | 2474 | 9.47 .070 | 2516-3 | 9.41 .030 | 2564 | 9.05 .150 |
| 2322 | 9.18.030 | 2397 | 9.48 .080 | 2475 | 9.47 .080 | 2516-4 | 9.41 .040 | 2565 | 9.05 .160 |
| 2323 | 9.18 .040 | 2398 | 9.48 .090 | 2476 | 9.47 .090 | 2516-5 | 9.41 .050 | 2566 | 9.05 .030 |
| 2324 | 9.18 .050 | 2399 | 9.48 .100 | 2477 | 9.47 .100 | 2516-6 | 9.41 .060 | 2567 | 9.05 .040 |
| 2325 | 9.18.060 | 2400 | 9.48 .110 | 2478 | 9.47 .110 | 2516-7 | 9.41 .070 | 2568 | 9.05 .050 |
| 2326 | 9.18 .070 | 2401 | 9.48 .120 | 2479 | 9.47 .120 | 2516-8 | 9.41 .080 | 2569 | 42.20.070 |
| 2327 | 9.51 .010 | 2402 | 9.48 .130 | 2480 | 9.47 .130 | 2516-9 | 9.41 .090 | 2570 | 42.20 .080 |
| 2328 | 9.51 .020 | 2403 | 9.48 .140 | 2481 | 19.60.020 | 2516-10 | 9.41 .100 | 2571 | 42.20 .090 |
| 2329 | 9.51 .030 | 2404 | 9.48 .150 | 2482 | 19.60.030 | 2516-11 | 9.41 .110 | 2572 | 9.09.010 |
| 2330 | 9.18 .080 | 2405 | 9.48 .160 | 2483 | 19.60.040 | 2516-12 | 9.41 .120 | 2573 | 9.09 .020 |
| 2331 | 9.18 .090 | 2406 | 9.48 .170 | 2484 | 19.60.050 | 2516-13 | 9.41 .130 | 2574 | 9.09 .030 |
| 2332 | 9.18 .100 | 2407 | 9.65 .010 | 2485 | 19.60.110 | 2516-14 | 9.41 .140 | 2575 | 9.09 .040 |
| 2333 | 9.18 .110 | 2408 | 9.65 .020 | 2486 | 19.60.060 | 2516-15 | 9.41 .150 | 2576 | 9.09.050 |
| 2333-1 | 9.18 .120 | 2409 | 9.65 .030 | 2487 | 19.60.010 | 2516-16 | 9.41 .160 | 2577 | 9.09.060 |
| 2333-2 | 9.18 .130 | 2410-1 | 9.52.010 | 2488 | 19.60.010 | 2516-17 | Sev. | 2578 | 9.19 .010 |
| 2333-3 | 9.18 .140 | 2410-2 | 9.52 .020 | 2488-1 | 19.60.010 |  | n9.41.010 | 2579 | 9.19 .020 |
| 2333-4 | 9.18 .150 | 2411 | 9.52 .030 | 2488-2 | 19.60.070 | 2516-18 | Short t. | 2580 | 9.19 .030 |
| 2334 | 42.20 .010 | 2412 | 9.52 .040 | 2488-3 | 19.60.080 |  | n9.41.010 | 2581 | 9.19 .040 |
| 2334-1 | 39.20.010 | 2413 | 9.11 .010 | 2488-4 | 19.60.090 | 2516-19 | Constr. | 2582 | 9.19 .050 |
| 2334-2 | 39.20 .020 | 2414 | 9.11 .020 | 2488-5 | 19.60 .100 |  | n9.41.010 | 2583 | 9.44.020 |
| 2334-3 | 39.20.030 | 2415 | 9.11 .030 | 2489 | 68.08.100 | 2516-20 | Eff. date | 2584 | 9.44.030 |
| 2334-4 | 39.20.040 | 2416 | 9.11 .040 | 2490 | 68.08.110 | 2517 | 9.41.250 | 2585 | 9.44.040 |

[Parallel Tables-p 10]

Parallel Tables: Rem. Rev. Stat. ——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2586 | 9.44.050 | 2660 | 9.61 .050 | 2722-2 | 14.16.020 |  | n14.08.010 |  | 17.04.110 |
| 2587 | 9.44 .060 | 2661 | 9.38.050 | 2722-3 | 14.16.030 | 2722-46 | 14.08.340 |  | 17.04.120 |
| 2588 | 9.44.070 | 2662 | 9.73.010 | 2722-4 | 14.16.040 | 2722-47 | Short t. |  | 17.04.130 |
| 2589 | 9.44.080 | 2663 | 9.73 .020 | 2722-5 | 14.16.050 |  | n14.08.010 |  | 17.04.140 |
| 2590 | 9.44.010 | 2664 | 9.83.010 | 2722-6 | 14.16.060 | 2722-48 | Repealer | 2774-2 | 17.04.240 |
| 2591 | 9.26 .010 | 2664-1 | 9.83 .020 | 2722-7 | Sev. | 2723 Cb | S--see | 2775 | 17.04.250 |
| 2592 | 9.26.020 | 2664-2 | 9.83.030 |  | n14.16.010 | 2724 Ch. | 43.17, 43.23 | 2775-1 | 17.04.160 |
| 2593 | 9.08.030 | 2664-3 | 9.83 .040 | 2722-8) |  | 2724 | 43.23 .120 | 2775-2 | 17.04.170 |
| 2594 | 9.16.010 | 2664-4 | 9.83 .050 | 2722-9 | S Ch. 14.08 |  | 43.23 .130 | 2777 | 17.04.180 |
| 2595 | 9.16 .020 | 2665 | 9.83 .060 | 2722-10 |  | 2725 | $S-$ see | 2778 | 17.04.260 |
| 2596 | 9.16.030 | 2666 | 9.61 .060 | 2722-11 | Obsolete | 2726 | Ch. 43.17, | 2778-1 | 17.04.150 |
| 2597 | 9.16.040 | 2667 | 9.61 .070 | 2722 | Repealer | 2727 | 43.23 | 2778-2 | 17.04.190 |
| 2598 | 9.16.050 | 2668 | 71.08.010 | 2722-15 | 14.12.010 | 2728 | 43.23 .140 | 2778-3 | 17.04.200 |
| 2599 | 9.16.060 | 2669 | 71.08.020 | 2722-16 | 14.12.020 | 2730 | Obsolete | 2778-4 | 17.04.210 |
| 2600 | 9.16 .070 | 2670 | 9.91 .030 | 2722-17 |  | 2731 | Obsolete | 2778-5 | 17.04.220 |
| 2601 | 9.54.010 | 2671 | 26.04.240 | subd 1 | 14.12 .030 | 2732 |  | 2778-6 | 17.04.220 |
| 2601-1 | 9.54.020 | 2672 | 9.69 .060 | subd 2 | 14.12.040 | 2733 | R 1949 |  | 17.04.230 |
| 2601-2 | 9.54 .050 | 2673 | 9.37.030 | 2722-18 |  | 2734 | c $181 \S 2$ | 2778-7 | Obsolete |
| 2601-3 | 9.54 .030 | 2674 | 9.37.040 | subd 1 | 14.12.050 | 2735 |  | 2778-11 | 17.08.010 |
| 2601-4 | 9.54.040 | 2675-1 | 9.86.010 | subd 2 | 14.12.060 | 2736-1 | 15.72.010 | 2778-12 | 17.08.020 |
| 2602 | 9.54.060 | 2675-2 | 9.86.020 | 2722-19 |  | 2736-2 | 15.72.010 |  | 17.08.030 |
| 2603 | 9.54 .070 | 2675-3 | 9.86.030 | subd 1 | 14.12.070 | 2736-3 | 15.72.010 |  | 17.08.040 |
| 2604 | 9.54 .080 | 2675-4 | 9.86.040 | subd 2 | 14.12.080 |  | 15.72.020 | 2778-13 | 17.08.050 |
| 2605 | 9.54 .090 | 2675-5 | 9.86.050 | 2722-20 |  | 2736-4 | 15.72.030 |  | 17.08.060 |
| 2606 | 9.54 .100 | 2675-6 | 9.86.060 | subd 1 | 14.12.090 | 2736-5 | 15.72.040 |  | 17.08.070 |
| 2607 | 9.54 .110 | 2675-7 | Short t. | subd 2 | 14.12.100 | 2736-6 | 15.72.050 |  | 17.08.080 |
| 2608 | 9.54 .120 |  | n9.86.010 | 2722-21 |  | 2736-7 | Obsolete |  | 17.08.090 |
| 2609 | 9.54 .130 | 2676 | 49.44.020 | subd 1 | 14.12.110 | 2736-8 | Obsolete | 2778-14 | 17.08.100 |
| 2610 | 9.33.010 | 2677 | 49.44.030 | subd 2 | 14.12.120 | 2736-9 | Obsolete |  | 17.08.110 |
| 2611 | 9.33.020 | 2678 | 49.44.060 | subd 3 | 14.12.130 | 2736-10 | Obsolete | 2778-15 | 17.08.120 |
| ${ }^{(5)}$ | 9.33 .030 | 2679 | 49.44.070 | 2722-22 | 14.12.190 | 2745 | Obsolete | 2778-16 | Sev. |
| 2612 | 9.33.040 | 2680 | 9.16 .100 | 2722-23 | 14.12.180 | 2746 | 36.90.010 |  | n17.08.010 |
| 2613 | 9.33 .050 | 2681 | 9.16.110 | 2722-24 |  | 2747 | 36.90.020 | 2780 | Purpose |
| 2614 | 9.33.060 | 2682 | 9.16 .120 | subd 1 | 14.12.140 | 2748 | 36.90.030 |  | n17.24.020 |
| 2615 | 9.34.010 | 2683 | 9.16 .130 | subd 2 | 14.12.150 | 2749 | 36.90.040 | 2781 | 17.24 .030 |
| 2616 | 9.34.020 | 2684 | 9.16.140 | subd 3 | 14.12.160 | 2750 | 36.37.010 |  | 17.24.040 |
| 2617 | 9.37 .010 | 2685 | 9.16.150 | subd 4 | 14.12.170 | 2751 | 36.37.020 | 2782 | 17.24.020 |
| 2618 | 9.45 .150 | 2686 | 9.91 .010 | 2722-25 | 14.12.200 | 2752 | 36.37.030 |  | 17.24 .040 |
| 2619 | 9.37.020 | 2687 | 88.08.030 | 2722-26 | 14.12.210 | 2753 | 36.37.040 |  | 17.24 .050 |
| 2620 | 9.38.010 | 2688 | 9.87.010 | 2722-27 | 14.12.220 | 2753a | 36.37.050 | 2783 | 17.24.060 |
| 2621 | 9.38 .020 | 2688-1 | 9.87 .020 | 2722-28 | Sev. | 2753-1 | 36.37.060 | 2784 | 17.24.070 |
| 2622 | 9.38.030 | 2689 | 66.44 .230 |  | n14.12.010 | 2753-2 | 36.37.070 | 2785 | 17.24.080 |
| 2622-1 | 9.04.010 | 2693 | 66.44.250 | 2722-19 | Short t. | 2753-3 | 36.37.060 |  | 17.24 .090 |
| 2623 | 49.44.040 | 2694 | 66.44.240 |  | n14.12.010 | 2753-4 | 36.37.080 | 2786 | 17.24.100 |
| 2624 | 49.44.050 | 2695 | $R$ - see | 2722-30 | 14.08.010 | 2753-5 | Preamble | 2787 | Constr. |
| 2625 | 9.45 .040 |  | 191 Wash. 691 | 2722-31 |  | 2753-6 | $S-$ see |  | n17.24.020 |
| 2627 | 9.45 .050 | 2696 | 191 $R$-see | subd 1 | 14.08.030 |  | Ch. 15.76 | 2787-1 | 47.40 .080 |
| 2628 | 9.08.040 |  | 191 Wash. 691 | subd 2 | 14.08.040 | 2753-6a | R 1951 | 2787-1b | $S$ 17.24.030 |
| 2629 | 9.45 .060 | 2696-1 | 42.20 .110 | subd 3 | 14.08.050 |  | c 60 § 9 | 2787-2b | $S$ 17.24.110 |
| 2630 | 9.45 .070 | 2696-2 | 9.37.050 | subd 4 | 14.08.060 |  | but see | 2787-3b | $S$ 17.24.120 |
| 2631 | 9.45.080 | 2696-3 | 9.12 .030 | 2722-32 | 14.08.020 |  | Ch. 15.76 | 2787-4b | $S$ 17.24.130 |
| 2632 | 9.45 .090 | 2696-4 | 9.37.060 | 2722-33 | 14.08.070 | 2753-6c | R 1951 | 2787-5b | $S 17.24 .140$ |
| 2633 | 9.45.100 | 2696-5 | $S 67.24 .010$ | 2722-34 | 14.08.080 |  | c 60 § 9 | 2787-4 | 15.56.010 |
| 2634 | 88.08.040 | 2702 | 9.26.030 | 2722-35 | 14.08.090 |  | but see | 2787-5 | 15.56.190 |
| 2635 | 88.08.010 | 2703 | 9.75 .030 | 2722-36 |  |  | Ch. 15.76 | 2787-6 | 15.56.020 |
| 2636 | 9.45.110 | 2704 | 9.61 .080 | subd 1 | 14.08.100 | 2753-6d | R 1951 | 2787-7 | 15.56.030 |
| 2637 | 9.45 .120 | 2705 | 9.61 .090 | subd 2 | 14.08.110 |  | c $60 \S 9$ | 2787-8 | 15.56.110 |
| 2637-1 | 9.16 .080 | 2706 | 9.61 .100 | 2722-37 |  |  | but see | 2787-9 | 15.56.040 |
| 2637-2 | 9.16 .090 | 2707 | 9.61 .110 | subd 1,2,3 | 14.08.120 |  | Ch. 15.76 | 2787-10 | 15.56.040 |
| 2638 | 9.44.090 | 2708 R | R 1927 c 43 § 2 | subd 4 | 14.08.320 | 2753-6e | R 1951 | 2787-11 | 15.56.050 |
| 2639 | 9.37.070 | 2709 | 61.12.030 | subd 5 | 14.08.130 |  | c 60 § 9 | 2787-12 | 15.56.120 |
| 2640 | 9.45 .140 | 2711 | 9.45.200 | subd 6 | 14.08.140 |  | but see | 2787-13 | 15.56.130 |
| 2641 | 9.45 .130 | 2712 | 9.45 .210 | subd 7 | 14.08.150 |  | Ch. 15.76 | 2787-14 | 15.56.060 |
| 2642 | 9.38.040 | 2713 | 9.45 .220 | 2722-38 |  | 2753-8 | R 1951 |  | 15.56.070 |
| 2643 | 22.32.010 | 2714 | 9.45 .230 | subd 1 | 14.08.160 |  | c 60 § 9 | 2787-15 | 15.56.060 |
| 2644 | 22.32 .020 | 2715 | 9.33.070 | subd 2 | 14.08.170 |  | but see |  | 15.56.070 |
| 2645 | 22.32 .030 | 2720 | 9.61 .120 | subd 3 | 14.08.180 |  | Ch. 15.76 |  | 15.56 .080 |
| 2646 | 22.32.040 | 2721 | 9.47 .140 | 2722-39 | 14.08.190 | $27531 / 2$ | 36.37.040 | 2787-16 | 15.56.090 |
| 2647 | 22.32.050 | 2721 1/2 | 9.68.040 | 2722-40 |  | 2754 | S 15.72.020 |  | 15.56.100 |
| 2648 | 81.56 .150 | 2721-1 | 63.16.010 | subd 1,2 | 14.08.200 | 2755 | Obsolete | 2787-17 | 15.56.140 |
| 2649 | 81.56.160 | 2721-2 | 63.16.020 | subd 5 | 14.08.220 | 2755-1 | 36.37.090 | 2787-18 | 15.56.150 |
| 2650 | 81.60 .070 | 2721-3 | 63.16.030 | subd 3,4 | 14.08.210 | 2755-2 | 36.37.100 | 2787-19 | 15.56.160 |
| 2650-1 | 81.60 .080 | 2721-4 | 63.16.040 | subd 6 | 14.08.230 | 2755-3 | 36.37.110 | 2787-20 | 15.56.180 |
| 2650-2 | 81.60 .090 | 2721-5 | 63.16.050 | subd 7 | 14.08.240 | 2771 | 17.04.010 | 2787-21 | 15.56.170 |
| 2651 | 9.75.020 | 2721-6 | 63.16.060 | subd 8 | 14.08.250 |  | 17.04.020 | 2787-22 | Repealer |
| 2652 | 70.74.270 | 2721-7 | 63.16 .070 | subd 9 | 14.08.260 | 2772 | 17.04.030 | 2787-30 | Purpose |
| 2653 | 70.74.280 | 2721-8 | 63.16 .080 | subd 10,11 | 14.08.270 |  | 17.04.040 |  | n17.20.010 |
| 2654 | 88.08.020 | 2721-9 | 63.16.090 | subd 12 | 14.08.280 | 2773 | 17.04.050 | 2787-31 | 17.20.010 |
| 2655 | 88.08.050 | 2721-10 | 63.16 .100 | 2722-41 | 14.08.290 | 2774 | 17.04.060 |  | 17.20.020 |
| 2656 | 9.61 .010 | 2721-11 | 63.16.110 | 2722-42 | 14.08.300 | 2774-1 | 17.04.070 |  | 17.20.030 |
| 2657 | 9.61 .020 | 2721-12 | Constr. | 2722-43 | 14.08.310 |  | 17.04.080 |  | 17.20.040 |
| 2658 | 9.61 .030 |  | n63.16.010 | 2722-44 | 14.08.330 |  | 17.04.090 | 2787-32 | 17.20.050 |
| 2659 | 9.61 .040 | 2722-1 | 14.16.010 | 2722-45 | Sev. |  | 17.04.100 | 2787-33 | 17.20.060 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem Rev. Stats | Rev. Code of Wash. | $\begin{gathered} \text { Rem. } \\ \text { Rev. Stats. } \end{gathered}$ | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2788 | 17.16 .010 |  | 15.04.070 | 2867-4 | 15.16.140 | 2874-17 | Constr. | 2909-29 | 15.28 .210 |
| 2789 | 17.16.060 |  | 15.04 .080 | 2867-5 | 15.16.190 |  | Sev. | 2909-30 | 15.28.220 |
| 2790 | 17.16.020 | 2842 | 15.08 .030 | 2867-6 | 15.16.160 |  | n15.24.010 | 2909-31 | 15.28.230 |
| 2791 | 17.16.030 | 2843 | 15.08.010 | 2867-7 | 15.16 .200 | 2874-18 | 15.24.170 | 2909-32 | 15.28 .240 |
| 2792 | 17.16.050 |  | 15.08.020 | 2867-7a | 15.16.210 | 2874-19 | 15.24.140 | 2909-33 | 15.28 .250 |
| 2793 | 17.16.120 | 2847 | 15.08 .040 | 2867-8 | 15.16.250 | 2875 | Preamble | 2909-34 | 15.28 .170 |
| 2794 | 17.16.040 | 2848 | 15.08.050 | 2867-9 | Constr. | 2875-1 | 19.08.010 | 2909-35 | 15.28 .180 |
| 2795 | 17.16.070 |  | 15.08.060 |  | Sev. | 2875-2 | 19.08.020 | 2909-36 | 15.28.260 |
| 2796 | 17.16.080 |  | 15.08.070 |  | n15.16.080 | 2875-3 | 19.08.030 | 2909-37 | 15.28 .270 |
| 2797 | 17.16.090 |  | 15.08.080 | 2867-21 | Preamble | 2876 | 15.64 .010 | 2909-38 | 15.28 .280 |
| 2798 | 17.16.100 |  | 15.08 .090 |  | n 15.20.010 | 2877 | 15.64 .020 | 2909-39 | 15.28 .290 |
| 2799 | 17.16.110 |  | 15.16.180 | 2867-22 | 15.20.030 | 2878 | 24.32.010 | 2909-40 | 15.28 .300 |
| 2800 | 17.16.130 | 2849 | 15.08 .090 | 2867-23 | 15.20 .020 | 2879 | 24.32 .020 | 2909-41 | 15.28 .310 |
| 2801 | 17.12.010 | 2849-1 | $S 15.08 .190$ | 2867-24 | 15.20.010 | 2880 | 24.32 .030 | 2909-42 | Constr. |
| 2802 | 17.12 .020 | 2849-1a | Purpose | 2867-25 | 15.20.030 | 2881 | 24.32 .040 |  | Sev. |
| 2803 | 17.12 .030 |  | $n 15.08 .010$ | 2867-26 | 15.20.030 | 2882 | 24.32 .050 |  | n15.28.010 |
| 2804 | 17.12 .040 | 2849-1b | 15.08.010 |  | 15.20 .040 | 2883 | 24.32.060 | 2910 | Short t. |
| 2805 | 17.12.050 | 2849-1c | 15.08.010 |  | 15.20.050 | 2884 | 24.32 .070 |  | n31.16.010 |
| 2806 | 17.12 .060 | 2849-1d | 15.08.010 |  | 15.20.060 | 2885 | 24.32 .080 | 2911 | 31.16 .020 |
| 2807 | 17.12 .070 | 2849-le | 15.08.180 | 2867-27 | 15.20.040 | 2886 | 24.32 .090 | 2912 | 31.16 .010 |
| 2808 | 17.12 .080 | 2849-1f | 15.08.190 | 2867-28 | 15.20.030 | 2887 | 24.32 .100 |  | 31.16 .020 |
|  | 17.12 .090 | 2849-1g | 15.08.180 | 2867-29 | 15.20 .070 | 2888 | 24.32 .110 | 2913 | 31.16 .010 |
| 2809 | 17.12.100 |  | 15.08.190 | 2867-30 | 15.20 .080 |  | 24.32 .120 | 2914 | 31.16 .030 |
| 2809-1 | 17.24 .030 | 2849-1h | 15.08.190 | 2867-31 | 15.20.160 |  | 24.32 .130 | 2915 | 31.16 .040 |
| 2809-2 | 17.24 .110 | 2849-2 | 15.08.200 | 2867-32 | 15.20.170 |  | 24.32 .140 | 2916 | 31.16 .050 |
| 2809-3 | 17.24 .120 | 2849-2a | 15.08.210 |  | 15.20.250 | 2889 | 24.32 .150 | 2917 | 31.16 .060 |
| 2809-4 | 17.24.130 | 2849-2b | 15.08.220 | 2867-33 | 15.20.090 | 2890 | 24.32.160 | 2918 | 31.16 .070 |
| 2809-5 | 17.24.140 | 2849-2c | 15.08.220 | 2867-34 | 15.20.100 |  | 24.32 .170 | 2919 | 31.16 .080 |
| 2828-2 | Short t. | 2849-2d | 15.08.250 | 2867-35 | 15.20 .060 |  | 24.32 .180 | 2920 | 31.16 .090 |
|  | $n 15.48 .010$ | 2849-2e | 15.08.240 | 2867-36 | 15.20.110 |  | 24.32 .190 | 2921 | 31.16 .100 |
| 2828-3 | Superf. | 2849-2f | 15.04.020 | 2867-37 | 15.20.120 | 2891 | 24.32.200 | 2922 | 31.16 .110 |
| 2828-4 | 15.04 .010 | 2849-2g | Sev. | 2867-38 | 15.20.190 | 2892 | 24.32.210 | 2923 | 31.16 .120 |
| 2828-5 | 15.04.010 |  | Revival | 2867-39 | 15.20.180 |  | 24.32.220 | 2924 | 31.16 .130 |
| 2828-6 | 15.48 .010 |  | n15.08.010 | 2867-40 | 15.20 .240 |  | 24.32.230 | 2925 | 31.16 .150 |
| 2828-7 | 15.48.010 | 2849-3 | 15.08.200 | 2867-41 | 15.20 .050 | 2893 | 24.32 .240 | 2926 | 31.16 .160 |
| 2828-8 | 15.48.010 | 2849-4 | 15.08.210 |  | 15.20 .200 | 2894 | 24.32 .250 | 2927 | 31.16 .170 |
| 2828-9 | Superf. | 2850 | 15.08.100 | 2867-42 | 15.20.040 | 2895 | 24.32.260 | 2928 | 31.16 .180 |
| 2828-10 | Superf. |  | 15.08.110 | 2867-43 | 15.20.230 | 2896 | 24.32.270 | 2929 | 31.16 .190 |
| 2828-11 | 15.48 .010 |  | 15.08.120 | 2867-44 | 15.20.220 | 2897 | 24.32.280 | 2930 | 31.16 .200 |
| 2828-12 | 15.48 .010 | 2851 | 15.08.260 | 2867-45 | 15.20 .210 | 2898 | 24.32 .290 | 2931 | 31.16 .210 |
| 2828-13 | 15.48.020 |  | 15.08.270 | 2867-46 | 15.20.250 | 2899 | 24.32 .300 | 2932 | 31.16 .220 |
| 2828-14 | 15.48 .010 | 2852 | 15.08 .130 | 2867-47 | 15.20.260 | 2900 | 24.32 .310 | 2933 | 31.16 .230 |
| 2828-15 | Superf. |  | 15.08.140 | 2867-48 | 15.20 .130 | 2901 | 24.32 .320 | 2934 | 31.16 .240 |
| 2828-16 | 15.48 .030 |  | 15.08.150 | 2867-49 | 15.20.140 | 2902 | 24.32 .330 | 2935 | 31.16.250 |
| 2828-17 | 15.48 .040 |  | 15.08.160 | 2867-50 | 15.20.150 | 2903 | 24.32 .340 | 2936 | 31.16 .140 |
| 2828-18 | 15.48 .050 |  | 15.08.170 | 2867-51 | 15.20.140 | 2904 | 24.32 .350 | 2937 | 31.16 .260 |
| 2828-19 | 15.48 .060 | 2853 | 15.16 .090 | 2867-52 | 15.20.270 | 2905 | Superf. | 2938 | 31.16 .270 |
| 2828-20 | 15.48.070 | 2854 | 15.16 .090 | 2867-53 | 15.20.040 | 2906 | 24.32 .360 | 2939 | 31.16 .280 |
| 2828-21 | 15.48 .080 |  | 15.16.100 | 2867-54 | Constr. |  | 24.32 .370 | 2940 | 31.16.290 |
| 2828-22 | 15.48.220 | 2855 | 15.16.010 |  | Sev. |  | 24.32 .380 | 2941 | 31.16 .300 |
| 2828-23 | 15.48 .090 |  | 15.16.020 |  | n15.20.010 |  | 24.32 .390 | 2942 | 31.16 .310 |
| 2828-24 | 15.48 .100 |  | 15.16.030 | 2868 | 15.16 .130 | 2907 | 24.32 .400 | 2943 | 31.16.320 |
| 2828-25 | 15.48 .110 |  | 15.16 .090 | 2869 | 15.16.220 | 2908 | 24.32.410 | 2944 | Sev. |
| 2828-26 | 15.48:110 |  | 15.16.100 | 2870 | 15.16.230 | 2909 | Sev. |  | n31.16.010 |
| 2828-27 | 15.48 .120 |  | 15.16.110 | 2871 | 15.16.240 |  | n24.32.010 | 2945 | 31.16.010 |
| 2828-28 | 15.48 .150 | 2856 | 15.08.030 | 2872 | 15.16.040 | 2909-1 | 15.64 .040 | 3004 | Short t. |
| 2828-29 | 15.48 .150 | 2857 | 15.08.230 |  | 15.16.050 | 2909-2 | 15.64.030 |  | n89.16.010 |
| 2828-30 | 15.48 .130 | 2858 | 15.12 .010 |  | 15.16 .060 | 2909-3 | 15.24.160 | 3005 | 89.16 .010 |
| 2828-31 | 15.48 .210 |  | 15.12 .020 |  | 15.16 .070 | 2909-10 | 15.28 .010 | 3006 | Obsolete |
| 2828-32 | 15.48 .240 |  | 15.12 .030 |  | 15.08.280 | 2909-11 | 15.28 .020 | 3007 | 89.16 .020 |
| 2828-33 | 15.48.250 |  | 15.12.040 | 2873 | 15.04.050 | 2909-12 | 15.28 .030 |  | 89.16 .030 |
| 2828-34 | 15.48.260 | 2858-1 | Approp. | 2874 | Duplication | 2909-13 | 15.28 .040 |  | 89.16 .040 |
| 2828-35 | 15.48 .170 | 2860 | 15.12 .050 | 2874-1 | Purpose | 2909-14 | 15.28 .050 | 3008 | 89.16 .050 |
| 2828-36 | 15.48 .170 |  | 15.12 .060 |  | $n 15.24 .010$ | 2909-15 | 15.28 .060 | 3009 | 89.16 .060 |
| 2828-37 | 15.48 .160 | 2861 | 15.12 .040 | 2874-2 | 15.24 .010 | 2909-16 | 15.28 .070 | 3010 | 89.16 .070 |
| 2828-38 | 15.48 .140 | 2862 | 15.16.120 | 2874-3 | 15.24 .020 | 2909-17 | 15.28.080 | 3011 | 89.16.080 |
| 2828-39 | 15.48.230 | 2863 | 15.12.070 |  | 15.24 .030 | 2909-18 | 15.28 .020 | 3012 | 89.16 .090 |
| 2828-40 | Repealer | 2864 | 15.12 .070 |  | 15.24 .040 | 2909-19 | 15.28 .090 | 3013 | 89.16.100 |
| 2828-50 | 15.48 .180 | 2865 | 15.12 .080 |  | 15.24 .050 | 2909-20 | 15.28 .140 | 3014 | 89.16 .110 |
| 2828-51 | 15.48.180 |  | 15.12 .090 | 2874-4 | 15.24 .060 | 2909-21 | 15.28 .150 | 3015 | 89.16 .120 |
| 2828-52 | 15.48.010 |  | 15.12 .100 | 2874-5 | 15.24 .070 | 2909-22 | 15.28 .020 | 3016 | Approp. |
| 2828-53 | 15.48 .190 |  | 15.16.170 | 2874-6 | 15.24.150 |  | 15.28.100 | 3017 | Sev. |
| 2828-54 | 15.48 .200 | 2867 | 15.16 .130 | 2874-7 | 15.24 .190 |  | 15.28 .110 |  | n89.16.010 |
| 2839 | 15.48 .190 |  | 15.16.140 | 2874-8 | 15.24 .070 |  | 15.28 .120 | 3017-1 | 43.49 .010 |
|  | 15.04.010 |  | 15.16.150 | 2874-9 | 15.24 .100 | 2909-23 | 15.28.110 | 2017-la | 43.49 .020 |
|  | 15.08.010 | 2867a | 15.16.140 | 2874-10 | 15.24 .120 | 2909-24 | 15.28.100 | 3017-2 | 43.49 .030 |
|  | 17.24.010 | 2867b | 15.16 .130 | 2874-11 | 15.24 .130 |  | 15.28.110 | 3017-2a | 43.49 .040 |
| 2840 | 15.04 .020 | 2867c | 15.16.130 | 2874-12 | 15.24 .110 |  | 15.28 .190 | 3017-2b | 43.49 .050 |
|  | 15.04 .030 | 2867d | 15.16.150 | 2874-13 | 15.24 .080 | 2909-25 | 15.28 .130 | 3017-3 | 43.49 .060 |
|  | 15.16.010 | 2867e | 15.16.130 |  | 15.24 .090 | 2909-26 | 15.28.100 | 3017-4 | 43.49 .070 |
| 2840-1 | $S$ 15.04.020(d) | 2867-1 | 15.16.080 | 2874-14 | 15.24 .200 |  | 15.28 .110 | 3017-4a | Approp. |
| 2841 | 15.04 .040 | 2867-2 | 15.16.160 | 2874-15 | 15.24 .210 | 2909-27 | 15.28 .160 | 3017-5 | Approp. |
|  | 15.04.060 | 2867-3 | 15.16.140 | 2874-16 | 15.24.180 | 2909-28 | 15.28.200 | 3018 | Short t. |

Parallel Tables: Rem. Rev. Stat.——RCW


Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 3261-1 | 30.04.170 | 3295-2 | 30.36.020 | 3381 | 32.04.010 | 3410 | 62.01.019 | 3491 | 62.01.101 |
| 3262 | 30.44.110 | 3295-3 | 30.36.030 | 3381-1 | 32.20.010 | 3410-1 | 62.01 .0195 | 3492 | 62.01 .102 |
| 3263 | 30.12 .090 | 3295-4 | 30.36.040 | 3381-2 | 32.20.020 | 3411 | 62.01.020 | 3493 | 62.01.103 |
| 3264 | 30.12 .100 | 3295-5 | 30.36.050 | 3381-3 | 32.20.030 | 3412 | 62.01.021 | 3494 | 62.01.104 |
| 3265 | 30.04.030 | 3313 | 32.08.010 | 3381-3a | 32.20.040 | 3413 | 62.01.022 | 3495 | 62.01.105 |
|  | 30.04.040 | 3314 | 32.08.020 | 3381-4 | 32.20.050 | 3414 | 62.01.023 | 3496 | 62.01.106 |
|  | 30.04.050 | 3315 | 32.08.030 | 3381-5 | 32.20.060 | 3415 | 62.01.024 | 3497 | 62.01.107 |
| 3265-1 | 30.04.270 | 3316 | 32.08.040 | 3381-6 | 32.20.070 | 3416 | 62.01 .025 | 3498 | 62.01.108 |
| 3266 | 30.44.010 |  | 32.08.050 | 3381-7 | 32.20.080 | 3417 | 62.01.026 | 3499 | 62.01.109 |
| 3267 | 30.44.020 |  | 32.08.060 | 3381-8 | 32.20.090 | 3418 | 62.01 .027 | 3500 | 62.01 .110 |
| 3268 | 30.44.040 | 3317 | 32.08.070 | 3381-8a | 32.20.100 | 3419 | 62.01.028 | 3501 | 62.01.111 |
| 3269 | 30.44.050 | 3318 | 32.08.080 | 3381-8b | 32.20 .110 | 3420 | 62.01 .029 | 3502 | 62.01.112 |
| 3270 | 30.44 .060 | 3319 | 32.08.100 | 3381-9 | 32.20.120 | 3421 | 62.01 .030 | 3503 | 62.01.113 |
| 3271 | 30.44.130 | 3320 | 32.08.090 | 3381-10 | 32.20 .130 | 3422 | 62.01 .031 | 3504 | 62.01 .114 |
| 3272 | 30.44.070 | 3321 | 32.08.130 | 3381-11 | 32.20.140 | 3423 | 62.01.032 | 3505 | 62.01.115 |
| 3273 | 30.44 .090 | 3322 | 32.08.140 | 3381-12 | 32.20 .150 | 3424 | 62.01.033 | 3506 | 62.01 .116 |
| 3274 | 30.44 .080 | 3323 |  | 3381-13 | 32.20 .160 | 3425 | 62.01.034 | 3507 | 62.01 .117 |
| 3275 | 30.44.030 | 3324 |  | 3381-14 | 32.20.170 | 3426 | 62.01.035 | 3508 | 62.01.118 |
| 3276 | 30.44.100 | 3325 |  | 3381-15 | 32.20.180 | 3427 | 62.01.036 | 3509 | 62.01.119 |
| 3277 | 30.44.140 | 3326 |  | 3381-16 | 32.20.190 | 3428 | 62.01.037 | 3510 | 62.01.120 |
| 3277-1 | 30.44.260 | 3327 |  | 3381-16a | 32.20 .200 | 3429 | 62.01.038 | 3511 | 62.01.121 |
| 3278 | 30.44.150 | 3328 |  | 3381-16b | 32.20.210 | 3430 | 62.01.039 | 3512 | 62.01.122 |
| 3279 | 30.44.160 | 3329 |  | 3381-17 | 32.20.220 | 3431 | 62.01 .040 | 3513 | 62.01.123 |
| 3280 | 30.44.250 | 3331 |  | 3381-18 | 32.20.230 | 3432 | 62.01 .041 | 3514 | 62.01.124 |
| 3281 | 30.44.170 | 3332 | See Ch. 32.20 | 3381-19 | 32.20 .240 | 3433 | 62.01 .042 | 3515 | 62.01 .125 |
| 3281-1 | 30.44.180 | 3333. |  | 3381-20 | 32.20.250 | 3434 | 62.01 .043 | 3516 | 62.01.126 |
| 3281-2 | 30.44.190 | 3334. |  | 3381-20a | 32.20.260 | 3435 | 62.01.044 | 3517 | 62.01.127 |
| 3281-3 | 30.44 .200 | 3335 |  | 3381-21 | 32.20.270 | 3436 | 62.01 .045 | 3518 | 62.01.128 |
| 3281-4 | 30.44.210 | 3336 |  | 3381-22 | 32.20.280 | 3437 | 62.01.046 | 3519 | 62.01.129 |
| 3281-5 | 30.44.220 | 3337 |  | 3381-23 | 32.20 .290 | 3438 | 62.01 .047 | 3520 | 62.01 .130 |
| 3281-6 | 30.44.230 | 3338 |  | 3381-24 | 32.20 .310 | 3439 | 62.01.048 | 3521 | 62.01 .131 |
| 3282 | 30.44.240 | 3339 |  | 3381-25 | 32.20.320 | 3440 | 62.01 .049 | 3522 | 62.01.132 |
| 3283 | Obsolete | 3340 |  | 3382 | 22.28.010 | 3441 | 62.01 .050 | 3523 | 62.01.133 |
| 3284 | Obsolete | 3341 | See 32.20.280 | 3383 | 22.28.020 | 3442 | 62.01.051 | 3524 | 62.01.134 |
| 3285 | 30.04.220 | 3342 | 32.08.150 | 3384 | 22.28.030 | 3443 | 62.01.052 | 3525 | 62.01.135 |
| 3286 | Obsolete | 3342a | 32.08.160 | 3385 | 22.28.040 | 3444 | 62.01.053 | 3526 | 62.01.136 |
| 3286a | 30.04.310 | 3343 | $S$ 32.04.250 |  | 22.28 .050 | 3445 | 62.01.054 | 3527 | 62.01.137 |
| 3287 | 30.12 .190 | 3343a | Superseded | 3386 | 22.28.060 | 3446 | 62.01.055 | 3528 | 62.01.138 |
| 3288 | 30.44.120 | 3344 | 32.04.030 |  | 22.28.070 | 3447 | 62.01.056 | 3529 | 62.01.139 |
| 3289 | 30.04.100 | 3345 | 32.12 .050 | 3387-1 | 30.48.010 | 3448 | 62.01.057 | 3530 | 62.01 .140 |
| 3290 | 30.12 .110 | 3346 | 32.12 .010 | 3387-2 | 30.48.020 | 3449 | 62.01.058 | 3531 | 62.01.141 |
| 3291 | 30.20.040 | 3347 | 32.12.020 | 3387-3 | 30.48.020 | 3450 | 62.01 .059 | 3532 | 62.01.142 |
| 3292 | 30.20.050 | 3348 | 32.12.030 | 3387-4 | 30.48.030 | 3451 | 62.01 .060 | 3533 | 62.01.143 |
| 3292a | 30.04.330 | 3349 | $S 32.20 .320$ | 3387-5 | 30.48.040 | 3452 | 62.01.061 | 3534 | 62.01 .144 |
| 3292b | 30.08.170 | 3350 | 32.08 .110 | 3387-6 | 30.48.050 | 3453 | 62.01 .062 | 3535 | 62.01.145 |
| 3292-1 | 30.52.010 | 3352 | 32.12 .070 | 3387-7 | 30.48.060 | 3454 | 62.01 .063 | 3536 | 62.01.146 |
| 3292-2 | 30.52.020 | 3353 | 32.08.120 | 3387-8 | 30.48.070 | 3455 | 62.01.064 | 3537 | 62.01 .147 |
| 3292-3 | 30.52.030 | 3354 | 32.12 .090 | 3387-9 | 30.48.070 | 3456 | 62.01.065 | 3538 | 62.01.148 |
| 3292-4 | 30.52.040 | 3354a | 32.12 .060 | 3387-10 | 30.48.080 | 3457 | 62.01.066 | 3539 | 62.01.149 |
| 3292-5 | 30.52.050 | 3356 | 32.12.080 | 3387-11 | 30.48.090 | 3458 | 62.01 .067 | 3540 | 62.01 .150 |
| 3292-6 | 30.52.060 | 3357 | 32.16 .010 | 3387-12 | 30.48.110 | 3459 | 62.01.068 | 3541 | 62.01.151 |
| 3292-7 | 30.52 .070 | 3358 | 32.16.020 | 3387-13 | 30.48.100 | 3460 | 62.01.069 | 3542 | 62.01.152 |
| 3292-8 | 30.52.080 | 3359 | 32.16.110 | 3388 | 30.28.010 | 3461 | 62.01 .070 | 3543 | 62.01 .153 |
| 3292-9 | 30.52 .090 | 3360 | 32.16 .040 | 3388-1 | 30.28.020 | 3462 | 62.01 .071 | 3544 | 62.01.154 |
| 3292-10 | 30.52 .100 | 3361 | 32.16.050 | 3388-2 | 30.28.040 | 3463 | 62.01 .072 | 3545 | 62.01.155 |
| 3292-11 | 30.52.110 | 3362 | 32.16.060 | 3388-3 | 30.28.050 | 3464 | 62.01.073 | 3546 | 62.01 .156 |
| 3292-12 | 30.52 .120 | 3363 | 32.16 .070 | 3388-4 | Sev. | 3465 | 62.01 .074 | 3547 | 62.01 .157 |
| 3292-13 | 30.52.130 | 3364 | 32.16 .080 |  | n30.28.010 | 3466 | 62.01.075 | 3548 | 62.01.158 |
| 3292-14 | Obsolete | 3364a | 32.16 .090 | 3388-5 | Repealer | 3467 | 62.01 .076 | 3549 | 62.01.159 |
| 3292-15 | 30.52.140 | 3365 | 32.16.030 |  | n30.28.010 | 3468 | 62.01.077 | 3550 | 62.01 .160 |
| 3292-16 | 30.52 .150 | 3366 | 32.16.120 | 3388-6 | 30.28 .030 | 3469 | 62.01.078 | 3551 | 62.01.161 |
| 3292-17 | 30.52.160 | 3366-1 | 32.04.080 | 3389-1 | 30.20.070 | 3470 | 62.01.079 | 3552 | 62.01.162 |
| 3293-1 | 30.56.100 | 3367 | 32.16.100 |  | 30.20 .080 | 3471 | 62.01 .080 | 3553 | 62.01 .163 |
| 3293-2 | 30.56.020 | 3368a | 32.04.050 | 3389-2 | 30.20 .070 | 3472 | 62.01.081 | 3554 | 62.01 .164 |
| 3293-3 | 30.56.030 | 3369 | $S$ 30.04.270 | 3389-3 | 30.20 .080 | 3473 | 62.01.082 | 3555 | 62.01 .165 |
| 3293-4 | 30.56 .040 | 3369a | 43.19.070 | 3392 | 62.01 .001 | 3474 | 62.01.083 | 3556 | 62.01 .166 |
| 3293-5 | 30.56.050 | 3370 | $S$ 30.08.070 | 3393 | 62.01 .002 | 3475 | 62.01.084 | 3557 | 62.01 .167 |
| 3293-6 | 30.56.060 | 3373 | 32.04 .060 | 3394 | 62.01 .003 | $34751 / 2$ | 62.01 .085 | 3558 | 62.01 .168 |
| 3293-7 | 30.56.070 | 3374 | 32.24 .010 | 3395 | 62.01.004 | 3476 | 62.01.086 | 3559 | 62.01.169 |
| 3293-8 | 30.56.080 | 3375 | 32.24 .020 | 3396 | 62.01.005 | 3477 | 62.01.087 | 3560 | 62.01 .170 |
| 3293-9 | 30.56.090 | 3375a | 32.24 .030 | 3397 | 62.01.006 | 3478 | 62.01.088 | 3561 | 62.01.171 |
| 3293-10 | 30.56.010 | 3375b | 32.24 .040 | 3398 | 62.01 .007 | 3479 | 62.01.089 | 3562 | 62.01.172 |
| 3293-11 | Repealer | 3375c | 32.24 .050 | 3399 | 62.01 .008 | 3480 | 62.01.090 | 3563 | 62.01 .173 |
| 3293-12 | ${ }^{\text {R Sev. }}$ | 3375d | 32.24 .060 | 3400 | 62.01 .009 | 3481 | 62.01.091 | 3564 | 62.01 .174 |
|  | n30.56.010 | 3375e | 32.24 .070 | 3401 | 62.01 .010 | 3482 | 62.01.092 | 3565 | 62.01.175 |
| 3294-1 | 30.32.020 | 3376 | 32.04 .070 | 3402 | 62.01 .011 | 3483 | 62.01 .093 | 3566 | 62.01.176 |
| 3294-2 | 30.32 .030 | 3377 | 32.04.040 | 3403 | 62.01.012 | 3484 | 62.01.094 | 3567 | 62.01 .177 |
| 3294-3 | 30.32.040 | 3378 | 32.04.020 | 3404 | 62.01 .013 | 3485 | 62.01.095 | 3568 | 62.01 .178 |
| 3294-4 | Obsolete | 3379 | 32.04 .120 | 3405 | 62.01 .014 | 3486 | 62.01.096 | 3569 | 62.01 .179 |
| 3294-5 | Obsolete | 3379a | 32.24 .080 | 3406 | 62.01 .015 | 3487 | 62.01.097 | 3570 | 62.01 .180 |
| 3294-6 | Obsolete | 3379b | 32.04.100 | 3407 | 62.01.016 | 3488 | 62.01.098 | 3571 | 62.01 .181 |
| 3294-7 | Obsolete | 3379c | 32.04.110 | 3408 | 62.01 .017 | 3489 | 62.01.099 | 3572 | 62.01 .182 |
| 3295-1 | 30.36.010 | 3380 | 32.04.130 | 3409 | 62.01.018 | 3490 | 62.01.100 | 3573 | 62.01 .183 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | $\begin{gathered} \text { Rem. } \\ \text { Rev. Stats. } \end{gathered}$ | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 3574 | 62.01.184 | 3656 | 81.32 .110 | 3717-137 | 33.16.140 | 3717-219 | 33.40.130 | 3778-30 | 68.08.170 |
| 3575 | 62.01.185 | 3657 | 81.32.120 | 3717-138 | 33.16.050 | 3717-220 | 33.04.050 | 3778-31 | 68.08.180 |
| 3576 | 62.01.186 | 3658 | 81.32.130 | 3717-139 | 33.16.060 | 3717-221 | 33.40 .010 | 3778-32 | 68.08.190 |
| 3577 | 62.01.187 | 3659 | 81.32 .140 | 3717-140 | 33.16.070 | 3717-222 | 33.40 .020 | 3778-33 | 68.08.200 |
| 3578 | 62.01 .188 | 3660 | 81.32 .150 | 3717-141 | 33.16 .080 | 3717-223 | 33.40 .030 | 3778-34 | 68.08.210 |
| 3579 | 62.01.189 | 3661 | 81.32.160 | 3717-142 | 33.16 .090 | 3717-224 | 33.40 .040 | 3778-35 | 68.08.220 |
| 3580 | 62.01.190 | 3662 | 81.32 .170 | 3717-143 | 33.16.100 | 3717-225 | 33.40 .050 | 3778-36 | 68.48.010 |
| 3581 | 62.01.191 | 3663 | 81.32 .180 | 3717-144 | 33.16.110 | 3717-226 | 33.40 .060 | 3778-37 | 68.48.020 |
| 3582 | 62.01.192 | 3664 | 81.32.190 | 3717-145 | 33.16.160 | 3717-227 | 33.40 .070 | 3778-38 | 68.48.030 |
| 3583 | 62.01.193 | 3665 | 81.32.200 | 3717-146 | 33.16.120 | 3717-228 | 33.40 .080 | 3778-39 | 68.08.240 |
| 3584 | 62.01.194 | 3666 | 81.32.210 | 3717-147 | 33.16.130 | 3717-229 | 33.40 .090 | 3778-40 | 68.24.170 |
| 3585 | 62.01.195 | 3667 | 81.32.220 | 3717-148 | 33.12.010 | 3717-230 | 33.40 .100 | 3778-41 | 68.24.170 |
| 3586 | 62.01.196 | 3668 | 81.32.230 | 3717-149 | 33.12.020 | 3717-231 | 33.40 .110 | 3778-42 | 68.20.010 |
| 3587 | 22.04.020 | 3669 | 81.32.240 | 3717-150 | 33.12 .030 | 3717-232 | 33.40 .120 | 3778-43 | 68.20 .020 |
| 3588 | 22.04.030 | 3670 | 81.32.250 | 3717-151 | 33.20 .020 | 3717-233 | 33.20 .140 | 3778-44 | 68.20 .040 |
| 3589 | 22.04.040 | 3671 | 81.32.260 | 3717-152 | 33.12 .040 | 3717-234 | 33.04 .060 | 3778-45 | 68.20 .030 |
| 3590 | 22.04.050 | 3672 | 81.32.270 | 3717-153 | 33.12 .050 | 3717-235 | 33.44.100 | 3778-46 | 68.20.070 |
| 3591 | 22.04.060 | 3673 | 81.32.280 | 3717-154 | 33.12.060 | 3717-236 | 33.44.110 | 3778-47 | 68.20.060 |
| 3592 | 22.04.070 | 3673-0 | 81.32 .010 | 3717-155 | 33.12 .070 | 3717-237 | 33.44 .120 | 3778-48 | 68.20.060 |
| 3593 | 22.04.080 | 3673-1 | 81.32 .290 | 3717-156 | 33.12 .080 | 3717-238 | 33.04.010 | 3778-49 | 68.20.060 |
| 3594 | 22.04 .090 |  | 81.32 .300 | 3717-157 | 33.16 .150 | 3717-239 | Repealer | 3778-50 | 68.20 .060 |
| 3595 | 22.40.100 |  | 81.32 .310 | 3717-158 | 33.20 .090 | $37351 / 2$ | Obsolete | 3778-51 | 68.20.060 |
| 3596 | 22.04.110 |  | 81.32 .320 | 3717-159 | 33.20 .030 | 3735-1 | Obsolete | 3778-52 | 68.20.060 |
| 3597 | 22.04.120 |  | 81.32 .330 | 3717-160 | 33.20 .040 | 3735-2 | Obsolete | 3778-53 | 68.20 .070 |
| 3598 | 22.04.130 | 3673-2 | 81.32 .340 | 3717-161 | 33.20 .100 | 3735-3 | Obsolete | 3778-54 | 68.20 .070 |
| 3599 | 22.04.140 | 3673-3 | 81.32 .350 | 3717-162 | 33.20 .050 | 3735-4 | Obsolete | 3778-55 | 68.48 .080 |
| 3600 | 22.04.150 | 3674 | 81.32 .370 | 3717-163 | 33.20 .060 | 3735-5 | Obsolete | 3778-56 | 68.48.050 |
| 3601 | 22.04.160 | 3675 | 81.32 .380 | 3717-164 | 33.20 .070 | 3735-6 | Obsolete | 3778-57 | 68.20 .100 |
| 3602 | 22.04.170 | 3676 | 81.32 .390 | 3717-165 | 33.20 .080 | 3735-7 | Obsolete | 3778-58 | 68.20.100 |
| 3603 | 22.04.180 | 3677 | 81.32.400 | 3717-166 | 33.20 .110 | 3735-8 | Obsolete | 3778-59 | 68.20.050 |
| 3604 | 22.04.190 | 3678 | 81.32 .410 | 3717-167 | 33.20 .120 | 3735-9 | Obsolete | 3778-60 | 68.24.160 |
| 3605 | 22.04.200 | 3679 | 81.32.420 | 3717-168 | 33.12.090 | 3749 | 33.44.020 | 3778-61 | 68.24.010 |
| 3606 | 22.04.210 | 3680 | 81.32 .430 | 3717-169 | 33.12 .100 | 3750 | 33.44 .030 | 3778-62 | 68.24 .020 |
| 3607 | 22.04.220 | 3681 | 81.32.440 | 3717-170 | 33.12 .150 | 3751 | 33.44.040 | 3778-63 | 68.24 .030 |
| 3608 | 22.04.230 | 3682 | 81.32 .450 | 3717-171 | 33.12 .160 | 3752 | 33.44 .050 | 3778-64 | 68.24 .040 |
| 3609 | 22.04.240 | 3683 | 81.32 .460 | 3717-172 | 33.20 .130 | 3753 | 33.44.060 | 3778-65 | 68.24.060 |
| 3610 | 22.04.250 | 3684 | 81.32.470 | 3717-173 | 33.20.150 | 3754 | 33.44.070 | 3778-66 | 68.24.050 |
| 3611 | 22.04.260 | 3685 | 81.32 .480 | 3717-174 | 33.12 .110 | 3755 | 33.44 .080 | 3778-67 | 68.24.070 |
| 3612 | 22.04.270 | 3686 | 81.32 .490 | 3717-175 | 33.12 .120 | 3756 | 33.44 .090 | 3778-68 | 68.24 .080 |
| 3613 | 22.04.280 | 3687 | 81.32 .500 | 3717-176 | 33.12 .130 | 3757 | 33.44.010 | 3778-69 | 68.24.180 |
| 3614 | 22.04.290 | 3688 | 81.32 .510 | 3717-177 | 33.24 .010 | 3760 | 68.24.220 | 3778-70 | 68.24.110 |
| 3615 | 22.04.300 | 3689 | 81.32.520 | 3717-178 | 33.24.020 | 3763 | Obsolete | 3778-71 | 68.24.120 |
| 3616 | 22.04.310 | 3690 | 81.32 .530 | 3717-179 | 33.24 .030 | 3766 | 68.20.110 | 3778-72 | 68.24.110 |
| 3617 | 22.04.320 | 3691 | 81.32 .540 | 3717-180 | 33.24 .040 |  | 68.24 .200 | 3778-73 | 68.24.130 |
| 3618 | 22.04.330 | 3692 | 81.32.550 | 3717-181 | 33.24.050 | 3768 | 68.24.210 | 3778-74 | 68.24.140 |
| 3619 | 22.04.340 | 3693 | 81.32 .560 | 3717-182 | 33.24 .060 | 3769 | 68.24.230 | 3778-75 | 68.24.150 |
| 3620 | 22.04.350 | 3694 | 81.32 .570 | 3717-183 | 33.24 .070 | 3772 | 68.12 .030 | 3778-76 | 68.24.090 |
| 3621 | 22.04.360 | 3695 | 81.32 .580 | 3717-184 | 33.24 .080 | 3773 | 68.12 .040 | 3778-77 | 68.24.100 |
| 3622 | 22.04.370 | 3696 | 81.32 .590 | 3717-185 | 33.24 .090 | 3774 | 68.12 .060 | 3778-78 | 68.36.010 |
| 3623 | 22.04.380 | 3697 | 81.32 .600 | 2717-186 | 33.24 .100 | 3775 | 68.12 .060 | 3778-79 | 68.36.020 |
| 3624 | 22.04.390 | 3698 | 81.32 .610 | 3717-187 | 33.24.110 | 3776 | 68.12 .050 | 3778-80 | 68.36.030 |
| 3625 | 22.04.400 | 3699 | 81.32.010 | 3717-188 | 33.24 .120 | 3777 | 68.12.080 | 3778-81 | 68.36.040 |
| 3626 | 22.04.410 | 3700 | Obsolete | 3717-189 | 33.24 .130 | 3778 | 68.12 .070 | 3778-82 | 68.36.050 |
| 3627 | 22.04.420 | 3701 | Short t. | 3717-190 | 33.24 .140 | 3778-1 | Short t. | 3778-83 | 68.36.060 |
| 3628 | 22.04.430 |  | n81.32.010 | 3717-191 | 33.24 .150 |  | n68.04.010 | 3778-84 | 68.36.070 |
| 3629 | 22.04.440 | 3712 | $S$ 75.16.040 | 3117-192 | 33.24.160 | 3778-2 | 68.04.020 | 3778-85 | 68.36.080 |
| 3630 | 22.04.450 | 3713 | $S$ 75.16.040 | 3717-193 | 33.24 .170 | 3778-3 | 68.04.030 | 3778-86 | 68.36.090 |
| 3631 | 22.04.460 | 3714 | $S 75.16 .040$ | 3717-193B | 33.24 .190 | 3778-4 | 68.04.040 | 3778-87 | 68.36.100 |
| 3632 | 22.04.470 | 3715 | $S 75.16 .040$ | 3717-194 | 33.24 .180 | 3778-5 | 68.04.050 | 3778-88 | 68.32.010 |
| 3633 | 22.04.480 | 3715-1 | See Ch. 77.24 | 3717-195 | 33.28 .010 | 3778-6 | 68.04.060 | 3778-89 | 68.32.020 |
| 3634 | 22.04.490 | 3715-2 | See Ch. 77.24 | 3717-196 | 33.28 .020 | 3778-7 | 68.04.070 | 3778-90 | 68.32.030 |
| 3635 | 22.04.500 | 3715-3 | Approp. | 3717-197 | 33.28 .030 | 3778-8 | 68.04.080 | 3778-91 | 68.32.040 |
| 3636 | 22.04.510 | 3715-4 | Obsolete | 3717-198 | 33.28 .040 | 3778-9 | 68.04.090 | 3778-92 | 68.32.170 |
| 3637 | 22.04.520 | 3715-5 | Obsolete | 3717-199 | 33.32 .010 | 3778-10 | 68.04.100 | 3778-93 | 68.32.050 |
| 3638 | 22.04.530 | 3717-112a | Repealer | 3717-200 | 33.32 .020 | 3778-11 | 68.04.110 | 3778-94 | 68.32.070 |
| 3639 | 22.04.540 | 3717-120 | Short t. | 3717-201 | 33.32.030 | 3778-12 | 68.04.120 | 3778-95 | 68.32.080 |
| 3640 | 22.04.550 |  | n33.04.010 | 3717-202 | 33.32 .040 | 3778-13 | 68.04.130 | 3778-96 | 68.32.090 |
| 3641 | 22.04.560 | 3717-121 | 33.08.010 | 3717-203 | 33.32 .050 | 3778-14 | 68.04.140 | 3778-97 | 68.32.100 |
| 3642 | 22.04.570 | 3717-122 | 33.08.020 | 3717-204 | 33.32 .060 | 3778-15 | 68.04.150 | 3778-98 | 68.32.060 |
| 3643 | 22.04.580 | 3717-123 | 33.08.030 | 3717-205 | 33.32 .070 | 3778-16 | 68.04.160 | 3778-99 | 68.32.110 |
| 3644 | 22.04.010 | 3717-124 | 33.08 .040 | 3717-206 | 33.36.010 | 3778-17 | 68.04.170 | 3778-100 | 68.32.120 |
| 3645 | Obsolete | 3717-125 | 33.08.050 | 3717-207 | 33.36.020 | 3778-18 | 68.04.180 | 3778-101 | 68.32.130 |
| 3646 | Short t. | 3717-126 | 33.08.060 | 3717-208 | 33.36.030 | 3778-19 | 68.04.190 | 3778-102 | 68.32.140 |
|  | n22.04.010 | 3717-127 | 33.08 .070 | 3717-209 | 33.36 .040 | 3778-20 | 68.04.200 | 3778-103 | 68.32.150 |
| 3647 | 81.32 .020 | 3717-128 | 33.08.080 | 3717-210 | 33.36 .060 | 3778-21 | 68.04.210 | 3778-104 | 68.32.160 |
| 3648 | 81.32 .030 | 3717-129 | 33.08.090 | 3717-211 | 33.36.050 | 3778-22 | 68.04.220 | 3778-105 | 68.44.010 |
| 3649 | 81.32 .040 | 3717-130 | 33.08.100 | 3717-212 | 43.19 .120 | 3778-23 | 68.04.230 | 3778-106 | 68.44.020 |
| 3650 | 81.32 .050 | 3717-131 | 33.20 .010 | 3717-213 | 33.24 .200 | 3778-24 | 68.04.240 | 3778-107 | 68.44.170 |
| 3651 | 81.32 .060 | 3717-132 | 33.12 .140 | 3717-214 | 33.04 .020 | 3778-25 | 68.08.140 | 3778-108 | 68.44.080 |
| 3652 | 81.32 .070 | 3717-133 | 33.16.010 | 3717-215 | 33.04 .030 | 3778-26 | 68.08.150 | 3778-109 | 68.44.090 |
| 3653 | 81.32 .080 | 3717-134 | 33.16 .020 | 3717-216 | 33.04 .040 | 3778-27 | 68.08.120 | 3778-110 | 68.44.100 |
| 3654 | 81.32 .090 | 3717-135 | 33.16.030 | 3717-217 | 33.20 .160 | 3778-28 | 68.08.130 | 3778-111 | 68.44.110 |
| 3655 | 81.32.100 | 3717-136 | 33.16.040 | 3717-218 | 33.20.170 | 3778-29 | 68.08.160 | 3778-112 | 68.44.120 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 3778-113 | 68.44.130 | 3795 | 29.68.040 | 3803-24 | 23.24.020 |  | n23.04.020 | 3862-12 | 31.04.130 |
| 3778-114 | 68.44.140 | 3796 | 29.68.050 |  | 23.24.030 | 3803-101 | 23.20.020 | 3862-13 | 31.04.260 |
| 3778-115 | 68.44.150 | 3796-1 | 29.68.060 |  | 23.24.040 | 3803-102 | 23.20.030 | 3862-14 | 31.04.140 |
| 3778-116 | 68.44.160 | 3797 | Obsolete |  | 23.24.050 | 3803-103 | 23.20.040 | 3862-15 | 31.04.150 |
| 3778-117 | 68.44.070 | 3798 | 29.68.070 |  | 23.24.060 | 3803-104 | 23.20.050 |  | 31.04.170 |
| 3778-118 | 68.40.010 | 3799 | 29.68.080 | 3803-25 | 23.24.070 | 3803-105 | 23.20.060 |  | 31.04.180 |
| 3778-119 | 68.40.070 | 3800 | 29.68.090 |  | 23.24.080 | 3803-106 | 23.20 .070 |  | 31.04.190 |
| 3778-120 | 68.40.020 |  | 29.68.100 |  | 23.24.090 | 3803-107 | 23.20 .080 | 3862-16 | $S 30.04 .070$ |
| 3778-121 | 68.40.030 | 3801 | 29.68.110 | 3803-26 | 23.08.090 | 3803-108 | 23.20 .090 | 3862-17 | 31.04.200 |
| 3778-122 | 68.40.040 |  | 29.68.120 | 3803-27 | 23.32.010 | 3803-109 | 23.20.100 | 3862-18 | 31.04.210 |
| 3778-123 | 68.40.080 | 3802 | 29.68.130 |  | 23.32.020 | 3803-110 | 23.20 .110 | 3862-19 | 31.04 .220 |
| 3778-124 | 68.40.050 | 3802-1 | 19.24.010 |  | 23.32 .030 | 3803-111 | 23.20.120 | 3862-20 | 31.04.230 |
| 3778-125 | 68.40.090 | 3802-2 | 19.24.020 |  | 23.32.040 | 3803-112 | 23.20.130 |  | 31.04.240 |
| 3778-126 | 68.44.020 |  | 19.24.030 | 3803-28 | 23.32.050 | 3803-113 | 23.20.140 | 3862-24 | 31.04.250 |
| 3778-127 | 68.44.030 | 3802-3 | 19.24.040 |  | 23.32 .060 | 3803-114 | 23.20 .150 | 3862-25 | Repealer |
| 3778-128 | 68.44.040 | 3802-4 | 19.24.050 |  | 23.32.070 | 3803-115 | 23.20.160 | 3863 | 24.08.010 |
| 3778-129 | 68.40.060 | 3802-5 | 19.24.040 |  | 23.32.080 | 3803-116 | 23.20.170 | 3864 | 24.08.020 |
| 3778-130 | 68.40.070 | 3802-6 | 19.24.060 |  | 23.32.090 | 3803-117 | 23.20.180 | 3865 | 24.20.010 |
| 3778-131 | 68.44.050 |  | 19.24.070 |  | 23.32.100 | 3803-118 | 23.20.190 | 3866 | 24.20.020 |
| 3778-132 | 68.48.090 |  | 19.24.080 | 3803-29 | 23.32.110 | 3803-119 | Constr. | 3867 | 24.20.030 |
| 3778-133 | 68.44.060 |  | 19.24.090 |  | 23.32.120 | 3803-120 | 23.20.200 | 3868 | 24.20.040 |
| 3778-134 | 68.28.010 | 3802-7 | 19.24.100 |  | 23.32.130 | 3803-121 | 23.20.010 | 3869 | 24.08.030 |
| 3778-135 | 68.28.020 |  | 19.24.110 |  | 23.32.140 | 3803-122 | 23.20.010 | 3870 | 24.08.040 |
| 3778-136 | 68.28.030 |  | 19.24.120 |  | 23.32 .150 | 3803-123 | Constr. | 3871 | Val. |
| 3778-137 | 68.28.040 |  | 19.24.130 |  | 23.32.160 | 3803-124 | Repealer | 3872 | 24.16.010 |
| 3778-138 | 68.28.050 | 3802-8 | 19.24.140 |  | 23.32.170 | 3803-125 | Short t. | 3873 | 24.16.020 |
| 3778-139 | 68.48.060 |  | 19.24.150 | 3803-30 | 23.32.180 | 3836-1 | 23.28.010 | 3874 | 24.16.030 |
| 3778-140 | 68.28.060 |  | 19.24.160 | 3803-31 | 23.36.010 | 3836-2 | 23.52.010 | 3875 | 24.16.040 |
| 3778-141 | Superf. |  | 19.24.170 |  | 23.36.020 | 3836-3 | 23.52.020 | 3876 | 24.16.050 |
| 3778-142 | 68.28.070 |  | 19.24.180 |  | 23.36.030 | 3836-4 | 23.28.020 | 3877 | 24.16.060 |
| 3778-143 | 68.20.080 |  | 19.24.190 |  | 23.36.040 | 3836-4A | 23.28.030 | 3878 | 24.16.070 |
| 3778-144 | 68.20.090 |  | 19.24.200 |  | 23.36.050 | 3836-5 | 23.28.060 |  | 24.16.080 |
| 3778-145 | 68.48.040 |  | 19.24.210 | 3803-32 | 23.36.060 | 3836-6 | 23.28.070 |  | 24.16.090 |
| 2878-146 | 68.48.070 |  | 19.24 .220 | 3803-32 1/2 | 23.36.070 | 3836-7 | 23.12.050 | 3879 | 24.16.020 |
| 3778-147 | Sev. |  | 19.24 .230 | 3803-32 3/4 | 23.36.070 | 3836-8 | 23.28 .040 |  | 24.16.100 |
|  | n69.04.010 |  | 19.24 .240 | 3803-33 | 23.36.080 | 3836-9 | 23.28 .050 | 3880 | 24.16.110 |
| 3778-148 | Repealer |  | 19.24 .250 | 3803-34 | 23.36.090 | 3836-10 | 23.28.080 | 3881 | 24.16.120 |
| 3778-150 | 68.16 .010 |  | 19.24 .260 | 3803-35 | 23.36.100 | 3836-11 | 23.28.100 | 3882 | 24.16.130 |
| 3778-151 | 68.16.020 |  | 19.24.270 |  | 23.36.110 |  | 23.28.110 | 3883 | 24.16.140 |
| 3778-152 | 68.16.030 | 3802-9 | 19.24.280 |  | 23.36.120 |  | 23.28.120 | 3884 | 24.12.010 |
| 3778-153 | 68.16.040 | 3802-10 | 19.24.290 |  | 23.36.130 |  | 23.28 .130 | 3885 | 24.12.020 |
| 3778-154 | 68.16.050 | 3802-11 | Sev. | 3803-36 | 23.36.140 |  | 23.28 .140 | 3886 | 24.12.030 |
| 3778-155 | 68.16.060 |  | Repealer | 3803-37 | 23.12.060 | 3836-12 | 23.28.090 | 3887 | 24.12.040 |
| 3778-156 | 68.16.070 |  | 19.24.900 | 3803-38 | 23.12 .070 | 3836-13 | Obsolete | 3887-1 | 24.24.010 |
| 3778-157 | 68.16.080 | 3802-12 | 19.24.300 | 3803-39 | 23.12.080 | 3836-14 | 23.28.150 | 3887-2 | 24.24.020 |
| 3778-158 | 68.16.090 | 3803-1 | 23.04.020 | 3803-40 | 23.16.120 |  | 23.28.160 | 3887-3 | 24.24.030 |
| 3778-159 | 68.16.100 |  | 23.04.030 | 3803-40 1/2 | 23.16.130 |  | 23.28.180 | 3887-4 | 24.24.040 |
| 3778-160 | 68.16.110 |  | 23.04.040 | 3803-41 | 23.16.140 |  | 23.28.190 | 3887-5 | 24.24.050 |
| 3778-161 | 68.16.120 |  | 23.04.050 |  | 23.16.150 | 3836-15 | 23.28 .170 | 3887-6 | 24.24.060 |
| 3778-162 | 68.16.130 |  | 23.04.060 |  | 23.16.160 | 3836-16 | 23.52.030 | 3887-7 | 24.24.070 |
| 3778-163 | 68.16.140 |  | 23.04.070 |  | 23.16 .170 |  | 23.08.110 | 3887-8 | 24.24 .080 |
| 3778-164 | 68.16.150 |  | 23.04.080 | 3803-42 | 23.40.010 | 3836-17 | 23.52.040 | 3887-9 | 24.24.090 |
| 3778-165 | 68.16.160 |  | 23.04.090 |  | 23.40.020 | 3836-18 | 23.52.050 | 3887-10 | 24.24.100 |
| 3778-166 | 68.16.170 |  | 23.04.100 | 3803-43 | 23.40.030 | 3836-19 | 23.52.060 | 3887-11 | 24.24.110 |
| 3778-167 | 68.16.180 |  | 23.04.110 | 3803-44 | 23.40 .040 | 3836-20 | Constr. | 3888 | 24.04.010 |
| 3778-168 | 68.16.190 |  | 23.04.120 | 3803-45 | 23.40 .050 |  | n23.28.010 | 3889 | 24.04.020 |
| 3778-169 | 68.16.200 |  | 23.04.130 | 3803-46 | 23.40 .060 | 3836-21 | 23.52.070 | 3890 | 24.04.030 |
| 3778-170 | 68.16.210 |  | 23.04.140 | 3803-47 | 23.40 .070 | 3836-22 | 23.52.080 | 3891 | 24.04.040 |
| 3778-171 | 68.16.220 |  | 23.04.150 | 3803-48 | 23.44 .010 | 3836-23 | 23.52.090 | 3892 | 24.04.050 |
| 3778-172 | 68.16.230 |  | 23.04.160 | 3803-49 | 23.44.020 | 3836-24 | 23.52.100 | 3893 | 24.04.060 |
| 3778-173 | 68.16.240 | 3803-2 | 23.12.010 | 3803-50 | 23.44.030 | 3836-25 | 23.52.110 |  | 24.04.070 |
| 3779 | 61.04.010 | 3803-3 | 23.12.020 | 3803-51 | 23.44.040 | 3836-26 | 23.52.120 | 3894 | 24.04.080 |
| 3780 | 61.04.020 | 3803-4 | 23.12.030 | 3803-52 | 23.44.050 | 3836-27 | 23.28.200 | 3895 | $S$ 24.04.140 |
| 3781 | 61.04 .030 | 3803-5 | 23.12 .040 | 3803-53 | 23.44.060 | 3836-28 | 23.28.210 | 3896 | 24.04.060 |
| 3782 | 61.04.040 | 3803-6 | 23.08.020 | 3803-54 | 23.44.070 | 3836-29 | 23.28.220 | 3897 | 24.04.090 |
| 3783 | 61.04.050 | 3803-7 | 23.08.030 | 3803-55 | 23.44 .080 | 3836-30 | 23.28.040 |  | 24.04.100 |
| 3784 | 61.04.060 | 3803-8 | 23.08.040 | 3803-56 | 23.44.090 | 3836-31 | 23.28.230 | 3898 | 24.04.110 |
| 3785 | 61.04.070 | 3803-9 | 23.08.050 | 3803-57 | 23.44 .100 | 3836-32 | 23.28.240 | 3899 | 24.04.120 |
| 3786 | 61.04.080 | 3803-10 | 23.08.060 | 3803-58 | 23.44.110 | 3836-33 | Sev. | 3900 | 24.04.130 |
| 3787 | 61.16.040 | 3803-11 | 23.08.070 | 3803-59 | 23.44 .120 |  | n23.28.010 | 3900-1 | 24.04.140 |
| 3787-1 | 61.16.050 | 3803-12 | 23.08.080 | 3803-59 1/2 | 23.44.130 | 3836-34 | Repealer | 3900-2 | 24.04.150 |
| 3787-2 | 61.16.060 | 3803-13 | 23.16.010 | 3803-60 | 23.44 .140 | 3862-1 | 31.04 .010 | 3900-3 | 24.04.160 |
| 3787-3 | 61.16.070 | 3803-14 | 23.16.020 | 3803-61 | 23.08.010 |  | 31.04.020 | 3900-4 | 24.04.170 |
| 3788 | 61.04.090 | 3803-15 | 23.16.030 | 3803-62 | Repealer | 3862-2 | 31.04 .030 | 3901 | 24.28.010 |
| 3789 | R 1927 | 3803-16 | 23.16.040 | 3803-62a | Repealer | 3862-3 | 31.04.040 | 3902 | 24.28.010 |
|  | c $43 \S 2$ | 3803-17 | 23.16 .050 | 3803-63 | Saving | 3862-4 | 31.04 .050 |  | 24.28.020 |
| 3790 | 63.12.010 | 3803-18 | 23.16.060 |  | n23.04.020 | 3862-5 | 31.04 .070 | 3903 | 24.28.030 |
| 3791 | 63.12 .020 | 3803-19 | 23.16 .070 | 3803-64 | ${ }^{\text {Sev. }}$ | 3862-6 | 31.04 .060 | 3904 | 23.56.010 |
| 3791-1 | 63.12.030 | 3803-20 | 23.16.080 | 3803-65 | 23.08.100 | 3862-7 | 31.04.080 | 3905 | 23.56.050 |
| 3791-2 | 39.60.040 | 3803-21 | 23.16.090 | 3803-66 | Constr. | 3862-8 | 31.04.090 | 3906 | 23.56.060 |
| 3792 | 29.68.010 | 3803-21 1/2 | 23.16.100 |  | n23.04.020 | 3862-9 | 31.04.100 | 3907 | 23.56.070 |
| 3793 | 29.68.020 | 3803-22 | 23.16.110 | 3803-67 | Eff. date | 3862-10 | 31.04 .110 | 3908 | 23.56.080 |
| 3794 | 29.68.030 | 3803-23 | 23.24.010 | 3803-68 | Short t. | 3862-11 | 31.04.120 | 3909 | 23.56.090 |

Parallel Tables: Rem. Rev. Stat.——RCW


Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | $\begin{gathered} \text { Rem. } \\ \text { Rev. Stats. } \end{gathered}$ | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 4132 | 36.27.020 | 4200-1a | 36.13.010 | 4262 | Unconst'l | 4328 | 85.04.125 | 4380 | 85.24 .260 |
| 4133 | 36.27.020 | 4200-2a | 36.16.030 | 4263 | 85.04.070 | 4329 | 85.04.160 | 4381 | 85.24.070 |
| 4134 | 36.27 .020 | 4200-3a | 36.16.030 | 4264 | 85.04.210 | 4330 | 85.04.135 | 4382 | 85.24 .170 |
| 4135 | 36.27.030 | 4200-4a | 36.16.030 | 4265 | 85.04.080 | 4331 | 85.04.160 | 4383 | 85.24.180 |
| 4136 | 36.27.020 | 4200-5a | 36.16.070 | 4266 | 85.04.075 | 4332 | 85.04.155 |  | 85.24.190 |
| 4137 | 36.27.020 |  | 36.17 .020 | 4267 | 85.04.095 | 4332a | 85.04.665 | 4384 | 85.24.190 |
| 4138 | 36.27.050 |  | 36.17.030 | 4268 | 85.04.100 | 4332b | 85.04.670 | 4385 | 85.24.220 |
| 4139 | 36.16.090 | 4200-5b | 36.16.070 | 4269 | 85.04.105 | 4332c | 85.04.675 | 4386 | 85.24.280 |
| 4139-1 | 36.27.060 | 4200-5 1/2 | 2 Sev. | 4270 | 85.04.435 | 4332d | 85.04.680 | 4387 | 85.24.260 |
| 4140 | 36.16.030 |  | n36.13.010 | 4271 | 85.04.435 | 4332e | 85.04.685 | 4388 | 85.24.070 |
| 4141 | 36.16.040 | 4200-6 | 36.13.020 |  | 85.04.440 | 4332 f | 85.04.690 | 4389 | 85.24 .290 |
|  | 36.16.050 | 4200-6a | 36.13 .100 | 4272 | 85.04.420 | 4332 g | 85.04.695 | 4390 | 85.24 .200 |
| 4143 |  | 4200-7 | 36.13.030 | 4273 | 85.04.420 | 4332h | 85.04.700 | 4391 | 85.24 .210 |
|  | S-_see | 4200-8 | 36.13.050 | 4274 | 85.04.425 | 4332i | 85.04.705 | 4392 | 85.24 .070 |
| 4143-1) | Ch. 36.32 | 4200-9 | 36.13 .040 | 4275 | 85.04.115 | 4332-1 | 85.08.820 | 4393 | 85.24 .080 |
| 4144 | 36.32.370 | 4200-10 | 36.13 .020 | 4276 | 85.04.120 | 4333 | 85.04.170 | 4394 | 85.28 .010 |
| 4145 | 36.32.370 | 4200-11 | 36.13.070 | 4277 | 85.04.040 | 4334 | 85.04.205 | 4395 | 85.28 .020 |
| 4146 | S-see | 4201 S | - Ch. 36.17 |  | 85.04.165 | 4335 | 85.04.110 | 4396 | 85.28 .030 |
|  | Ch. 36.32 | 4201 b | Eff.date | 4278 | 85.04.125 | 4336 | 85.04.110 | 4397 | 85.28 .040 |
| 4147 | 36.80.040 | 4201-1 | 36.33.060 | 4279 | 85.04.130 | 4337 | 85.04.200 | 4398 | 85.28.050 |
| 4148 |  | 4201-2 | 36.33.060 | 4280 | 85.04.125 | 4338 | 85.04.600 | 4399 | 85.28.060 |
|  | Ch. 36.32 | 4201-3 | 36.33.060 | 4281 | 85.04.160 | 4339 | 85.04.650 |  | 85.28 .070 |
| 4149 | 36.80.050 | 4202 | $S 36.13 .010$ | 4282 | 85.04.485 | 4340 | 85.04.755 | 4400 | 85.28 .080 |
| 4150 | 36.32.380 | 4204 | 36.13 .090 | 4283 | 85.04.135 | 4341 | 85.04.190 | 4401 | 85.28 .090 |
| 4151 | S--see | 4205-1 | 36.16.030 | 4284 | 85.04.160 | 4342 | 85.04.195 | 4402 | 85.28.100 |
|  | Ch. 36.32 | 4210 | 36.17 .010 | 4285 | 85.04.155 | 4342-1 | 85.04.610 | 4403 | 85.28 .110 |
| 4152 | Obsolete | 4211 | 36.18.140 | 4286 | 85.04.170 | 4342-2 | 85.04.625 | 4404 | 85.28 .120 |
| 4153 | Obsolete | 4212 | 36.18.100 | 4286-1 | 85.04.510 | 4342-3 | 85.04.620 | 4405 | 85.08.020 |
| 4154 | 58.04.010 | 4213 | 36.18 .150 | 4286-2 | 85.04.515 | 4342-4 | 85.04.615 |  | 85.08.030 |
| 4155 | 36.16.030 | 4214 | 36.18.110 | 4286-3 | 85.04.510 | 4342-5 | 85.04.605 | 4406 | 85.08.010 |
|  | 36.16.050 | 4215 | 36.18.120 | 4287 | 85.04.205 | 4342-6 | 85.04.605 | 4407 | 85.08.040 |
| 4155-1 | 36.28.030 | 4216 | 36.18.130 | 4288 | 85.04.110 | 4342-7 | 85.04.630 | 4408 | 85.08.050 |
| 4156 | 36.16 .040 | 4217 | 42.16.030 | 4289 | 85.04.110 | 4342-8 | Sev. |  | 85.08.060 |
| 4157 | 36.28 .010 | 4218 | 36.18.140 | 4290 | 85.04.200 |  | n85.04.605 |  | 85.08.070 |
| 4158 | 36.16.090 | 4219 | 36.33.050 | 4291 | 85.04.400 | 4343 | 85.04.655 |  | 85.08.080 |
| 4159 |  | 4220 | 36.17.040 | 4292 | Superf. | 4344 | 85.04.655 |  | 85.08 .090 |
|  | $36.16 .100$ | 4221 | 36.17.050 | 4292-1 | 85.04.490 | 4345 | 85.04.655 |  | 85.08.100 |
| 4160 | 36.28 .020 | 4222 | 36.18 .090 | 4292-2 | 85.04 .495 | 4346 | 85.04.660 | 4409 | 85.08.380 |
|  | 36.16.070 | 4223 | 36.18.080 | 4292-3 | 85.04 .500 | 4347 | 85.20.010 | 4410 | 85.08.110 |
| 4161 | 36.28.060 | 4224 | 36.18.180 | 4292-4 | 85.04.505 | 4348 | 85.20.020 | 4411 | 85.08.120 |
| 4162 | 36.28.060 | 4225 | 36.18 .160 | 4292-5 | 85.04.490 | 4349 | 85.20 .030 | 4412 | 85.08 .130 |
| 4163 | 36.28 .070 | 4226 | $\begin{array}{r}36.18 .170 \\ \hline\end{array}$ | 4293 | 85.04.520 | 4350 | 85.20 .040 | 4413 | 85.08 .140 |
| 4164 | 36.28.080 | 4227 | $S 36.18 .170$ | 4294 | 85.04.525 | 4351 | 85.20 .050 | 4414 | 85.08.150 |
| 4165 | 36.28.080 | 4228 | 36.13.060 | 4295 | 85.04.530 |  | 85.20.060 | 4415 | 85.08 .160 |
| 4166 | 36.28.140 | 4229 | 2.36.150 | 4296 | 85.04.535 | 4352 | 85.20.070 | 4416 | 85.08.170 |
| 4167 | 36.28.020 | 4230 | 2.40 .030 | 4297 | 85.04.540 | 4353 | 85.20 .080 | 4417 | 85.08 .180 |
| 4168 | 36.28.010 |  | 36.17.060 | 4297-1 | Temporary | 4354 | 85.20 .090 | 4418 | 85.08 .190 |
| 4169 | 36.28 .150 |  | 36.23.050 | 4297-2 | Temporary | 4355 | 85.20 .100 | 4419 | 85.08.200 |
| 4170 | 36.28.090 | 4231 | 36.16.040 | 4297-3 | Temporary | 4356 | 85.20.110 | 4420 | 85.08.210 |
| 4171 | $36.24 .170$ | 4232 | 73.04 .010 | 4297-4 | Temporary | 4357 | 85.20 .120 | 4421 | 85.08.220 |
|  | 36.28.110 | 4233 | 73.04.020 | 4298 | 85.04.005 | 4358 | 85.20 .130 | 4421-1 | 85.08.010 |
| 4172 | 36.28.040 | 4234 | 36.18.050 | 4299 | 85.04.010 | 4359 | 85.20.140 |  | 85.08.230 |
|  | 36.28 .050 | 4235 | 36.18 .090 | 4300 | 85.04.015 | 4360 | 85.20 .150 | 4422 | 85.08.240 |
| 4173 | 36.28.010 | 4236 | 85.04.005 |  | 85.04.020 | 4360-1 | 85.04.180 |  | 85.08.250 |
|  | 3.08.060 | 4237 | 85.04 .010 | 4301 | 85.04.025 | 4360-2 | 85.04.185 |  | 85.08.260 |
| 4174 | 36.28.120 | 4238 | 85.04 .015 | 4302 | 85.04 .030 | 4361 | 85.24 .010 |  | 85.08.270 |
| 4175 | 36.28 .130 |  | 85.04.020 | 4303 | 85.04.035 | 4362 | 85.24 .020 | 4423 | 85.08.280 |
| 4176 | 36.16.030 |  | 85.04.545 | 4304 | 85.04.635 | 4363 | 85.24 .030 | 4424 | 85.08.290 |
|  | 36.16.040 | 4239 | 85.04.025 | 4305 | 85.04.605 |  | 85.24 .040 | 4425 | 85.08.300 |
|  | 36.16.050 | 4240 | 85.04 .030 | 4306 | 85.04.045 | 4364 | 85.24 .040 | 4426 | Obsolete |
| 4177 | 36.16.070 | 4241 | Obsolete | 4307 | 85.04 .050 |  | 85.24 .050 | 4427 | 85.08.310 |
| 4178 | 36.16.070 | 4242 | 85.04.035 | 4308 | 85.04 .055 |  | 85.24 .060 | 4428 | 85.08.320 |
| 4179 | 36.16.070 | 4243 | 85.04.410 | 4309 | 85.04 .060 | 4365 | 85.24.070 |  | 85.08.330 |
| 4180 | 36.24 .010 | 4244 | 85.04 .450 | 4310 | 85.04.065 |  | 85.24 .090 | 4429 | 85.08.340 |
| 4181 | 36.24 .020 | 4245 | 85.04.455 | 4311 | Unconst'l |  | 85.24 .100 |  | 85.08.350 |
| 4182 | 36.24 .030 | 4246 | 85.04.460 | 4312 | 85.04 .070 |  | 85.24 .110 | 4430 | 85.08.360 |
| 4183 | 36.24.040 | 4247 | 85.04.460 | 4313 | 85.04 .210 |  | 85.24 .120 | 4431 | 85.08.370 |
| 4184 | 36.24 .050 | 4247-1 | 85.04.405 | 4314 | 85.04.085 | 4366 | 85.24 .130 | 4432 | 85.08.380 |
|  | 36.24 .060 | 4247-2 | 85.04.405 | 4315 | 85.04 .085 | 4367 | 85.24 .140 | 4433 | 85.08 .370 |
| 4185 | 36.18 .030 | 4248 | 85.04.465 |  | 85.04 .090 | 4368 4369 | 85.24 .150 | 4434 S | S $\begin{array}{r}85.08 .390\end{array}$ |
| 4186 | 36.24 .050 | 4249 | 85.04 .475 | 4316 | 85.04 .080 | 4369 | 85.24 .070 | 4435 S | $S$ 85.08.400- |
| 4187 | 36.24 .070 | 4250 | 85.04.470 | 4317 | 85.04 .075 | 4370 | 85.24 .260 |  | 85.08.430 |
| 4188 | 36.24 .080 | 4251 | 85.04 .480 | 4318 | 85.04.095 | 4371 | 85.24 .070 | 4435-1 | 85.08.400 |
| 4189 | 36.24 .090 | 4252 | 85.04 .475 | 4319 | 85.04 .100 | 4372 | 85.24 .260 | 4435-2 | 85.08.410 |
| 4190 | 36.24 .100 | 4253 4254 | 85.04 .415 Superf. | 4320 4321 | 85.04 .105 85.04 .640 | 4373 4374 | 85.24 .280 | 4435-3 | 85.08.420 |
| 4191 | 36.24.110 | 4254 | Superf. 85.04 .445 | 4321 4322 | 85.04 .640 85.04645 | 4374 | 85.24 .270 | 4435-4 | 85.08 .430 |
| 4192 | 36.24 .120 36.24 .130 | 4255 | 85.04.445 | 4322 4323 | 85.04 .645 | 4375 | 85.24 .270 | 4436 | 85.08 .440 |
| 4194 | 36.24 .130 | 4256 | 85.04 .430 | 4323 | 85.04.115 | 4376 | 85.24 .230 | 4437 | 85.08.450 |
| 4195 | 36.24 .140 | 4257 | 85.04 .045 | 4324 | 85.04 .120 | 4376-1 | Val. | 4438 | 85.08.460 |
| 4196 | 36.24 .150 | 4258 | 85.04 .050 | 4325 | 85.04 .040 |  | n85.24.010 | 4439 S | S 85.08.470- |
| 4197 | 36.24.180 | 4259 | 85.04 .055 |  | 85.04.165 | 4377 | 85.24 .160 |  | -85.08.520 |
| 4198 | 36.24 .160 | 4260 | 85.04 .060 | 4326 | 85.04.125 | 4378 | 85.24.240 | 4439-1 | 85.08.470 |
| 4199 | 36.24.160 | 4261 | 85.04.065 | 4327 | 85.04.130 | 4379 | 85.24.250 | 4439-2 | 85.08.480 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 4439-3 | 85.08.490 | 4465 |  | 4525-8 | 43.63.090 | 4569 | 28.80.030 |  | 28.84.030 |
| 4439-4 | 85.08.500 | 4466 |  | 4525-9 | 43.63 .100 | 4570 | 28.80.040 |  | 28.84.050 |
| 4439-5 | 85.08.510 | 4467 |  | 4526 | 43.63.110 | 4571 | 28.80.050 | 4623-5 | 28.84 .040 |
| 4439-6 | 85.08.520 | 4468 | $S-$ see | 4527 | 43.63 .120 | 4572 | 28.80.060 | 4623-6 | 28.84 .050 |
| 4440 | R 1949 | 4469 | Ch. 85.08 | 4528 | 43.63 .130 | 4573 | 28.80 .090 |  | 28.84 .070 |
|  | c $26 \S 18$ | 4470 |  | 4529 | 43.63 .140 | 4574 | 28.80.020 | 4623-7 | 28.84 .060 |
| 4441 | 85.08.530 | 4471 |  | 4530 | 43.63 .140 |  | 28.80.130 | 4623-8 | 28.84 .080 |
| 4442 | 85.08.540 | 4472 | Obsolete | 4531 | 43.63 .160 | 4575 | 28.80 .130 | 4623-9 | 28.84 .010 |
| 4443 | 85.08.560 | 4473 | Obsolete | 4531-1 | 28.76.030 | 4576 | 28.80 .070 |  | 28.84 .090 |
| 4444 | 85.08.670 | 4474 | Obsolete | 4532 | 28.76.010 |  | 28.80.080 | 4623-10 | 28.84.100 |
| 4445 | 85.08.680 | 4475 | Obsolete | 4533 | 28.76.060 |  | 28.80.130 | 4623-11 | 28.84.110 |
| 4446 | 85.08.570 | 4476 | Obsolete | 4534 | 28.76.070 | 4577 | 28.80 .110 | 4623-12 | Approp. |
| 4447 | Constr. | 4477 | Obsolete | 4535 | 28.76.080 | 4578 | 28.80.120 | 4623-13 | Sev. |
|  | n85.08.010 | 4477-1 | 85.20.010 | 4535-1 | 28.76.090 | 4579 | 28.80.130 |  | n28.01.070 |
| 4448 | Sev. | 4477-2 | 85.20 .020 | 4536 | 28.76.060 | 4579-1 | 28.80.130 | 4623-14 | 28.84 .010 |
| 448 | n85.08.010 | 4477-3 | 85.20 .030 | 4537 | 28.76.070 | 4579-2 | 28.80.130 | 4623-20 | 28.76.020 |
| 4449 | 85.08.580 | 4477-4 | 85.20 .040 | 4538 | 28.76.100 | 4580 | 28.80.130 | 4624 | 72.16.010 |
| 4450 | 85.08.590 | 4477-5 | 85.20.050 | 4539 | 28.76.080 | 4581 | 28.80.210 | 4625 | 72.16.020 |
| 4451 | 85.08.600 |  | 85.20.060 | 4540 | 28.76.050 | 4582 | 28.80.220 | 4626 | 13.08.010 |
| 4452 | 85.08.610 | 4477-6 | 85.20 .070 | 4541 | 28.76.120 | 4583 | 28.80.130 |  | 13.08.020 |
| 4453 | 85.08.620 | 4477-7 | 85.20 .080 | 4542 | 28.81.090 | 4584 | 28.80.180 |  | 13.08.050 |
| 4454 | 85.08.620 | 4477-8 | 85.20 .090 | 4542-1 | 28.76.010 | 4585 | 28.80.190 | 4627 | 72.16.030 |
| 4455 | 85.08.630 | 4477-9 | 85.20.100 | 4542-2 | 28.76.130 | 4586 | 28.80.200 | 4628 | 72.16.040 |
| 4456 | 85.08.640 | 4477-10 | 85.20.110 | 4542-3 | 28.76.140 | 4587 | 28.80.130 | 4629 | 72.16.060 |
| 4457 | 85.08.650 | 4477-11 | 85.20 .120 | 4542-4 | 28.76.140 | 4588 | 28.80.130 | 4630 | 72.16 .070 |
| 4458 | 85.08.660 | 4477-12 | 85.20.130 | 4543-1 | 28.76.180 | 4589 | 28.80.130 | 4631 | 72.20 .010 |
| 4459 | 85.08.690 | 4477-13 | 85.20.140 |  | 28.76.190 | 4589-1 | 36.50.010 | 4632 | Obsolete |
| 4459-1 | 85.08.700 | 4477-14 | 85.20 .150 |  | 28.76.200 | 4590 | 28.80.130 | 4633 | 72.20.020 |
|  | 85.08.710 | 4478 |  |  | 28.76.210 | 4591 | Obsolete | 4634 | 72.20.030 |
|  | 85.08.720 | 4479 |  | 4543-2 | 28.76.180 | 4592 | 28.80.100 | 4635 | 72.20 .040 |
|  | 85.08.730 | 4480 | S-_see |  | 28.77.050 | 4593 | 28.80.140 | 4636 | 13.08.020 |
| 4459-2 | 85.08.740 | 4481 | Ch. 79.44 | 4543-11 | 28.76.240 | 4594 | 28.80.150 |  | 13.08.040 |
|  | 85.08.750 | 4482) |  | 4543-12 | 28.76.250 | 4595 | 28.80.130 | 4637 | 13.08.060 |
| 4459-3 | 85.08.760 | 4482-1 | Obsolete | 4543-13 | 28.76.260 | 4596 | 28.80.160 | 4638 | 72.20 .050 |
| 4459-4 | 85.08.770 | 4482-2 | Obsolete | 4543-14 | 28.76.270 | 4597 | 28.80.170 | 4639 | 72.20 .060 |
| 4459-5 | 85.08.780 | 4482-3 | Obsolete | 4543-14a | 28.76.280 | 4598 | 28.80.090 | 4640 | 72.20 .070 |
| 4459-6 | 85.08.780 | 4482-4 | Obsolete | 4543-15 | 28.76.110 | 4599 | 28.80.130 | 4641 | 72.20 .080 |
| 4459-7 | 85.08.790 | 4482-5 | Obsolete | 4543-16 | 28.76.310 | 4600 | 28.80.130 | 4642 | 72.20 .090 |
| 4459-8 | 85.08.800 | 4482-6 | Obsolete | 4543-17 | 28.76.320 | 4601 | 28.80.130 | 4643 | Obsolete |
| 4459-9 | 85.08.810 | 4492 | 85.04.710 | 4543-18 | 28.76.330 | 4602 | Superf. | 4644 S | S-Ch. 43.19 |
| 4459-10 | Sev. | 4493 | 85.04.715 | 4543-19 | 28.76.340 | 4603 | 28.80.130 | 4545 | 72.40 .010 |
|  | n85.08.700 | 4494 | 85.04.720 | 4543-30 | 28.76.370 | 4603-1 | 28.76.290 | 4646 | 72.40.030 |
| 4459-11 | 85.04.140 | 4495 | 85.04.725 | 4543-31 | 28.76.380 | 4603-10 | 28.80.270 | 4647 | 72.40 .040 |
| 4459-12 | 85.04.145 | 4496 | 85.04 .730 | 4543-40 | 28.76.350 | 4603-11 | 28.80.280 | 4648 | 72.40 .050 |
| 4459-13 | 85.04.155 | 4497 | 85.04.735 | 4543-41 | 28.76.360 | 4603-12 | 28.80.290 | 4649 | 72.40.020 |
| 4459-14 | 85.04.175 | 4498 | 85.04.740 | 4544 | 28.77.010 | 4603-20 | 28.80.250 | 4650 | 72.40.060 |
| 4459-15 | 85.04.140 | 4499 | 85.04.745 | 4545 | 28.77.020 | 4603-21 | 28.80.260 | 4651 | 72.40 .070 |
| 4459-16 | 85.04.160 | 4501.01, and |  | 4546 | 28.77.030 | 4604 | 28.81 .010 | 4652 | 72.40 .080 |
| 4459-17 | 85.04.150 | following, See |  | 4547 | 28.77.040 |  | 28.81.020 | 4653 | 72.40 .090 |
| 4459-20 | 85.16.010 | § 45 above, |  | 4548 | 28.77.050 | 4604-1 | 28.81 .010 | 4654 | 72.40.100 |
| 4459-21 | 85.16.020 | this tabl |  | 4549 | 28.77.060 | 4604-2 | 28.81.010 | 4655 | 72.28.010 |
| 4459-22 | 85.16.030 | 4500 | 85.04.750 | 4550 | 28.77.070 | 4604-3 | 28.81 .010 | 4656 | 72.28.010 |
|  | 85.16.040 | 4501 | Obsolete | 4551 | 28.77.080 | 4605 | 28.81.020 | 4657 | $S$-see |
|  | 85.16.050 | 4502 | Obsolete | 4552 | Superf. | 4606 | 28.81 .030 |  | 43.19.140, |
| 4459-23 | 85.16.060 | 4503 | Obsolete | 4553 | 28.76.050 |  | 28.81.050 |  | 43.19 .370 |
|  | 85.16.080 | 4504 | Obsolete | 4554 | 28.77.090 | 4607 | 28.81.050 | 4658 | 72.28.010 |
| 4459-24 | 85.16.090 | 4505 | Obsolete |  | 28.77 .100 | 4608 | 28.81 .050 | 4659 | $S-$ see |
|  | 85.16.100 | 4506 | Obsolete | 4555 | 28.77.100 | 4609 | 28.81 .040 |  | 43.19.140, |
| 4459-25 | 85.16.070 | 4507 | Obsolete | 4556 | 28.77 .110 | 4610 | 28.81 .110 |  | 43.19 .370 |
| 4459-26 | 85.16 .110 | 4508 | Obsolete | 4557 | 28.77.130 | 4611 | 28.81 .050 | 4660 | 72.28 .020 |
| 4459-27 | 85.16.120 | 4509 | Obsolete |  | 28.77.140 | 4612 | 28.81 .050 | 4661 | 72.28 .030 |
| 4459-28 | 85.16.130 | 4510 | Obsolete | 4558 | 28.77.120 | 4613 | 28.81.060 | 4662 | 72.28 .040 |
|  | 85.16.140 | 4511 | Obsolete | 4559 | 28.76.040 | 4614 | 28.81 .050 | 4663 | 72.28 .050 |
| 4459-29 | 85.16.150 | 4512 | Obsolete | 4560 | 28.76.300 | 4615 | 28.81 .050 | 4664 | 72.28 .060 |
| 4459-30 | 85.16.160 | 4513 | Obsolete | 4561 | 28.77.130 | 4616 | 28.81 .070 | 4665 | 72.28 .070 |
| 4459-31 | 85.16.170 | 4514 | Obsolete | 4562 | Obsolete |  | 28.81 .080 | 4666 | 72.28 .080 |
| 4459-32 | 85.16 .040 | 4515 | Obsolete | 4563 | 28.77.130 | 4617 | 28.71 .080 | 4667 | 72.28.090 |
|  | 85.16.180 | 4516 | Obsolete | 4563-1 | 28.77.390 |  | 28.81 .050 | 4668 | 72.28.100 |
| 4459-33 | 85.16.190 | 4517 | 85.04.215 | 4563-2 | 28.77.400 |  | 28.81.100 | 4669 | 72.28.110 |
| 4459-34 | 85.16.200 | 4518 | 28.02.010 | 4564 | 28.77.150 | 4618 | S 28.81.090 | 4670 | 72.28.120 |
| 4459-35 | 85.16.210 | 4519 | 28.02 .020 | 4565 | 28.77.160 | 4618-1 | 28.81 .050 | 4671 | 72.28 .130 |
| 4459-36 | 85.16.220 | 4521 | + 43.11 .010 | 4566 | 28.77.170 | 4618-2 | 28.81 .050 | 4672 | 72.28 .140 |
| 4459-50 | 85.12 .010 | 4522 | S 43.03.010 | 4566-1 | 28.77.180 | 4618-3 | 28.76.120 | 4673 | 72.28 .150 |
|  | 85.12 .020 | 4523 | 43.11 .030 | 4566-2 | 28.77.190 | 4619 | 28.81 .080 | 4674 | 72.28 .160 |
| 4459-51 | 85.12.030 | 4524 | 43.11 .020 | 4566-5 | 28.77.200 | 4620 | 28.81.070 | 4675 | 72.28.050 |
| 4460 | Obsolete | 4525 | 43.63 .010 | 4566-6 | 28.77.210 | 4621 | 28.81.120 |  | 28.58.160 |
| 4461 | Obsolete | 4525-1 | 43.63 .020 | 4566-11 | 28.77.350 | 4622 | 28.81 .050 | 4676 | 28.19.100 |
| 4462 | Obsolete | 4525-2 | 43.63 .030 | 4566-12 | 28.77.360 | 4623 | 28.81 .130 | 4677 | 72.28.060 |
| 4463 | Obsolete | 4525-3 | 43.63 .040 | 4566-13 | 28.77.370 | 4623-1 | 28.84.010 | 4678 | 72.28.070 |
| 4464 | Obsolete | 4525-4 | 43.63 .050 | 4566-14 | 28.77 .380 | 4623-2 | 28.01 .070 | 4679 | 72.28 .150 |
|  |  | 4525-5 | 43.63 .060 | 4567 | 28.80.010 |  | 28.84 .010 | 4679a | 72.32.010 |
|  |  | 4525-6 | 43.63 .070 | 4568 | 28.76.040 | 4623-3 | 28.84.020 | 4679-1 | Superf. |
|  |  | 4525-7 | 43.63 .080 |  | 28.76.050 | 4623-4 | 28.84.020 | 4679-2 | 72.32.010 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 4679-3 | 72.32.020 | 4693-43 | 28.57.350 | 4785 | 28.58.170 | 4858 | 28.66.030 | 4910 | 28.28.060 |
| 4679-4 | 72.32 .040 | 4693-44 | 28.57.230 | 4786 | 42.04 .030 | 4859 | 28.66.040 | 4911 | 28.28.070 |
| 4679-5 | 72.32.050 | 4693-45 | 28.57.240 | 4787 | 28.58.140 | 4860 | 28.66.050 |  | 28.28.080 |
| 4679-6 | Temporary | 4693-46 | 28.57.250 | 4788 | 28.58.070 | 4861 | 28.66.040 | 4912 | 28.28.100 |
| 4679-7 | 72.32.060 | 4693-47 | 28.57.260 | 4789 | 28.58.300 |  | 28.66.050 | 4913 | 28.28.130 |
| 4679-8 | 72.32.070 | 4693-48 | 28.57.270 | 4791 | S 28.59.210 | 4862 | 28.66.060 | 4914 | 28.28.110 |
| 4679-9 | 72.32.080 | 4693-49 | 28.57.280 | 4792 | 28.62.010 | 4863 | 28.66.020 | 4915 | Obsolete |
| 4679-10 | 72.32.090 | 4693-50 | 28.57.290 |  | 28.62.020 | 4864 | 28.66.010 | 4916 | 28.28.090 |
| 4679-11 | 72.32.100 | 4693-51 | 28.57.300 |  | 28.62.030 | 4865 | 28.66.090 | 4917 | 28.28.140 |
| 4679-12 | 72.32.110 | 4693-52 | 28.57.360 | 4793 | 28.62.040 | 4866 | 28.66.100 | 4918 | 28.28.120 |
| 4679-13 | 72.32.120 | 4693-53 | 28.57.370 | 4794 | 28.62.050 | 4867 | 28.48.100 | 4919 | 28.09.070 |
| 4679-14 | 72.32.130 | 4693-54 | 28.57.380 | 4795 | 28.62 .060 | 4867-2 | 28.59.040 | 4920 | 28.09.080 |
| 4679-15 | 72.32.140 | 4693-55 | 28.57.310 | 4796 | 28.62 .070 |  | 28.59.050 | 4921 | 28.09.010 |
| 4679-16 | 72.32.150 | 4693-56 | 28.57.320 | 4797 | 28.62.070 |  | 28.59.060 |  | 28.09.020 |
| 4679-17 | 72.32.160 | 4693-57 | 28.57.390 |  | 28.62.080 | 4867-3 | 28.59.070 |  | 28.09.030 |
| 4679-18 | 72.32.170 | 4693-58 | 28.57.110 | 4798 | 28.62.090 |  | 28.59.080 |  | 28.09.040 |
| 4679-19 | 72.32 .030 | 4693-59 | 28.57.120 | 4799 | 28.62 .100 | 4867-4 | 28.59.090 | 4921-1 | Obsolete |
| 4679-20 | 72.32.180 | 4694 | 28.01.030 | 4800 | 28.62.110 | 4867-5 | 28.59.100 | 4923 | 28.09.050 |
| 4679-21 | Obsolete | 4700 | 28.01.050 | 4801 | 28.62.120 |  | 28.59.110 |  | 28.09.060 |
| 4679-22 | Obsolete | 4704 | 28.58.060 | 4802 | 28.62.130 | 4867-6 | 28.59.120 | 4924 | 28.09.090 |
| 4679-25 | 28.13.010 | 4706 | 28.58.030 |  | 28.62 .140 | 4867-7 | 28.59 .130 | 4925 | 28.44.030 |
| 4679-26 | 28.13.010 | 4706-1 | 28.58.260 | 4803 | 28.62 .150 | 4867-8 | 28.59.140 | 4925-1 | 28.10.020 |
| 4679-27 | 28.13.020 | 4706-2 | 28.58.270 |  | 28.62.160 |  | 28.59.150 | 4925-2 | 28.10.010 |
| 4679-28 | 28.13.030 | 4707 | 28.59.010 | 4804 | 28.62.170 |  | 28.59.160 | 4925-3 | 28.10.030 |
| 4679-29 | 28.13.040 | 4708 | 28.59.020 | 4805 | 28.31 .070 |  | 28.59.170 | 4925-4 | 28.10.040 |
| 4679-30 | Approp. | 4709 | 28.59.030 |  | 28.62 .180 |  | 28.59 .180 | 4925-5 | 28.10.050 |
| 4680 | 28.01 .060 | 4709-20 | 28.58.320 | 4806 | 28.31 .020 | 4867-9 | 28.59.190 | 4925-6 | Approp. |
|  | 28.58.190 | 4709-21 | 28.58.330 | 4807 | Obsolete | 4867-10 | 28.59.200 | 4925-7 | 28.10.060 |
| 4680-1 | 28.27.140 | 4709-22 | 28.58.340 | 4808 | 28.62 .190 | 4867-11 | 28.59.300 | 4925-8 | Obsolete |
|  | 28.58.210 | 4709-23 | 28.58.350 | 4809 | 28.62.200 | 4867-12 | 28.63.100 | 4925-9 | Obsolete |
| 4680-3 | Obsolete | 4709-24 | 28.58.360 |  | 28.62.210 |  | 28.63.110 | 4925-10 | Obsolete |
| 4680-5 | 28.58.220 | 4710 | 28.01.040 | 4810 | $S-$ see |  | 28.63.120 | 4926 | 27.16.010 |
| 4681 | 28.05.010 | 4711 | 43.63 .150 |  | Ch. 84.52 |  | 28.63 .130 | 4927 | 27.16.020 |
|  | 28.05.020 |  | 28.01.040 | 4810-1 | 29.13.060 |  | 28.63.140 | 4928 | 27.16.030 |
| 4682 | 28.05.030 | 4712 | 28.44.060 | 4810-2 | Obsolete |  | 28.63 .150 | 4929 | 27.16.040 |
| 4683 | 28.05 .040 | 4713 | 28.44.070 | 4810-3 | Obsolete |  | 28.63.160 | 4930 | 27.16.050 |
| 4684 | 43.63 .140 | 4714 | 28.44.080 | 4810-4 | Repealer | 4867-13 | 28.58.120 | 4931 | 27.16.060 |
| 4685 | 43.11 .030 | 4715 | 28.44.050 | 4812 | 28.63 .230 | 4868 | 28.20 .010 | 4932 | 28.40.010 |
| 4686 | 28.05.040 | 4716 | 28.44.090 | 4813 | 28.63.020 | 4869 | 28.20.020 | 4932-1 | Temporary |
| 4687 | 28.01.010 | 4717 | 28.44.100 | 4814 | 28.58 .090 |  | 28.20 .030 | 4932-2 | Temporary |
| 4688 | 28.01.020 | 4718 | 28.58.230 | 4815 | 28.63.010 | 4870 | 28.20.040 | 4932-3 | Temporary |
| 4689 | 28.31 .010 | 4719 | 28.24.010 | 4816 | 28.63 .030 | 4874 | 28.48 .040 | 4932-4 | Temporary |
| 4689-1 | 28.31 .030 |  | 28.24.020 | 4817 | 28.63.040 | 4874-1 | 28.48.060 | 4932-5 | Temporary |
| 4689-2 | 28.31.040 |  | 28.24.030 | 4819 | 28.63 .180 | 4875 | 28.48 .050 | 4932-6 | Temporary |
| 4689-3 | 28.31.050 |  | 28.24.040 | 4820 | 28.63.050 | 4876 | 28.27.020 | 4932-7 | Temporary |
| 4689-4 | 28.31 .060 |  | 28.24.050 | 4821 | 28.63.060 | 4882 | 28.48 .070 | 4932-8 | Temporary |
| 4690 | 28.58.200 | 4719-1 | 28.24.060 | 4822 | $S 28.58 .180$ | 4883 | 28.48 .090 | 4933 | 28.40 .020 |
| 4691 | 28.58.180 | 4720 | Obsolete | 4824 | 28.63.230 | 4884 | 28.71 .010 | 4934-1 | 84.52.060 |
| 4692 | $S 1.12 .050$ | 4759 | 28.57.330 | 4825 | 28.63 .020 | 4885 | 28.71 .020 | 4934-2 | 28.41 .030 |
| 4693 | 28.02.040 | 4767 | 36.16.040 | 4826 | 28.58.090 | 4886 | 28.71 .040 | 4934-3 | 28.47.010 |
| 4693-1 | 28.02.050 |  | 36.16.050 | 4827 | 28.63.010 | 4887 | 28.71 .030 | 4934-5 |  |
| 4693-2 | 28.02.050 |  | 28.19.010 | 4828 | 28.63 .030 | 4888 | 28.71 .050 | 4934-6 | Obsolete |
| 4693-10 | Purpose |  | 28.19 .020 | 4829 | 28.63 .040 | 4890 | 28.71 .060 | 4934-7 | Obsolete |
|  | n28.84.120 |  | 28.19.030 | 4830 | 28.63 .060 | 4891 | 28.71 .060 | 4934-8 | Obsolete |
| 4693-11 | 28.84.120 | 4768 | 28.19 .040 | 4831 | 28.63 .060 | 4892 | 28.71 .070 | 4935 | 28.41 .100 |
| 4693-12 | 28.84.130 | 4769 | 28.19 .050 | 4832 | 28.63 .060 | 4893 | Superf. | 4936 | R 1951 1st |
|  | 28.84.140 | 4770 | 28.19 .060 | 4833 | 28.63 .050 | 4894 | 28.23 .010 |  | ex.s. c $11 \S 4$ |
| 4693-13 | 28.84.150 | 4771 | 28.19 .060 | 4835 | 28.63 .180 |  | 28.23 .020 | 4939 | 28.44.010 |
| 4693-14 | 28.84.160 | 4772 | 28.19.070 | 4836 | 28.58.300 | 4895 | 28.23.030 |  | 28.44.020 |
|  | 28.84.040 | 4773 | 28.19.080 | 4837 | 28.63.190 | 4896 | Obsolete | 4939-1 | 28.51 .120 |
| 4693-20 | 28.57.010 | 4774 | 28.19 .090 | 4838 | 28.63.200 | 4898-1 | 28.02.080 | 4940 | 9.01.140 |
| 4693-21 | 28.57.020 | 4775 | 28.58.090 | 4839 | 28.63.210 | 4898-2 | 28.02.080 | 4940-1 | 28.41.020 |
| 4693-22 | 28.57 .130 | 4776 | 28.58.100 | 4840 | 28.63 .220 | 4898-3 | 28.05.050 | 4940-2 | 28.41 .050 |
| 4693-23 | 28.57.160 |  | 28.67.070 | 4841 | 28.63.070 | 4898-4 | Repealer | 4940-3 | 28.48.010 |
| 4693-24 | 28.57.150 | 4776a | Unconst'l | 4842 | 28.58.150 | 4899 | 28.02.070 |  | 28.48.020 |
| 4693-25 | 28.58.010 | 4776b | Unconst'l | 4843 | 28.63.080 | 4900 | 28.02.070 | 4940-4 | 28.41 .010 |
| 4693-26 | 28.57.210 | 4776-1 | 28.58 .050 |  | 28.63 .090 | 4901 | 28.02.070 |  | 28.41 .060 |
| 4693-27 | 28.57.220 | 4776-2 | 28.58.050 | 4844 | 28.67 .010 | 4901-1 | 28.02.090 |  | 28.41 .070 |
| 4693-28 | 28.57 .140 | 4776-3 | Superf. | 4845 | 28.67 .010 | 4901-2 | 28.02.090 | 4940-5 | 28.41 .010 |
| 4693-29 | 28.58 .080 | 4776-4 | 28.31 .080 |  | 28.67.020 | 4901-3 | 28.13 .050 | 4940-5 | 28.41.060 |
| 4693-30 | 28.57 .030 | 4777 | 28.02 .030 | 4846 | 28.67 .030 | 4902 | 28.23 .010 | 4940-6 | 28.41 .080 |
| 4693-31 | 28.57.040 | 4778 | 28.87.180 | 4847 | 28.67.120 |  | 28.23 .020 |  | 28.41 .090 |
| 4693-32 | 28.57 .050 | 4779 | 28.58.020 | 4848 | 28.67 .040 |  | 28.23.030 | 4940-7 | 28.44.040 |
| 4693-33 | 28.57 .060 | 4780 | 28.58.240 | 4849 | 28.67 .050 | 4903 | Obsolete | 4940-8 | 28.48.030 |
| 4693-34 | 28.57 .170 |  | 28.58 .250 | 4850 | 28.67 .060 | 4904 | 28.23.040 | 4940-9 | 28.41 .040 |
| 4693-35 | 28.57.180 | 4781 | 28.58.110 | 4851 | 28.67.070 | 4905 | Obsolete | 4940-10 | 28.47.190 |
| 4693-36 | 28.57 .190 | 4782 | 28.58.040 | 4852 | 28.67 .080 | 4905-1 | 28.23.050 | 4940-11 | 28.47.200 |
| 4693-37 | 28.57 .200 | 4783 | 28.58.290 | 4852-1 | 28.67 .090 | 4906 | 28.28 .010 | 4940-12 | 28.47.050 |
| 4693-38 | 28.57 .070 |  | 28.58.310 | 4853 | 28.02.060 | 4907 | 28.28.020 | 4940-13 | 28.47.060 |
| 4693-39 | 28.57 .080 | 4784 | 28.63.170 | 4854 | 28.67.100 | 4908 | 28.28.010 | 4940-14 | 28.47 .070 |
| 4693-40 | 28.57 .090 |  | 28.58.130 | 4855 | 28.67 .110 |  | 28.28.030 | 4940-15 | 28.47.080 |
| 4693-41 | 28.57.100 |  | 28.66.070 | 4856 | 28.76.220 |  | 28.28.040 | 4940-16 | 28.47.090 |
| 4693-42 | 28.57.340 |  | 28.66.080 | 4857 | Superf. | 4909 | 28.28.050 | 4940-17 | 28.47.100 |

Parallel Tables: Rem. Rev. Stat. ——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 4940-18 | 28.47.110 | 4995-27 | 41.32.080 | 5037 | S-_see | 5105 | Constr. | 5146-1 | 29.13.050 |
| 4940-19 | 28.47.120 | 4995-28 | 41.32 .090 |  | Ch. 29.07 |  | n28.01.010 | 5147-1 | 29.45 .010 |
| 4941 | 28.51.010 | 4995-29 | 41.32 .100 | 5038 | 28.59 .270 | 5106 | 28.58.280 |  | 29.45 .030 |
|  | 28.51 .050 | 4995-30 | 41.32.110 | 5039 | S--see | 5107 | 28.58.280 | 5147-2 | 29.04.070 |
| 4942 | 28.51 .020 | 4995-31 | 41.32 .120 |  | Ch. 29.07 | 5108 | 28.58.280 | 5147-3 | 29.04.080 |
|  | 28.51.050 | 4995-32 | 41.32.130 | 5040 | $S-$ see | 5109 | 28.58.280 | 5148 | 29.45.050 |
| 4943 | 28.51 .030 | 4995-33 | 41.32.140 |  | Ch. 29.07 | 5109-1 | 28.34 .010 |  | 29.45 .060 |
|  | 28.51 .040 | 4995-34 | 41.32.150 | 5041 | 28.59 .280 | 5109-2 | 28.34.020 | 5148-1 | 53.12.040 |
|  | 28.51 .050 | 4995-35 | 41.32 .160 | 5042 | 28.50.290 |  | 28.34.030 | 5148-2 | 29.27 .010 |
|  | 28.51 .060 | 4995-36 | 41.32.170 | 5043 | 28.87.070 | 5109-3 | 28.34.040 |  | 29.27.070 |
| 4944 | 28.51 .070 | 4995-37 | 41.32.180 | 5044 | 28.87 .050 | 5109-4 | 28.47.020 | 5148-3 | R 1951 |
|  | 28.51.080 | 4995-38 | 41.32.190 | 5045 | 28.87.080 | 5109-5 | 28.34 .050 |  | c 101 § 9 |
|  | 28.51 .090 | 4995-39 | 41.32.200 | 5046 | 28.87.100 | 5109-10 | 28.14 .010 | 5148-3a | 29.27.080 |
|  | 28.51.100 | 4995-40 | 41.32 .210 | 5047 | 28.87.110 | 5109-11 | 28.14.020 | 5148-4 | Val. |
|  | 28.51.110 | 4995-41 | 41.32.220 | 5048 | 28.87.030 | 5109-12 | 28.14.030 |  | n29.13.010 |
| 4945 | 28.51.220 | 4995-42 | 41.32 .230 | 5049 | 28.87 .130 | 5109-13 | 28.14 .040 | 5148-5 | Val. |
| 4947 | 28.51 .130 | 4995-43 | 41.32 .240 |  | 28.87.160 | 5109-14 | 28.14.050 |  | n29.13.010 |
|  | 28.51 .140 | 4995-44 | 41.32 .250 | 5050 | 28.87.090 | 5109-15 | Approp. | 5149 | 29.13 .080 |
| 4948 | 28.51.150 | 4995-45 | 41.32.260 | 5051 | 28.87.150 | 5109-16 | 28.14 .060 | 5150 | 29.13 .030 |
| 4949 | 28.51 .160 | 4995-46 | 41.32 .270 | 5052 | 28.87.140 | 5110 | 29.01.140 | 5151 | S 29.13.050 |
| 4950 | 28.51.170 | 4995-47 | 41.32 .280 | 5053 | S--see | 5111 | 29.01.140 | 5152-1 | Saving |
| 4951 | 28.51 .180 | 4995-48 | 41.32 .290 |  | Ch. 28.71 | 5112 | Superf. | 5153 | 29.45.050 |
| 4952 | 28.51.180 | 4995-49 | 41.32.300 | 5054 | 28.87.010 | 5113 | 29.01.080 |  | 29.45.060 |
| 4953 | 28.51.190 | 4995-50 | 41.32 .310 | 5055 | 28.87.060 | 5114-1 | Obsolete | 5153-1 | 29.13 .040 |
| 4954 | 28.51 .200 | 4995-51 | 41.32 .320 | 5056 | 28.87.020 | 5114-2 | 29.01.120 | 5154 | 29.13.080 |
| 4955 | 28.51.210 | 4995-52 | 41.32.330 | 5057 | 28.87.120 | 5114-3 | 29.01.030 | 5155 | 29.01.170 |
| 4956 | 28.52 .010 | 4995-53 | 41.32 .340 | 5058 | 28.87.170 |  | 29.01.150 | 5156 | 29.27.045 |
|  | 28.52 .020 | 4995-54 | 41.32.350 | 5060 | Obsolete |  | 29.07.010 | 5157 | R 1951 |
| 4957 | 28.52 .010 | 4995-55 | 41.32.360 | 5064 | 28.88.010 |  | 29.07.020 |  | c $101 \S 9$ |
|  | 28.52 .020 | 4995-56 | 41.32 .370 | 5065 | 28.88.020 | 5114-4 | 29.07.030 | 5158 | 29.45.010 |
| 4958 | 28.52 .030 | 4995-57 | 41.32 .380 |  | 28.88.030 |  | 29.07.050 |  | 29.45.040 |
| 4959 | 28.52 .040 | 4995-58 | 41.32 .390 | 5066 | 28.88.050 |  | 29.07.060 | 5159 | 29.45.020 |
| 4960 | 28.52.050 | 4995-59 | 41.32.400 | 5067 | 28.88.060 | 5114-5 | Obsolete |  | 29.59.020 |
| 4961 | 28.52.050 | 4995-60 | 41.32.410 | 5068 | 28.88.070 | 5114-6 | 29.07.100 | 5160 | 29.45.080 |
| 4962 | 28.52 .060 | 4995-61 | 41.32.420 | 5069 | 28.88.040 |  | 29.07.110 | 5161 | 29.45.090 |
| 4963 | 28.52 .070 | 4995-62 | 41.32 .430 | 5070 | 28.88.080 | 5114-7 | Obsolete | 5162 | 29.45.100 |
| 4964 | 28.52.080 | 4995-63 | 41.32.440 | 5071 | 28.88.090 | 5114-8 | 29.07.150 | 5163 | 29.45.110 |
| 4965 | Obsolete | 4995-64 | 41.32.450 | 5072 | 28.27.010 |  | 29.07.180 | 5164 | 29.45.080 |
| 4966 | 28.70.010 | 4995-65 | 41.32.460 | 5073 | 28.27.090 | 5114-9 | 29.07.160 |  | 29.48.030 |
| 4966-1 | 28.70.150 | 4995-66 | 41.32 .470 | 5074 | 28.27.100 | 5114-10 | 29.07.040 | 5165 | 29.45.040 |
| 4966-2 | 28.76.230 | 4995-67 | 41.32 .480 | 5075 | 28.27.040 |  | 29.07.170 |  | 29.45.070 |
| 4966-3 | 28.70 .150 | 4995-68 | 41.32 .490 |  | 28.27.050 | 5114-11 | 29.07.060 | 5166 | 29.45.120 |
| 4966-4 | 28.70.150 | 4995-69 | 41.32 .500 |  | 28.27.060 |  | 29.07.070 | 5166-4 | 29.21.060 |
| 4966-5 | Sev. | 4995-70 | 41.32 .510 | 5076 | 28.27.070 | 5114-12 | 29.07.080 | 5166-10 | 29.04.020 |
|  | n28.70.150 | 4995-71 | 41.32 .520 | 5077 | 28.27 .030 | 5114-13 | 29.07.090 |  | 29.45.010 |
| 4966-6 | Obsolete | 4995-72 | 41.32 .530 | 5078 | 28.27.120 |  | 29.07.120 | 5166-11 | Repealer |
| 4967 | 28.70.080 | 4995-73 | 41.32.540 | 5079 | 28.27.110 |  | 29.07.130 | 5167 | 29.24.020 |
| 4968 | 28.70 .110 | 4995-74 | 41.32 .550 | 5080 | 28.27.080 |  | 29.07.140 | 5168 | 29.24.010 |
|  | 28.70 .120 | 4995-75 | 41.32 .560 |  | 28.87.040 |  | 29.10.100 |  | 29.24.030 |
| 4969 | 28.70 .010 | 4995-76 | 41.32 .570 | 5081 | 28.27.100 | 5114-14 | 29.10.010 | 5169 | 29.24.030 |
| 4970 | 28.70 .140 | 4995-77 | 41.32 .580 | 5082 | 28.27.100 |  | 29.10.020 | 5170 | 29.24.020 |
| 4971 | 28.70 .050 | 4995-78 | 41.32 .590 | 5083 | 28.27.130 |  | 29.10.030 | 5170-1 | 29.24.040 |
| 4972 | 28.70 .030 | 4995-79 | 41.32 .600 | 5084 | Obsolete | 5114-15 | 29.10.040 |  | 29.24.050 |
| 4973 | Obsolete | 4995-80 | 41.32 .610 | 5085 | Obsolete | 5114-16 | 29.10.050 | 5170-2 | 29.24.060 |
| 4975 | 28.70 .070 | 4995-81 | 41.32 .620 | 5086 | Obsolete | 5114-17 | 29.10.060 | 5170-3 | 29.24.070 |
| 4976 | 28.70 .130 | 4995-82 | 41.32 .630 | 5087 | Obsolete | 5114-18 | 29.10.070 | 5170-4 | 29.24.080 |
| 4977 | 28.70 .040 | 4995-83 | 41.32 .640 | 5088 | Obsolete | 5114-19 | 29.10.080 | 5170-5 | 29.24 .090 |
|  | 28.70.060 | 4995-84 | 41.32 .650 | 5089 | 28.20.050 | 5114-20 | 29.10 .090 | 5170-6 | 29.24.020 |
| 4979 | $S$-see | 4995-85 | 41.32.660 | 5090 | 28.20 .060 | 5114-21 | 29.10.110 | 5170-7 | Repealer |
|  | 43.63 .140 | 4995-86 | 41.32.670 | 5091 | 28.20.070 | 5114-22 | 29.04.010 | 5171 | 29.04.040 |
| 4980 | 28.70.010 | 4995-87 | Sev. | 5092 | 28.20 .080 |  | 29.59.010 |  | 29.04.050 |
| 4988 | Superf. | 4995-88 | Obsolete | 5093 | 28.06.010 | 5114-23 | 29.04.010 |  | 29.27.090 |
| 4989 | $S \text { see }$ | 4995-89 | Constr. |  | 28.06.020 | 5114-24 | 29.51 .060 | 5172 | 29.27.040 |
|  | Ch. 28.70 |  | n41.32.010 |  | 28.06.030 | 5114-25 | 29.51.070 | 5173 | 29.27.050 |
| 4990 | 28.70 .090 | 5021 | 28.63.230 |  | 28.06.040 | 5114-26 | 29.85.190 | 5174 | S- see |
| 4991 | 28.70.100 | 5022 | 28.63.240 | 5094 | 28.06.050 | 5114-27 | 29.85.200 |  | Ch. 29.27 |
| 4991-1 | $S \text {-see }$ | 5023 | 28.63.250 |  | 28.06.060 | 5114-28 | 29.07.040 | 5175 | 29.18 .130 |
|  | 43.63 .140 | 5024 | 28.63.260 | 5095 | 28.06.070 | 5114-29 | 29.62.150 | 5176 | 29.18.150 |
|  | Ch. 28.70 | 5025 | 28.63.270 | 5096 | 28.35 .010 | 5114-30 | 29.07.140 | 5177 | 29.01.130 |
| 4992 | 28.70 .160 | 5025-1 | 28.63.270 | 5097 | 28.35 .020 | 5114-31 | Repealer |  | 29.01.160 |
| 4993 | 28.70.180 | 5026 | 28.63.280 | 5098 | 28.35 .030 | 5138 | 29.71.010 |  | 29.01.050 |
| 4994 | 28.70 .170 | 5027 | 28.63 .290 |  | 28.35 .040 | 5138-1 | 29.71 .020 | 5178 | 29.18 .010 |
| 4995-16 | 41.36 .020 |  | 29.62 .080 |  | 28.35 .050 | 5139 | 29.71 .030 | 5179 | 29.13 .070 |
| 4995-17 | 41.36 .010 | 5028 | 28.58.370 |  | 28.35 .060 | 5140 | 29.71 .040 | 5179-1 | 29.21 .010 |
| 4995-18 | 41.36 .030 | 5029 | 28.58.380 | 5099 | 28.35.070 | 5141 | 29.71.050 | 5179-2 | 29.24.110 |
| 4995-19 | 41.36 .040 |  | 28.58.390 | 5100 | R 66.44.190 | 5142 S | $S-$ see Const. | 5180 | 29.18.030 |
| 4995-20 | 41.32 .010 | 5030 | 28.58.390 | 5101 | $R$ by omission |  | Art. 6 § 8 |  | 29.21.020 |
| 4995-21 | 41.32 .020 | 5031 | 28.59.210 |  | 1951 c 120 § 1 |  | 29.13 .010 | 5182 | 29.18.050 |
| 4995-22 | 41.32 .030 | 5032 | 28.59.220 | 5103-1 | 9.47 .150 | 5143 | 29.13.010 | 5183 | 29.01.090 |
| 4995-23 | 41.32 .040 | 5033 | 28.59.230 | 5103-2 | 9.47 .160 | 5144 | 29.13.020 |  | 29.18.020 |
| 4995-24 | 41.32 .050 | 5034 5035 | 28.59 .240 | 5103-3 | 9.47 .170 | 5144-1 | Unconst'l | 5184 5185 | 29.18.040 |
| 4995-25 | 41.32 .060 | 5035 | 28.59.250 | 5104 | Short t. | 5145 | 29.13 .010 | 5185 | 29.27.020 |
| 4995-26 | 41.32.070 | 5036 | 28.59.260 |  | n28.01.010 | 5146 | 29.13.050 |  | 29.27.030 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 5186 | $S$-see | 5249-7 | 29.74.110 |  | 29.33.150 | 5357 | 29.82.060 |  | 29.79.290 |
|  | Ch. 29.27 |  | 29.74.130 | 5311 | 29.48.040 |  | 29.82.070 | 5419 | 29.79.300 |
| 5187 | 29.30.010 | 5249-8 | 29.74.120 | $5312$ | 29.48.050 | 5358 | 29.82.080 | 5420 | 29.79 .310 |
|  | 29.30.020 |  | 29.74.130 |  | 29.48.020 |  | 29.82.090 | 5421 | 29.79.320 |
|  | 29.30.030 | 5249-9 | 29.74.030 |  | 29.48.080 |  | 29.82.100 | 5422 | 29.79.330 |
|  | 29.30.060 | 5249-10 | 29.74.140 | 5313 | 29.51.070 |  | 29.82.110 |  | 29.79 .340 |
|  | 29.30 .070 | 5249-11 | 29.74.150 |  | 29.51 .130 | 5359 | 29.82.120 |  | 29.79.350 |
| 5188 | $S$-see | 5269 | 29.30.130 |  | 29.51.140 | 5360 | 28.82.130 |  | 29.79.360 |
|  | Ch. 29.30 | 5270 | 29.30.120 |  | 29.51 .150 | 5361 | 29.82.140 | 5422-1 | Repealer |
| 5189 | 29.51 .090 | 5271 | 29.27.060 |  | 29.51.160 | 5362 | 29.82.150 | 5423 | 29.79.370 |
|  | 29.51 .190 | 5272 | 29.48.030 |  | 29.51 .190 | 5363 | 29.82.160 |  | 29.79 .380 |
| 5190 | 29.30.010 |  | 29.51 .170 |  | 29.51 .200 | 5364 | 29.82.170 |  | 29.79 .390 |
|  | 29.30.040 |  | 29.51 .180 |  | 29.51.220 |  | 29.82.180 |  | 29.79 .400 |
|  | 29.30.050 | 5273 | S-_see |  | 29.85.160 |  | 29.82.190 | 5425 | 29.48.030 |
|  | 29.30.060 |  | 29.04.020 | 5314 | 29.54.090 |  | 29.82.200 |  | 29.79.410 |
| 5191 | 29.18.120 | 5274 | 29.30.080 |  | 29.54.100 | 5365 | 29.82.210 |  | 29.79.420 |
| 5192 | 29.45.010 | 5274-1 | 29.21.080 |  | 29.54.110 |  | 29.82.220 |  | 29.79.430 |
|  | 29.45.030 | 5274-2 | 29.21.020 |  | 29.54.120 | 5366 | 29.65 .010 | 5426 | 29.62.130 |
|  | 29.45.040 |  | 29.21.080 |  | 29.54.130 | 5367 | 29.65 .060 | 5427 | 29.79.440 |
| 5193 | 29.04.060 |  | 29.21 .090 | 5315 | 29.33.230 | 5368 | 29.65 .070 |  | 29.79 .450 |
| 5194 | 29.51.240 |  | 29.21.100 |  | 29.62.050 | 5369 | 29.65.100 |  | 29.79.460 |
|  | 29.51 .250 |  | 29.21.150 |  | 29.62.060 | 5370 | 29.65.010 |  | 29.79 .470 |
| 5195 | 29.54.020 | 5275 | 29.48.030 |  | 29.62.070 | 5371 | 29.65.020 | 5428 | 29.79.480 |
| 5195-1 | Constr. | 5276 | 29.04.030 |  | 29.65.030 | 5372 | 29.65.080 |  | 29.79.490 |
|  | n29.30.010 | 5277 | 29.45.010 | 5316 | 29.85.260 |  | 29.65.090 | 5430 | 80.32 .010 |
| 5196 | 29.48.030 |  | 29.48.030 | 5317 | 29.33.110 | 5373 | 29.65.020 |  | 80.32 .020 |
| 5197 | 29.18.120 | 5278 | 29.04.040 | 5318 | 29.33.020 | 5374 | 29.65 .040 |  | 80.32 .030 |
| 5198 | 29.42.010 |  | 29.48.010 | 5318-1 | 29.33.160 | 5375 | 29.65.040 | 5430-1 | 80.32 .040 |
|  | 29.42.020 |  | 29.51 .010 | 5319 | 29.13.080 | 5376 | 29.65 .050 | 5430-2 | 80.32 .040 |
|  | 29.42.030 | 5279 | 29.51 .050 | 5320 | 29.48.030 | 5377 | 29.65.050 | 5431 | 80.32 .050 |
|  | 29.42.040 |  | 29.51.070 |  | 29.48.090 | 5378 | 29.65.050 | 5432 | 80.32 .080 |
|  | 29.42.050 |  | 29.51 .080 | 5321 | 29.48.100 | 5379 | 29.65.050 | . 5433 | 80.32 .090 |
| 5199 | 29.18 .110 |  | 29.51.190 | 5322 | 29.48.030 | 5380 | 29.65.050 | 5434 | 80.32.100 |
|  | 29.30.110 | 5280 | 29.36.010 | 5323 | 29.30.090 | 5381 | 29.65.110 | 5439 |  |
| 5200 | 29.18.110 | 5281 | 29.36.010 | 5324 | 29.51.120 | 5382 | 29.65.110 | 5436 |  |
|  | 29.18 .150 |  | 29.36.020 |  | 29.54.060 |  | 29.65.120 | $5437\}$ | S-_see |
| 5201 | 29.30.100 |  | 29.36.030 | 5325 | 29.59 .030 | 5383 | 29.85.210 | 5438 5439 | Ch. 19.28 |
|  | 29.62.010 | 5282 | 29.36.030 | 5327 | 29.59 .050 | 5384 | 29.85.240 | 5439 |  |
|  | $29.62 .100$ |  | 29.36.040 | 5329 | 29.59 .050 | 5385 | 29.85.220 | 5440 |  |
|  | 29.62.110 | 5284 | 29.36.050 | 5330 | 29.59.060 | 5386 | 29.85.060 | 5440-1 | 70.74.010 |
| 5202 | 29.04.030 | 5285 | 29.36.060 | 5331 | 29.51 .260 | 5387 | 29.85.020 | 5440-2 | 70.74 .020 |
|  | 29.65.130 |  | 29.36.070 | 5332 | 29.54.010 | 5388 | 29.85.060 | 5440-3 | 70.74.030 |
| 5203 | 29.01.100 | 5286 | 29.36.100 | 5332-1 | 29.59 .040 | 5389 | 29.85 .070 | 5440-4 | 70.74 .040 |
|  | 29.24.020 | 5287 | 29.36.110 | 5333 | 29.54.020 | 5390 | 29.85.050 | 5440-5 | 70.74.050 |
|  | 29.24.070 | 5288 | 29.51.100 |  | 29.54.040 | 5391 | 29.85.150 | 5440-6 | 70.74.060 |
| 5204 | Obsolete |  | 29.51.110 | 5334 | 29.54.030 | 5392 | 29.85.170 | 5440-7 | 70.74.070 |
| 5206 | 29.18.140 | 5289 | 29.51.220 | 5335 | 29.54.040 | 5393 | 66.44.260 | 5440-8 | 70.74.080 |
| 5207 | 29.85.090 | 5290 | 29.51 .190 | 5336 | 29.54.050 | 5394 | 29.85.080 | 5440-9 | 70.74 .090 |
| 5208 | 29.18.120 | 5291-1 | 29.51.210 | 5337 | 29.54.020 | 5395 | 29.85.040 | 5440-10 | 70.74.100 |
| 5209 | 29.85.180 | 5291-2 | 29.85.250 |  | 29.54.070 | 5396 | 29.85.010 | 5440-11 | 70.74.110 |
| 5210 | 29.85.140 | 5292 | $S-29 e$ | 5338 | 29.54.080 | 5397 | 29.79 .010 | 5440-12 | 70.74.120 |
| 5212 | 29.21 .070 |  | Ch. 29.51 |  | 29.54.130 |  | 29.79.020 | 5440-12a | 70.74.130 |
|  | 29.21 .090 | 5293 | 29.48.030 | 5339 | 29.54.080 |  | 29.79.030 | 5440-13 | 70.74.140 |
|  | 29.21 .100 |  | 29.48.060 |  | 29.54.130 | 5398 | 29.79 .040 | 5440-14 | 70.74.150 |
|  | 29.21 .110 | 5294 | 29.54.050 |  | 29.62.040 | 5399 | 29.79 .050 | 5440-15 | 70.74.160 |
|  | 29.21.120 | 5295 | 29.85.100 | 5339-1 | 29.54.140 |  | 29.79.060 | 5440-16 | 70.74.170 |
|  | 29.21.140 | 5296 | 29.85.110 | 5339-2 | 29.54.140 | 5400 | 29.79 .070 | 5440-17 | 70.74.220 |
|  | 29.21 .150 | 5297 | 29.85.170 | 5339-3 | 29.85.110 |  | 29.79 .080 | 5440-18 | 70.74.180 |
| 5213 | 29.51.170 | 5298 | 29.51 .020 |  | 29.85.230 | 5401 | 29.79.020 | 5440-19 | Sev. |
| 5213-1 | 29.21 .070 |  | 29.51 .030 | 5340 | 29.62.020 |  | 29.79 .090 |  | n70.74.010 |
|  | 29.21 .090 |  | 29.51.230 |  | 29.62.030 | 5402 | 29.79 .020 | 5440-20 | 70.74 .190 |
|  | 29.21 .100 | 5299 | 29.04.060 |  | 29.62.040 |  | 29.79.100 | 5440-21 | 70.74.200 |
|  | 29.21.120 | 5300 | 29.33.020 | 5341 | 29.62.130 | 5403 | 29.79.020 | 5440-22 | 70.74.210 |
|  | 29.21.150 | 5301 | 29.33.040 | 5342 | 29.62.040 |  | 29.79.110 | 5440-23 | 70.74.230 |
|  | 29.21 .160 |  | 29.33.050 | 5343 | 29.27.100 | 5405 | 29.79.080 | 5440-24 | 70.74.240 |
|  | 29.21 .170 |  | 29.33.060 |  | 29.62.010 | 5407 | 29.79.120 | 5440-25 | 70.74.250 |
| 5213-2 | 29.51 .170 |  | 29.33.070 | 5343-1 | 29.27.110 |  | 29.79 .130 | 5440-30- |  |
| 5213-10 | 29.18 .060 |  | 29.33 .080 |  | 29.62.120 |  | 29.79.150 | 5440-36 |  |
| 5213-11 | 29.18 .070 | 5302 | 29.33.010 | 5344 | 29.62.080 | 5408 | 29.79.140 |  | $\text { c } 174 \S 12$ |
| 5213-12 | 29.18 .070 |  | 29.33.160 | 5345 | 29.62.030 |  | 29.79.150 |  | but see |
| 5213-13 | 29.18 .090 | 5303 | 29.33 .090 | 5346 | 29.62.090 | 5409 | 29.79.160 |  | Ch. 70.77 |
| 5213-14 | 29.18 .100 | 5304 | 29.33.100 | 5347 | 29.27.120 |  | 29.79.170 | 5440-37 | R 1951 |
| 5213-15 | 29.18.080 |  | 29.33.160 | 5348 | 29.62 .090 |  | 29.79.180 |  | c $174 \S 12$ |
| 5249-1 | 29.74.010 | 5305 | 29.33.120 | 5349 | 29.62.080 | 5410 | 29.79 .190 | 5441 | 16.60.010 |
|  | 29.74 .020 | 5306 | 29.33 .190 | 5350 | 29.82.010 | 5411 | 29.79.200 | 5442 | 16.60.010 |
|  | 29.74 .030 |  | 29.33.200 | 5351 | 29.82.010 | 5412 | 29.79 .240 | 5443 | S-see |
|  | 29.74.040 | 5307 | 29.33.170 | 5352 | 29.82.020 | 5413 | 29.79.210 |  | Ch. 16.04 |
| 5249-2 | 29.74 .050 |  | 29.33.180 | 5353 | 29.82.030 | 5414 | 29.79.220 | 5444 | 16.60.020 |
| 5249-3 | 29.74.060 | 5308 | 29.33.210 | 5354 | $S \text { see }$ | 5415 | 29.79.230 | 5445 | 16.60.030 |
| 5249-4 | 29.74.070 |  | 29.33.220 |  | Ch. 29.07, | 5416 | 29.79 .250 | 5446 | 16.60.040 |
|  | 29.74 .080 |  | 29.45.020 |  | 29.82 |  | 29.79.260 | 5447 | 16.60.050 |
| 5249-5 | 29.74.090 | 5309 | 29.33.130 | 5355 | 29.82.040 | 5417 | 29.79.270 | 5448 | 16.60.070 |
| 5249-6 | 29.74.100 |  | 29.33.140 | 5356 | 29.82.050 | 5418 | 29.79.280 | 5449 | 16.60.060 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 5450 | Obsolete | 5520-1 | Obsolete | 5545-13 | 36.33.100 | 5589 | 36.76.060 | 5639 | $S$--see |
| 5451 | Obsolete | 5520-2 | Obsolete | 5546 | Obsolete | 5590 | 36.76.070 | 5640 | Chs. 35.32, |
| 5452 | 16.04.090 | 5520-3 | Obsolete | 5547 | Obsolete | 5591 | S 39.44.090 | 5641 | 35.33, 35.37 |
| 5453 | 16.04.090 | 5520-4 | Obsolete | 5547-1 | 70.82.010 | 5591-1 | 39.44 .090 | 5642 |  |
| 5459 | 16.60.080 | 5520-5 | Obsolete | 5547-2 | 70.82.030 | 5592 | 36.76 .080 | 5643 | 35.37 .010 |
| 5460 | 16.60.080 | 5520-6 | Obsolete | 5547-3 | 70.82.040 | 5593 | 36.76.090 | 5644 | 35.37 .010 |
| 5461 | 16.60 .090 | 5520-7 | Obsolete | 5548 | 43.85.010 | 5594 | 36.76.120 |  | 35.37 .020 |
| 5462 | 36.53.010 | 5520-8 | Obsolete | 5549 | 43.85.030 | 5595 | 36.76.100 | 5645 | 35.11 .090 |
| 5463 | 36.53.020 | 5520-9 | Obsolete | 5549-1 | 43.85 .080 | 5596 | 36.76.110 | 5646 | 35.10 .140 |
| 5464 | 36.53.030 | 5520-10 | Obsolete | 5549-2 | 43.85 .090 | 5597 | Val. | 5646-1 | 39.40.010 |
| 5465 | 36.53.040 | 5521 | 43.79.140 | 5549-3 | 43.85.100 |  | n36.76.080 | 5646-2 | 39.40 .020 |
| 5466 | 36.53.050 | 5522 | 43.79 .170 | 5549-4 | 43.85.110 | 5598 | 36.76.130 | 5646-3 | 39.40.030 |
| 5467 | 36.53.060 | 5523 | 43.79.180 | 5549-5 | 43.85.120 | 5599 | Obsolete | 5646-4 | Constr. |
| 5468 | 36.53.070 | 5524 | Temporary | 5550 | 43.85.050 | 5600 | Obsolete |  | n39.40.010 |
| 5469 | 36.53.080 | 5525 | 43.79 .100 | 5551 | 43.85.070 | 5601 | Obsolete | 5646-5 | Sev. |
| 5470 | 36.53.090 | 5526 | 43.79 .110 | 5552 | 43.85.040 | 5602 | Obsolete | 5646-11 | 36.33.180 |
| 5471 | 36.53.100 | 5528 | 43.79 .030 | 5553 | 43.85.060 | 5603 | Obsolete | 5646-12 | 36.33.190 |
| 5472 | 36.53.110 | 5529 | 43.79 .040 | 5553-1 | Approp. | 5604 | Obsolete | 5646-13 | 35.39.030 |
| 5473 | 36.53.120 | 5530 | 43.79 .040 | 5554 | 43.85 .020 | 5605 | 39.36.020 | 5646-14 | 35.39.040 |
| 5474 | 36.53.130 | 5531 | $S 84.52 .060$ | 5555 | 43.85.130 | 5606 | 39.36.030 | 5646-15 | Constr. |
| 5475 | 36.53.140 | 5532 | 43.79 .050 | 5556 | 43.85.140 | 5607 | 39.36.040 |  | $n 35.39 .030$ |
| 5476 | 35.21.110 | 5532-1 | 43.79 .040 | 5557 | 43.85.150 | 5608 | 39.36.010 | 5646-16 | Temporary |
| 5477 | 36.54.010 | 5532-2 | Obsolete | 5558 | 43.85.160 | 5608-1 | Short t. | 5646-17 | Temporary |
| 5477-1 | 36.54.080 | 5532-3 | Obsolete | 5559 | 43.85.170 |  | 39.64.010 | 5646-18 | Temporary |
| 5477-2 | 36.54.090 | 5532-4 | Obsolete | 5560 | 43.85.180 | 5608-2 | 39.64 .010 | 5646-19 | Temporary |
| 5477-3 | 36.54.100 | 5532-5 | Obsolete | 5561 | Obsolete | 5608-3 | 39.64.020 | 5646-20 | Temporary |
| 5477-4 | 36.54.100 | 5532-10 | 43.79.040 | 5561-1 | 36.48.080 | 5608-4 | 39.64 .030 | 5646-21 | Temporary |
| 5478 | 36.53.150 | 5532-11 | Obsolete | 5561-2 | 36.48.090 | 5608-5 | 39.64 .040 | 5646-22 | Temporary |
| 5479 | 36.54.030 | 5532-12 | Obsolete | 5561-3 | 36.48.100 | 5608-6 | 39.64 .050 | 5646-23 | Temporary |
| 5480 | 36.54.040 | 5532-13 | Obsolete | 5562 | 36.48.010 | 5608-7 | 39.64 .060 | 5647 | 4.24 .040 |
| 5481 | 36.54.050 | 5532-14 | Obsolete | 5563 | 36.48.020 | 5608-8 | 39.64.070 | 5648 | 4.24 .050 |
| 5482 | 36.54.060 | 5532-20 | 43.79 .040 | 5564 | 36.48.030 | 5608-9 | 39.64.080 | 5649 | 4.24 .060 |
| 5483 | 36.54.070 | 5532-21 | Obsolete | 5565 | 36.48.040 | 5608-10 | Val. | 5650 | 9.40 .050 |
| 5484 | 43.08.090 | 5532-22 | Obsolete | 5566 | 36.48.050 |  | n39.64.010 | 5651 | 9.40 .060 |
| 5485 | 43.08.100 | 5532-23 | Obsolete | 5567 | 36.48.060 | 5609 | Obsolete | 5652 | 9.40 .070 |
| 5486 | 43.08.110 | 5532-24 | Obsolete | 5567-1 | 36.48.070 | 5610 | Obsolete | 5654 | 9.40 .080 |
| 5487 | 43.08.100 | 5533 | Obsolete | 5568 | 35.38.010 | 5611 | Obsolete | 5654-101 | 52.04 .020 |
| 5488 | 43.80.010 | 5534 | $S$ 84.52.060 | 5569 | 35.38.020 | 5612 | Obsolete | 5654-102 | 52.04 .030 |
| 5489 | 43.80.020 | 5535 | 43.79 .080 | 5570 | 35.38.050 | 5613 | Obsolete | 5654-103 | 52.04 .040 |
| 5490 | 43.80 .030 | 5536 | 43.79 .090 | 5570-1 | 35.39.010 | 5614 | Obsolete | 5654-104 | 52.04 .050 |
| 5491 | 43.80 .040 | 5536-1 | Obsolete | 5571 | 35.38.030 | 5615 | Obsolete | 5654-105 | 52.04 .060 |
| 5492 | 43.80.050 | 5536-2 | Obsolete | 5572 | 35.38.040 | 5616 | Obsolete | 5654-106 | 52.04 .070 |
| 5493 | 43.80.060 | 5536-3 | Obsolete | 5573 | 35.38.050 | 5616-1 | Obsolete | 5654-107 | 52.04 .080 |
| 5494 | 39.44.110 | 5536-4 | 43.79.210 | 5573-1 | 35.39.020 | 5616-11 | 7.24.150 | 5654-108 | 52.04 .090 |
| 5495 | 39.44.120 | 5536-5 | Obsolete | 5574 | 35.38.060 | 5616-12 | 7.24.160 | 5654-109 | 52.04.100 |
| 5496 | 39.44.130 | 5536-6 | Obsolete | 5574-1 | 35.38.070 | 5616-13 | 7.24.170 | 5654-110 | 52.04.110 |
| 5501 | 43.01.050 | 5536-7 | Obsolete |  | 36.48.110 | 5616-14 | 7.24.180 | 5654-111 | 52.04.120 |
|  | 43.85.130 | 5536-8 | Obsolete | 5574-2 | 35.38.110 | 5616-20 | Val. | 5654-112 | 52.04.130 |
| 5502 | 43.01.060 | 5536-9 | Obsolete |  | 36.48.120 | 5616-21 | Val. | 5654-113 | 52.04.140 |
| 5503 | 43.01 .070 | 5536-10 | Obsolete | 5574-3 | 35.38.080 |  | n39.40.010 | 5654-114 | 52.04.150 |
| 5504 | 43.08.060 | 5536-11 | Obsolete |  | 36.48.130 | 5616-22 | Val. | 5654-115 | 52.08.010 |
| 5505 | Obsolete | 5536-12 | 43.79.220 | 5574-4 | 35.38.100 | 5617 | 39.52.010 | 5654-116 | 52.08 .020 |
| 5505-1 | 43.21 .140 | 5536-13 | Obsolete |  | 36.48.140 | 5618 | Val. | 5654-116a | 52.08.060 |
| 5506 | Obsolete | 5536-14 | Obsolete | 5574-5 | 35.38 .090 |  | n39.52.010 | 5654-117 | 52.08 .070 |
| 5507 | 43.84.100 | 5536-15 | Obsolete | 5575 | 36.67.010 | 5619 | 39.52 .020 | 5654-118 | 52.08 .040 |
| 5508 | 43.84.110 | 5536-16 | Obsolete | 5576 | 36.67.020 | 5620 | 39.52 .030 | 5654-119 | 52.08 .050 |
| 5508-1 | 43.84 .080 | 5536-17 | Obsolete | 5577 | 36.67.030 | 5621 | 39.52.030 | 5654-120 | 52.08.030 |
| 5508-2 | 43.84 .090 | 5536-18 | Obsolete | 5578 | 36.67.040 | 5622 | 39.52.040 | 5654-120a | 52.36.060 |
| 5508-3 | 43.62 .020 | 5536-18a | Obsolete | 5579 | 36.67 .050 | 5623 | 39.52.050 | 5654-121 | 52.20 .070 |
| 5508-10 | 43.62.020 | 5536-18b | Obsolete | 5580 | 36.67.060 | 5623-1 | 53.44 .010 | 5654-122 | 52.12 .010 |
| 5508-11 | 43.62.010 | 5536-19 | Obsolete | 5581 | 36.67.060 | 5623-2 | 53.44.020 | 5654-123 | 52.12.020 |
| 5509 | 43.79.010 | 5536-19a | Obsolete | 5582 | 36.67.070 | 5623-3 | 53.44 .030 | 5654-124 | 52.12 .030 |
| 5510 | Obsolete | 5536-20 | Obsolete | 5583 | 36.67.080 | 5623-4 | 53.44.040 | 5654-125 | 52.12 .040 |
| 5511 | 43.79.020 | 5536-21 | Obsolete | 5583-1 | 39.44.010 | 5624 |  | 5654-126 | 52.12 .050 |
| 5512 | 42.24 .010 | 5536-22 | Obsolete | 5583-1a | 39.44.100 | 5625 |  | 5654-127 | 52.12 .060 |
| 5513 | 42.24.030 | 5536-23 | Obsolete | 5583-2 | 39.44.020 | 5626 |  | 5654-128 | 52.36 .010 |
| 5514 | 43.09.090 | 5537 | 43.33 .030 | 5583-3 | 39.44.030 | 5627 |  | 5654-129 | 52.12.070 |
| 5515 | 42.24 .020 | 5538 | 43.33 .040 |  | 39.44 .040 | 5628 | See Title | 5654-130 | 52.12 .080 |
| 5516 | 43.08.070 | 5539 | 43.84 .010 |  | 39.44.050 | $5629\}$ | 39, Chs. | 5654-131 | 52.12 .090 |
| 5517 | 43.08.080 | 5540 | 43.84 .020 | 5583-4 | 39.44.060 | 5630 | 39.36, 39.52 | 5654-132 | 52.12 .100 |
| 5517-1 | 43.79 .230 | 5541 | 43.84 .030 | 5583-5 | 39.44.070 | 5631 |  | 5654-133 | 52.16.010 |
| 5517-2 | 43.79.240 | 5542 | 43.84.040 | 5583-6 | 39.44.080 | 5632 |  | 5654-134 | 52.16.020 |
| 5517-10 | Obsolete | 5543 | 43.84 .050 | 5583-7 | Constr. | 5633 |  | 5654-135 | 52.16.030 |
| 5517-11 | 43.79.250 | 5544 | 43.84.060 |  | n39.44.010 | 5634 |  | 5654-136 | 52.16.040 |
| 5517-12 | 43.79.260 | 5545 | 43.84.070 | 5583-11 | 39.48.010 | 5634-1 | 36.33.010 | 5654-137 | 52.16.050 |
| 5517-13 | 43.79 .270 | 5545-1 | 39.60.010 | 5583-12 | 39.48.020 | 5634-10 | 36.33.020 | 5654-138 | R 1951 2nd |
| 5517-14 | 43.79 .280 | 5545-2 | 39.60 .020 | 5583-13 | 49.48.030 | 5634-11 | 36.33.030 |  | x.s. c $24 \S 12$ |
| 5518 | 43.79 .060 | 5545-3 | 39.60.030 | 5583-14 | 39.48.040 | 5634-12 | 36.33.040 | 5654-139 | 52.16 .070 |
| 5519 | Obsolete | 5545-4 | Sev. | 5584 | 36.76.010 | 5635 | 35.37.010 | 5654-140 | 52.20.010 |
| 5519-1 | Obsolete |  | n39.60.010 | 5585 | 36.76.020 | 5636 | 35.37.010 | 5654-141 | 52.20.020 |
| 5519-2 | Obsolete | 5545-10 | 36.33.070 | 5586 | 36.76.030 | 5637 | $S$ 84.52.050, | 5654-142 | 52.20 .030 |
| 5519-3 | Obsolete | 5545-11 | 36.33.080 | 5587 | 36.76.040 |  | Chs. 35.32, | 5654-143 | 52.20.040 |
| 5520 | Obsolete | 5545-12 | 36.33.090 | 5588 | 36.76.050 | 5638) | 35.33 | 5654-143a | 52.36.020 |

Parallel Tables: Rem. Rev. Stat. - - RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 5654-144 | 52.20 .050 | 5780-207 | 75.08.140 | 5780-510(4) | 75.28.330 | 5812-5 | 76.12.090 | 5836-26 | 63.04.270 |
| 5654-145 | 52.20.060 | 5780-208 | 43.25 .060 | 5780-510(5) | R 1951 | 5812-6 | 76.12.110 | 5836-27 | 63.04.280 |
| 5654-146 | $S$ Ch. 53.48 | 5780-209 | 75.08.120 |  | c $271 \S 47$ | 5812-7 | 76.12.120 | 5836-28 | 63.04.290 |
| 5654-147 | 52.36 .030 | 5780-210 | 43.25 .040 | 5780-510(6) | 75.28 .350 | 5812-7a | 76.12 .130 | 5836-29 | 63.04.300 |
| 5654-148 | 52.36.040 | 5780-211 | 43.25 .050 | 5780-510(7) | 75.28.360 | 5812-8 | 76.12.150 | 5836-30 | 63.04.310 |
| 5654-149 | Val. | 5780-212 | 75.08.160 | 5780-510(8) | 75.28.370 | 5812-9 | 43.12.140 | 5836-31 | 63.04.320 |
|  | Saving | 5780-213 | 75.08.220 | 5780-511 | 75.28 .010 | 5812-10 | Approp. | 5836-32 | 63.04.330 |
|  | n52.04.020 | 5780-214 | 75.08.130 | 5780-512 | 75.28.060 | 5812-11 | 76.12.100 | 5836-33 | 63.04.340 |
| 5654-150 | Repealer | 5780-215 | 75.08.110 |  | 75.28 .070 | 5813-1 | 9.61 .130 | 5836-34 | 63.04.350 |
| 5654-151 | Reper. | 5780-216 | 75.28.050 | 5780-601 | 75.08.260 | 5817-1 | 76.04.410 | 5836-35 | 63.04.360 |
| 5654-151a | 52.24 .010 | 5780-217 | 75.08.210 | 5780-602(1) | 75.36.010 | 5817-2 | 76.04.420 | 5836-36 | 63.04.370 |
| 5654-151b | 52.24 .020 | 5780-218 | 75.08.170 | 5780-602(2) | 75.36.020 | 5817-3 | 76.04.430 | 5836-37 | 63.04.380 |
| 5654-151c | 52.24 .030 | 5780-218a | 75.08.190 | 5780-602(3) | 75.36.030 | 5817-4 | 76.04.440 | 5836-38 | 63.04.390 |
| 5654-151d | 52.24.040 | 5780-219 | 75.08.200 | 5780-602(4) | 75.36.040 | 5817-5 | Constr. | 5836-39 | 63.04.400 |
| 5654-151e | 52.24 .050 | 5780-220 | 75.08.150 | 5780-602(5) | 75.36.050 |  | n76.04.080 | 5836-40 | 63.04.410 |
| 5654-151f | 52.24.060 | 5780-221 | 75.08.180 | 5780-603 | 75.28.380 | 5818 | 76.04.450 | 5836-41 | 63.04.420 |
| 5654-151g | 52.24 .070 | 5780-222 | 43.25 .070 | 5780-604 | 75.08.270 | 5819 | 76.04.460 | 5836-42 | 63.04.430 |
| 5654-151h | 52.24 .080 | 5780-223 | 75.08.230 | 5780-605 | 75.08.280 | 5820 | 76.04.470 | 5836-43 | 63.04.440 |
| 5654-151i | 52.28 .010 | 5780-224 | 75.08.240 | 5780-701 | 75.40.010 | 5821 | 76.04.480 | 5836-44 | 63.04.450 |
| 5654-151j | 52.28.020 | 5780-225 | 75.08.250 | 5780-702 | 75.40 .020 | 5822 | Approp. | 5836-45 | 63.04.460 |
| 5654-151k | 52.28 .030 | 5780-301 | 75.12 .010 | 5780-703(1) | 75.40 .030 | 5823 | 43.21 .020 | 5836-46 | 63.04.470 |
| 5654-1511 | 52.28.040 | 5780-303 | 75.12 .040 | 5780-703(2) | 75.40 .040 | 5823-1 | 76.04.490 | 5836-47 | 63.04.480 |
| 5654-151m | 52.28.050 | 5780-304 | 75.12 .050 | 5780-703(3) | 75.40 .050 | 5823-2 | 76.04.500 | 5836-48 | 63.04.490 |
| 5654-151n | Repealer | 5780-305 | 75.12.060 | 5780-703(4) | 75.40.070 | 5823-10 | 76.08.020 | 5836-49 | 63.04.500 |
| 5654-1510 | 52.32 .010 | 5780-306 | 75.12 .080 | 5780-704 | 75.40.060 | 5823-11 | 76.08.010 | 5836-50 | 63.04.510 |
| 5654-152 | $S$ 41.24.010, | 5780-307 | 75.12 .090 | 5780-801 | Constr. | 5823-12 | 76.08.030 | 5836-51 | 63.04.520 |
|  | 41.24 .020 | 5780-308 | 75.12.100 |  | n75.04.010 | 5823-13 | 76.08.040 | 5836-52 | 63.04.530 |
| 5654-153 | $S 41.24 .080$ | 5780-309 | 75.12.110 | 5780-802 | Sev. | 5823-14 | 76.08.050 | 5836-53 | 63.04.540 |
| 5654-153a | 52.32 .020 | 5780-310 | 75.12 .120 |  | n75.04.010 | 5823-15 | 76.08.060 | 5836-54 | 63.04.550 |
| 5654-153b | 52.32.030 | 5780-311 | 75.12.020 | 5781 | 76.04.010 | 5823-16 | 76.08.070 | 5836-55 | 63.04.560 |
| 5654-153c | 52.32.040 | 5780-312 | 75.12.070 | 5782 | 76.04.020 | 5823-17 | 76.08.080 | 5836-56 | 63.04.570 |
| 5654-153d | 52.32.050 | 5780-313 | 75.20.070 | 5782-1 | 76.04.140 | 5823-18 | 76.08.090 | 5836-57 | 63.04.580 |
| 5654-153e | 52.32.060 | 5780-314 | 75.16.020 | 5783 | 76.04.040 | 5823-30 | 76.16.010 | 5836-58 | 63.04.590 |
| 5654-153f | 52.32.070 | 5780-315 | 75.12.130 | 5784 | 76.04.010 | 5823-31 | 76.16.020 | 5836-59 | 63.04.600 |
| 5654-153g | 52.32.080 | 5780-316 | 75.16.010 |  | 76.04.050 | 5823-32 | 76.16.030 | 5836-60 | 63.04.610 |
| 5654-153h | 52.32.090 | 5780-317 | 75.16.030 | 5785 | 76.04.060 | 5823-33 | 76.16.040 | 5836-61 | 63.04.620 |
| 5654-153i | 52.32.100 | 5780-318 | 75.16.040 | 5786 | 76.04.070 | 5823-40 | 76.12.160 | 5836-62 | 63.04.630 |
| 5654-154- |  | 5780-319 | 75.20 .040 | 5787 | 76.04.080 | 5823-41 | 76.12.170 | 5836-63 | 63.04.640 |
| 5654-162 | Temporary | 5780-320 | 75.20 .050 | 5788 | 76.04.150 | 5824 | 19.36.020 | 5836-64 | 63.04.650 |
| 5655 |  | 5780-321 | 75.20.060 | 5788-1 | 76.04.170 | 5825 | 19.36.010 | 5836-65 | 63.04.660 |
| 5780-54 | $R$ or $S$ - | 5780-322 | 75.20 .090 | 5789 | 76.04.180 | 5827 | 65.08.040 | 5836-66 | 63.04.670 |
|  | see Title 75 | 5780-323 | 75.20 .100 | 5789-1 | 76.04.190 | 5828 | 26.16.210 | 5836-67 | 63.04.680 |
| 5780-60 | 75.32.020 | 5780-324 | 75.20.080 | 5790 | 76.04.200 | 5829 | 26.28.030 | 5836-68 | 63.04.690 |
| 5780-60(1) | 75.32 .030 | 5780-325 | 75.16 .050 | 5791 | 76.04.210 | 5830 | 26.28.040 | 5836-69 | 63.04.700 |
| 5780-60(2) | 75.32 .010 | 5780-326 | 75.16 .060 | 5792-1 | 76.04.230 | 5831 | 26.28 .050 | 5836-70 | 63.04.710 |
|  | 75.32.040 | 5780-327 | 75.16.070 | 5793 | 76.04.240 | 5831-4 | 23.48.010 | 5836-71 | 63.04.720 |
| 5780-60(3) | R 1951 | 5780-401 | 75.24 .010 | 5794 | 76.04.250 | 5831-5 | 23.48.020 | 5836-72 | 63.04.730 |
| 5780-60(3) | c 271847 | 5780-402 | 75.24 .030 |  | 76.04.260 | 5831-6 | 23.48.030 | 5836-73 | 63.04.740 |
| 5780-60(4) | 75.32.060 | 5780-403 | 75.24 .060 |  | 76.04.270 | 5831-7 | 23.48.040 | 5836-74 | 63.04.770 |
| 5780-60(5) | 75.32.070 | 5780-404 | 75.24 .070 | 5795 | 76.04.280 | 5831-8 | 23.48 .050 | 5836-75 | 63.04.750 |
|  | 75.32 .080 | 5780-405 | 75.24 .020 | 5795-1 | 76.04.290 | 5831-9 | 23.48.060 | 5836-76 | 63.04.010 |
| 5780-61 | 75.32 .090 | 5780-406 | 75.24 .080 | 5795-2 | 76.04.300 |  | 23.48.070 | 5836-76a |  |
| 5780-62 | 75.32.100 | 5780-407 | 75.24 .040 | 5796 | 76.04.310 | 5832 | 63.08.020 |  | Constr. |
| 5780-63 | 75.32 .110 | 5780-408 | 75.24 .090 | 5797 | 76.04.320 |  | 63.08.030 |  | n63.04.010 |
| 5780-64 | 75.32.120 | 5780-409 | 75.24 .050 | 5798 | $\boldsymbol{R} 1951$ |  | 63.08.040 | 5836-76b | 63.04.760 |
| 5780-65 | 75.32.130 | 5780-501 | 75.28.020 |  | c 58 \& 10 | 5833 | 63.08.050 | 5836-79 | Short t. |
| 5780-100 | 75.04.010 | 5780-502 | 75.28.040 | 5799 | 76.04.110 | 5834 | 63.08.060 |  | n63.04.010 |
|  | 75.04.020 | 5780-503 | 75.28.030 | 5800 | 76.04.090 | 5835 | 63.08.010 | 5837 | 19.84.010 |
|  | 75.04.030 | 5780-504 | 75.28 .080 | 5801 | 76.04.130 | 5836-1 | 63.04.020 | 5838 | 19.84.020 |
|  | 75.04.040 | 5780-505 | 75.28.090 | 5802 | 76.04.030 | 5836-2 | 63.04.030 | 5839 | 19.84.030 |
|  | 75.04.050 | 5780-506 | 75.28.100 | 5803 | 76.04.340 | 5836-3 | 63.04.040 | 5840 | 19.84.040 |
|  | 75.04.060 | 5780-507(1) | 75.28.110 | 5804 | 76.04.350 | 5836-4 | 63.04.050 | 5841 | 19.52.060 |
|  | 75.04.070 | 5780-507(2) | 75.28.120 | 5805 | 76.04.360 | 5836-5 | 63.04.060 | 5842 | 19.56.010 |
|  | 75.04 .080 | 5780-507(3) | 75.28 .130 | 5806 | 76.04.380 | 5836-6 | 63.04.070 | 5842-1 | 9.45 .180 |
|  | 75.04.090 | 5780-507(4) | 75.28.140 | 5806-1 | 76.04.390 | 5836-7 | 63.04.080 | 5842-2 | 9.45 .190 |
|  | 75.04.100 | 5780-507(5) | 75.28 .150 | 5806-2 | 9.40 .090 | 5836-8 | 63.04.090 | 5843 | 19.44.040 |
|  | 75.04.110 | 5780-507(6) | 75.28 .160 | 5807 | 76.04.370 | 5836-9 | 63.04 .100 | 5844 | 19.44.010 |
| 5780-200 | 75.08.010 | 5780-507(7) | 75.28 .170 | 5808 | 76.04.400 | 5836-10 | 63.04.110 | 5845 | 19.44.030 |
| 5780-201 | 43.25 .010 | 5780-507(8) | 75.28 .180 | 5809 | 76.04.010 | 5836-11 | 63.04.120 | 5846 | 19.44.050 |
|  | 43.25 .020 | 5780-507(9) | 75.28.190 | 5810 | 76.04.100 | 5836-12 | 63.04.130 | 5847 | 19.44.020 |
| 5780-203 | 43.25 .030 | 5780-507(10) | 75.28 .200 | 5811 | 43.21 .030 | 5836-13 | 63.04.140 | 5847-1 | 19.20.020 |
| 5780-204 | 43.25 .010 | 5780-507(11) | 75.28 .210 | 5811-1 | 76.04.120 | 5836-14 | 63.04.150 |  | 19.20.030 |
| 5780-205 | 75.08.070 | 5780-507(12) | 75.28 .220 | 5812-1 | 43.64.010 | 5836-15 | 63.04.160 |  | 19.20.040 |
|  | 75.08.080 | 5780-507(13) | 75.28 .230 | 5812-2 | 43.64 .020 | 5836-16 | 63.04.170 |  | 19.20.050 |
|  | 75.08.090 | 5780-507(14) | 75.28.240 | 5812-3 | 76.12.020 | 5836-17 | 63.04.180 | 5847-2 | 19.20.060 |
|  | 75.08.100 | 5780-507(15) | 75.28 .250 | 5812-3a | 76.12.140 | 5836-18 | 63.04.190 | 5847-3 | Sev. |
| 5780-206 |  | 5780-507(16) | 75.28 .260 | 5812-3b | 76.12 .030 | 5836-19 | 63.04.200 |  | n19.20.020 |
| (3),(6), |  | 5780-507(17) | 75.28 .270 | 5812-3c | 76.12 .040 | 5836-20 | 63.04.210 | 5847-4 | 19.16 .010 |
| (7) | 75.08 .020 | 5780-508 | 75.28 .280 | 5812-3d | 76.12.040 | 5836-21 | 63.04.220 | 5847-4PP | 19.20.010 |
| 5780-206(1) | 75.08.030 | 5780-509 | 75.28 .290 | 5812-3e | 76.12.050 | 5836-22 | 63.04.230 | 5847-5 | 19.16.040 |
| 5780-206(2) | 75.08.040 | 5780-510(1) | 75.28.300 | 5812-3f | 76.12.060 | 5836-23 | 63.04.240 | 5847-5PP | Eff. date |
| 5780-206(4) | 75.08.050 | 5780-510(2) | 75.28 .310 | 5812-3g | 76.12.070 | 5836-24 | 63.04.250 | 5847-6 | 19.16.030 |
| 5780-206(5) | 75.08.060 | 5780-510(3) | 75.28 .320 | 5812-4 | 76.12.080 | 5836-25 | 63.04.260 | 5847-6PP | Superf.- |


| $\begin{gathered} \text { Rem. } \\ \text { Rev. Stats. } \end{gathered}$ | Rev. Code of Wash. | Rem <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | see Ch. 19.20 |  | 19.88.150 | 5992-44 | 77.12.250 | 5992-122 | 77.32 .240 | 6053 | 70.16 .070 |
| 5847-7 | 19.16 .020 | 5854-24 | 19.88.040 | 5992-45 | 77.12 .260 | 5992-123 | 77.32.250 | 6054 | 60.16.080 |
| 5847-8 | 19.16.050 | 5854-25 | 19.88 .130 | 5992-45a | 77.12 .270 | 5992-124 | 77.32.260 | 6055 | 70.16 .090 |
| 5847-9 | Superf. | 5854-26 | 19.88 .130 | 5992-45b | 77.12 .280 | 5992-124a | 77.32 .280 | 6056 | 70.16.100 |
| 5847-10 | 48.40 .010 |  | 19.88.140 | 5592-45c | 77.12 .290 | 5992-125 | 77.32.270 | 6057 | 70.16 .110 |
| 5847-11 | 48.40 .020 | 5854-27 | 19.88.100 | 5992-45d | 77.12 .300 | 5993 | 43.92 .010 | 6058 | 70.20 .010 |
| 5847-12 | 48.40 .030 | 5854-28 | 19.88.110 | 5992-46 | 77.12 .310 | 5994 | 43.92 .020 | 6059 | 70.20 .020 |
| 5847-13 | 48.40 .040 | 5854-29 | 19.88.160 | 5992-47 | 77.12.320 | 5995 | 43.92 .030 | 6060 | 70.20 .030 |
| 5847-14 | 48.40.050 | 5854-30 | 19.88.120 | 5992-48 | 77.12 .330 | 5996 | 43.92 .040 | 6061 | 70.20 .040 |
| 5847-15 | 48.40 .060 | 5854-31 | 19.88.150 | 5992-49 | 77.16.010 | 5997 | 43.92 .050 | 6062 | 70.20 .050 |
| 5847-16 | 48.40.070 | 5854-32 | 19.88.130 | 5992-50 | 77.16.020 | 5998 | 43.92 .060 | 6063 | 70.20 .060 |
| 5847-17 | Sev. | 5854-33 | 19.88.170 | 5992-51 | 77.16.030 | 5999 | 43.92 .070 | 6064 | 70.20 .070 |
| 5848 | 18.11 .010 | 5854-34 | Sev. | 5992-52 | 77.16 .040 | 6000 | 43.92 .080 | 6065 | 70.20.080 |
| 5849 | 18.11 .020 |  | n19.88.010 | 5992-53 | 77.16 .050 | 6001 | 43.20 .050 | 6066 | 70.20 .090 |
| 5850 | 18.11.030 | 5854-35 | Constr. | 5992-54 | 77.16.060 | 6001-1 | 70.12 .080 | 6067 | 70.20 .100 |
| 5851 | 4.24.070 |  | $n 19.88 .010$ | 5992-55 | 77.16.070 | 6002 | 70.06.060 | 6068 | 70.20.110 |
| 5852 | 4.24 .080 | 5854-36 | Short t. | 5992-56 | 77.16 .080 | 6002-1 | 70.24 .090 | 6069 | 70.20.120 |
| 5853 | 4.24 .090 |  | n19.88.010 | 5992-57 | 77.16 .090 | 6002-2 | 70.24.100 | 6070 | 70.20.130 |
| 5853-1 | 21.04.020 | 5854-40 | 19.40.010 | 5992-58 | 77.16.100 | 6002-3 | Eff. date | 6071 | 70.20 .140 |
| 5853-2 | 21.04 .010 | 5854-41 | 19.40.020 | 5992-59 | 77.16.110 | 6003 | See Ch. 43.20 | 7072 | 70.20.150 |
| 5853-3 | 21.04 .030 | 5854-42 | 19.40.030 | 5992-60 | 77.16.120 | 6004 | 43.20 .010 | 6073 | 70.20 .160 |
| 5853-4 | 21.04 .040 | 5854-43 | 19.40.040 | 5992-61 | 77.16 .130 | 6005 | 43.20 .060 | 6074 | Obsolete |
| 5853-5 | 21.04.050 | 5854-44 | 19.40.050 | 5992-62 | 77.16.140 | 6006 | 70.54 .040 | 6075 | 70.20 .170 |
| 5853-6 | 21.04.020 | 5854-45 | 19.40.060 | 5992-63 | 77.16.150 | 6007 | 43.20 .100 | 6076 | 70.16.200 |
|  | 21.04 .060 | 5854-46 | 19.40 .070 | 5592-64 | 77.16.160 | 6008 | Superseded | 6077 | 70.16.120 |
| 5853-7 | 21.04 .080 | 5854-47 | 19.40.080 | 5992-65 | 77.16.170 | 6009 | Superseded | 6078 | 70.16.130 |
| 5853-8 | 21.04 .090 | 5854-48 | 19.40 .090 | 5992-66 | 77.16 .180 | 6010 | See Ch. 16.36 | 6079 | 70.16.150 |
| 5853-9 | 21.04.100 | 5854-49 | 19.40 .100 | 5992-67 | 77.16 .190 | 6010-1 | 55.04 .010 | 6080 | 70.16.160 |
| 5853-10 | 21.04.110 | 5854-50 | 19.40 .110 | 5992-68 | 77.16 .200 | 6010-2 | 55.04 .020 | 6081 | 70.16.140 |
| 5853-11 | 21.04.120 | 5854-51 | 19.40.120 | 5992-69 | 77.16 .210 | 6010-3 | 55.04 .030 | 6082 | 70.16.170 |
| 5853-12 | 21.04.140 | 5854-52 | Short t. | 5992-70 | 77.16 .220 |  | 55.04 .040 | 6083 | 70.16.180 |
| 5853-13 | 21.04 .130 |  | n19.40.010 | 5992-79a | 77.20 .090 | 6010-4 | 55.08 .010 | 6084 | 70.16.190 |
| 5853-14 | 21.04.160 | 5855-12 | 77.12.430 | 5992-71 | 77.16 .230 | 6010-5 | 55.08 .020 | 6085 | 70.04 .030 |
| 5853-14a | 21.04.150 | 5889-1 | Obsolete | 5992-72 | 77.16 .240 | 6010-6 | 55.12 .010 | 6086 | 70.04 .010 |
| 5853-15 | 21.04.170 | 5897-1 | 77.32 .110 | 5992-73 | 77.20.010 | 6010-7 | 55.12 .020 |  | 70.04 .040 |
| 5853-16 | 21.04.180 | 5897-2 | 77.32.100 | 5992-74 | 77.20 .020 | 6010-10 | 70.50.010 | 6087 | 70.04 .050 |
| 5853-17 | 21.04.190 | 5897-3 | 77.32 .120 | 5992-75 | 77.20 .030 | 6010-11 | 70.50.020 | 6088 | 70.04.060 |
| 5853-18 | 21.04.200 | 5917-1 | R 1945 | 5992-76 | 77.20 .040 | 6011-1 | 70.58.110 | 6089 | 70.04 .070 |
| 5853-18a | 21.04.210 |  | c $81 \S 15$ | 5992-77 | 77.20 .050 | 6011-2 | 70.58 .120 | 6090 | 70.04 .080 |
| 5853-19 | 21.04.220 | 5944-1 | 77.12 .420 | 5992-78 | 77.20 .060 | 6011-4 | 70.58 .130 | 6090-1 | 36.62 .010 |
| 5853-20 | Obsolete | 5944-2 | 75.20 .010 | 5992-79 | 77.20 .070 | 6011-5 | 70.58 .140 |  | 36.62 .020 |
| 5853-21 | Approp. | 5944-3 | 75.20 .020 | 5992-80 | 77.20 .080 | 6013-1 | 70.58.210 |  | 36.62.030 |
| 5853-22 | 21.04.070 | 5944-4 | 75.20.030 | 5992-81 | 77.24.010 | 6013-2 | 70.58 .220 | 6090-2 | 36.62.040 |
| 5853-23 | Sev. | 5992-2 | 77.24 .100 | 5992-82 | 77.24 .020 | 6018 | 43.20 .070 | 6090-3 | 36.62 .050 |
|  | n21.04.010 | 5992-3 | 77.24 .110 | 5992-83 | 77.24 .030 | 6019 | 70.58 .010 | 6090-4 | 36.62.060 |
| 5853-24 | 43.24 .020 | 5992-4 | 77.24.120 | 5992-84 | 77.24 .040 | 6020 | 70.58 .020 | 6090-5 | 36.62 .070 |
| 5853-25 | Obsolete | 5992-5 | Sev. | 5992-85 | 77.24 .050 | 6021 | 70.58 .230 | 6090-6 | 36.62 .090 |
| 5853-31 | 21.08.010 | 5992-6 | Repealer | 5992-86 | 77.24 .060 | 6024-1 | 70.58 .160 | 6090-7 | 36.62 .080 |
| 5853-32 | 21.08 .020 | 5992-11 | 77.04 .010 | 5992-87 | 77.24 .070 | 6024-2 | 70.58 .170 | 6090-8 | 36.62 .100 |
| 5853-33 | 21.08 .030 | 5992-12 | 43.26 .010 | 5992-88 | 77.24 .080 | 6024-3 | 70.58 .180 | 6090-9 | 36.62 .110 |
| 5853-34 | 21.08.040 |  | 77.04.020 | 5992-89 | 77.24 .090 | 6024-4 | 70.58 .190 |  | 36.62 .120 |
| 5853-35 | 21.08.050 | 5992-13 | 77.04 .030 | 5992-90 | 77.28.010 | 6024-5 | 70.58 .150 |  | 36.62.130 |
| 5853-36 | 21.08.080 | 5992-14 | 77.04 .040 | 5992-91 | 77.28 .020 | 6024-6 | 70.58.200 | 6090-10 | 36.62.140 |
| 5853-37 | 21.08.090 | 5992-15 | 77.04 .050 | 5992-92 | 77.28 .030 | 6025 | 70.58.240 | 6090-11 | 36.62.150 |
| 5853-38 | 21.08.060 | 5992-16 | 77.04 .060 | 5992-93 | 77.28 .040 | 6026 | 70.58.250 |  | 36.62.160 |
| 5853-39 | See 21.08.062 | 5992-17 | 77.04 .070 | 5992-94 | 77.28 .050 | 6027 | 60.58 .260 | 6090-12 | 36.62.170 |
| 5853-40 | 21.08 .100 | 5992-18 | 77.04 .080 | 5992-95 | 77.28 .060 | 6028 | 70.58 .070 |  | 36.62 .120 |
| 5853-41 | 21.08.110 | 5992-18a | 77.12 .180 | 5992-96 | 77.28 .070 | 6029 | 70.58 .080 | 6090-13 | 36.62.200 |
| 5853-42 | Sev. | 5992-19 | 77.08 .010 | 5992-97 | 77.28 .080 | 6030 | 70.58 .090 | 6090-14 | R 1951 c 256 |
|  | n21.08.010 | 5992-20 | 77.08 .020 | 5992-98 | 77.28 .090 | 6031 | 70.58.100 |  | § 6 but see |
| 5853-51 | 21.12 .010 | 5992-21 | 77.12 .010 | 5992-99 | 77.28 .100 | 6032 | 70.58 .060 |  | 36.62 .252 |
| 5853-52 | 21.12 .020 | 5992-22 | 77.12 .020 | 5992-100 | 77.28 .110 | 6033 | 70.58 .270 | 6090-15 | 36.62 .180 |
| 5853-53 | 21.12 .030 | 5992-23 | 77.12 .030 | 5992-101 | 77.28 .120 | 6034 | 43.20 .080 |  | 36.62 .190 |
| 5853-54 | 21.12 .040 | 5992-24 | 77.12 .040 | 5992-102 | 77.32 .010 | 6035 | 70.58 .030 |  | 36.62 .210 |
| 5853-55 | 21.12.060 | 5992-25 | 77.12 .050 | 5992-103 | 77.32 .020 | 6036 | 70.58 .040 |  | 36.62 .220 |
| 5853-56 | 21.12 .050 | 5992-26 | 77.12 .060 | 5992-104 | 77.32.030 | 6037 | 43.20 .090 | 6090-16 | 36.62 .190 |
| 5853-57 | 21.12 .070 | 5992-27 | 77.12 .070 | 5992-105 | 77.32 .040 | 6038 | 70.58.280 | 6090-17 | 36.62.230 |
| 5853-58 | 21.12.080 | 5992-28 | 77.12 .080 | 5992-106 | 77.32 .050 | 6039 | 70.58 .050 | 6090-18 | 36.62.240 |
| 5854-11 | Short t. | 5992-29 | 77.12 .090 | 5992-107 | 77.32.060 | 6040 | 68.12 .010 | 6090-20 |  |
|  | $n 19.88 .010$ | 5992-30 | 77.12 .100 | 5992-108 | 77.32 .070 | 6041 | 68.12 .020 | 6090-21 | R 1949 |
| 5854-12 | 19.88 .020 | 5992-31 | 77.12 .110 | 5992-109 | 77.32 .080 | 6042 | 68.08 .010 | 6090-22 | c 197 § 17 |
| 5854-13 | 19.88.030 | 5992-32 | 77.12 .120 | 5992-110 | 77.32 .090 | 6043 | 68.08 .020 | 6090-30 | 70.44 .010 |
| 5854-14 | 19.88.030 | 5992-33 | 77.12 .130 | 5992-111 | 77.32 .130 | 6044 | 68.08 .030 | 6090-31 | 70.44.010 |
| 5854-15 | 19.88.010 | 5992-34 | 77.12 .140 | 5992-112 | 77.32 .140 | 6045 | 68.08 .040 | 6090-32 | 70.44 .020 |
| 5854-16 | Sev. | 5992-35 | 77.12 .150 | 5992-113 | 77.32 .150 | 6046 | 68.08 .050 | 6090-33 | 70.44.030 |
|  | n19.88.010 | 5992-36 | 77.12.160 | 5992-114 | 77.32 .160 | 6047 | 70.16 .010 | 6090-34 | 70.44.040 |
| 5854-21 | 19.88.010 | 5992-37 | 77.12 .170 | 5992-115 | 77.32.170 |  | 70.06.020 | 6090-35 | 70.44.060 |
| 5854-22 | 19.88.050 | 5992-38 | 77.12 .190 | 5992-116 | 77.32 .180 | 6048 | 70.16 .020 | 6090-36 | 70.44 .070 |
|  | 19.88.060 | 5992-39 | 77.12 .200 | 5992-117 | 77.32 .190 |  | 70.06 .020 | 6090-37 | 70.44.100 |
|  | 19.88.070 | 5992-40 | 77.12 .210 | 5992-118 | 77.32 .200 | 6049 | 70.16 .030 | 6090-38 | 70.44.080 |
|  | 19.88.080 | 5992-41 | 77.12 .220 | 5992-119 | 77.32 .210 | 6050 | 70.16 .040 | 6090-39 | 70.44.160 |
|  | 19.88.090 | 5992-42 | 77.12.230 | 5992-120 | 77.32.220 | 6051 | 70.16.050 | 6090-40 | 70.44.090 |
| 5854-23 | 19.88.140 | 5992-43 | 77.12.240 | 5992-121 | 77.32.230 | 6052 | 70.16.060 | 6090-41 | 70.44.110 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 6090-42 | 70.44.120 | 6113-6 | 70.32.060 | 6140 | 69.40.010 | 6163-63 | 69.04.013 | 6163-145 | 69.04.790 |
| 6090-43 | 70.44.130 | 6113-7 | 70.32.070 | 6141 | 69.40.010 | 6163-64 | 69.04.014 | 6163-146 | 69.04.800 |
| 6090-44 | 70.44.050 | 6113-8 | Eff. date | 6142 | 69.40.020 | 6163-65 | 69.04.015 | 6163-147 | 69.04.810 |
| 6090-45 | 70.44.170 | 6114 | 70.30.010 | 6143 | 69.40.020 | 6163-66 | 69.04.016 | 6163-148 | 69.04.820 |
| 6090-46 | 70.44.140 | 6115 | 70.30.020 | 6154-1 | 18.67 .090 | 6163-67 | 69.04.017 | 6163-149 | 69.04.830 |
| 6090-47 | 70.44.150 |  | 70.30.030 | 6154-2 | 18.67.080 | 6163-68 | 69.04.018 | 6163-150 | 69.04.840 |
| 6090-48 | 70.44.180 | 6116 | 70.30.040 | 6154-3 | 18.67.091 | 6163-69 | 69.04.019 | 6163-151 | Sev. |
| 6090-49 | Obsolete | 6117 | 70.30.050 | 6155\%1 | 69.24.010 | 6163-70 | 69.04.020 |  | n69.04.001 |
| 6090-50 | Sev. | 6118 | 70.30.060 | 6155-2 | 69.24.050 | 6163-71 | 69.04.040 | 6163-152 | 69.04.850 |
|  | Constr. | 6119 | 70.30.070 | 6155-3 | 69.24 .060 | 6163-72 | 69.04.050 | 6163-153 | Eff. date |
|  | n70.44.010 | 6120 | 70.30.080 | 6155-4 | 69.24.070 | 6163-73 | 69.04.060 | 6164 | 15.32 .010 |
| 6090-51 | Constr. | 6121 | 70.30.090 | 6155-5 | 69.24.080 | 6163-74 | 69.04.070 |  | 15.32.020 |
|  | n70.44.010 | 6122 | 70.30.100 | 6155-6 | 69.24 .090 | 6163-75 | 69.04.080 |  | 15.32 .030 |
| 6090-60 | 70.40.010 | 6123 | R 1951 | 6155-7 | 69.24.020 | 6163-76 | 69.04.090 |  | 15.32.040 |
| 6090-61 | 70.40.020 |  | c $204 \S 2$ | 6155-8 | 69.24.100 | 6163-77 | 69.04.100 |  | 15.32 .050 |
| 6090-62 | 70.40.030 | 6124 | R 1951 | 6155-9 | 69.24.110 | 6163-78 | 69.04.110 |  | 15.32 .290 |
| 6090-63 | 70.40 .040 |  | c 204 § 2 | 6155-10 | 69.24.120 | 6163-79 | 69.04.120 |  | 15.32 .300 |
| 6090-64 | 70.40.050 | 6125 | 70.30.160 | 6155-11 | Sev. | 6163-80 | 69.04.130 | 6165 | 15.32 .060 |
| 6090-65 | 70.40.060 | 6126 | 70.30.120 | 6155-12 | 69.24.030 | 6163-81 | 69.04.140 |  | 15.32 .070 |
| 6090-66 | 70.40.070 | 6127 | 70.30.130 | 6155-13 | 69.24.040 | 6163-82 | 69.04.150 | 6166 | 15.32 .080 |
| 6090-67 | 70.40.080 | 6128 | 70.30.150 | 6155-14 | 69.24.120 | 6163-83 | 69.04.160 | 6167 | 15.32 .250 |
| 6090-68 | 70.40 .090 | 6130-1 | 70.34.010 | 6163-1 | Short t. | 6163-84 | 69.04.170 | 6168 | 15.32.200 |
| 6090-69 | 70.40.110 | 6130-2 | 70.34.020 |  | n69.28.010 | 6163-85 | 69.04.180 | 6169 | 15.32 .200 |
| 6090-70 | 70.40.100 | 6130-3 | 70.34.030 | 6163-2 | 69.28.010 | 6163-86 | 69.04.190 | 6170 | 15.32.260 |
| 6090-71 | 70.40.120 | 6130-4 | 70.34.040 | 6163-3 | Superf. | 6163-87 | 69.04.200 | 6171 | 15.32 .230 |
| 6090-72 | 70.40.130 | 6130-5 | 70.34.050 | 6163-4 | Superf. | 6163-88 | 69.04.210 | 6172 | 15.32.230 |
| 6090-73 | 70.40.140 | 6130-6 | 70.34.060 | 6163-5 | Superf. | 6163-89 | 69.04.220 |  | 15.32.240 |
| 6090-74 | 70.40.150 | 6130-7 | 70.34.070 | 6163-6 | Superf. | 6163-90 | 69.04.230 | 6174 | 15.32 .390 |
| 6091 | 70.06.020 | 6130-8 | 70.34.080 | 6163-7 | Superf. | 6163-91 | 69.04.240 | 6175 | 15.32 .410 |
| 6092 | 70.04.020 | 6130-9 | 70.34.090 | 6163-8 | Superf. | 6163-92 | 69.04.250 | 6176 | 15.32 .390 |
| 6093 | 70.06.090 | 6130-10 | 70.34.100 | 6163-9 | Superf. | 6163-93 | 69.04.260 | 6177 | 15.32 .400 |
| 6094 | 70.06.030 | 6130-11 | R 1951 | 6163-10 | 69.28.100 | 6163-94 | 69.04.270 | 6178 | 15.32 .400 |
| 6094-1 | 70.12.020 |  | c 204 § 2 | 6163-11 | Superf. | 6163-95 | 69.04.280 | 6179 | 15.32 .400 |
| 6095 | 70.06.040 | 6130-12 | R 1951 | 6163-12 | Superf. | 6163-96 | 69.04.290 | 6180 | 15.32 .630 |
| 6096 | 70.06.050 |  | c 204 § 2 | 6163-13 | Superf. | 6163-97 | 69.04.300 | 6181 | 15.32 .640 |
| 6097 | 70.06.010 | 6130-13 | 70.34.130 | 6163-14 | 69.28.010 | 6163-98 | 69.04.310 | 6182 | 15.32.640 |
| 6098 | 70.06.070 | 6130-14 | 70.34.140 | 6163-15 | Superf. | 6163-99 | 69.04.320 |  | 15.32 .650 |
| 6099 | 70.06.080 | 6130-15 | 70.34.150 | 6163-16 | Superf. | 6163-100 | 69.04.330 | 6183 | 15.32 .650 |
| 6099-1 | 70.12.030 | 6130-16 | 70.34.160 | 6163-17 | Superf. | 6163-101 | 69.04.340 | 6184 | 15.32 .620 |
| 6099-2 | 70.12.040 | 6130-17 | 70.34.170 | 6163-18 | 69.28.010 | 6163-102 | 69.04.350 | 6185 | 15.32 .790 |
| 6099-3 | 70.12.050 | 6130-18 | 70.34.180 | 6163-19 | Superf. | 6163-103 | 69.04.360 | 6186 | 15.32 .620 |
| 6099-4 | 70.12 .060 | 6130-19 | 70.34.190 | 6163-20 | Superf. | 6163-104 | 69.04.370 | 6188 | 15.32 .590 |
| 6099-5 | 70.12.070 | 6130-31 | Superf. | 6163-21 | 69.28.070 | 6163-105 | 69.04.380 |  | 15.32 .600 |
| 6099-10 | 70.46.010 | 6130-32 | 72.44 .010 | 6163-22 | 69.28.010 | 6163-106 | 69.04.390 |  | 15.32 .610 |
| 6099-11 | 70.46.020 | 6130-33 | 72.44.020 | 6163-23 | Superf. | 6163-107 | 69.04.400 | 6189 | 15.32 .580 |
| 6099-12 | 70.46.030 | 6130-34 | 72.44.030 | 6163-24 | 69.28.030 | 6163-108 | 69.04.410 | 6190 | 15.32 .580 |
| 6099-13 | 70.46.040 | 6130-35 | 72.44.040 | 6163-25 | 69.28.180 | 6163-109 | 69.04.420 | 6191 | 15.32.580 |
| 6099-14 | 70.46.050 | 6130-36 | 72.44.050 | 6163-26 | 69.28.130 | 6163-110 | 69.04.430 | 6192 | 15.32.110 |
| 6099-15 | 70.46.060 | 6130-37 | 74.44.060 | 6163-27 | 69.28.130 | 6163-111 | 69.04.440 | 6193 | 15.32.100 |
| 6099-16 | 70.46.070 | 6130-38 | 72.44.070 | 6163-28 | 69.28.040 | 6163-112 | 69.04.450 | 6194 | 15.32.100 |
| 6099-17 | 70.46.080 | 6130-39 | 72.44.080 | 6163-29 | 69.28.020 | 6163-113 | 69.04.460 | 6195 | 15.32.110 |
| 6099-18 | 70.46.090 | 6130-40 | 72.44.090 | 6163-30 | 69.28 .140 | 6163-114 | 69.04.470 | 6196 | 15.32.090 |
| 6099-19 | Obsolete | 6130-41 | 72.44.100 | 6163-31 | 69.28.150 | 6163-115 | 69.04.480 | 6197 | 15.32 .090 |
| 6099-30 | 70.08.010 | 6130-41a | 72.44.110 | 6163-32 | 69.28.050 | 6163-116 | 69.04.490 | 6198 | 15.32 .090 |
| 6099-31 | 70.08.020 | 6130-42 | Temporary | 6163-33 | 69.28 .130 | 6163-117 | 69.04.500 | 6199 | 15.32 .090 |
| 6099-32 | 70.08.030 | 6130-43 | Temporary | 6163-34 | 69.28.120 | 6163-118 | 69.04.510 | 6200 | 15.32 .090 |
| 6099-33 | 70.08.040 | 6130-44 | Temporary | 6163-35 | 69.28.060 | 6163-119 | 69.04.520 | 6201 | 15.32 .090 |
| 6099-34 | 70.08.070 | 6130-45 | Temporary | 6163-36 | 69.28 .100 | 6163-120 | 69.04.530 |  | 15.32 .660 |
| 6099-35 | 70.08.080 | 6130-46 | Temporary | 6163-37 | 69.28 .110 | 6163-121 | 69.04.540 | 6202 | 15.32.400 |
| 6099-36 | 70.08.090 | 6130-47 |  | 6163-38 | 69.28.160 | 6163-122 | 69.04.550 | 6203 | 15.32.010 |
| 6099-37 | 70.08.050 | 6130-51 | R 1951 | 6163-39 | 69.28.080 | 6163-123 | 69.04.560 |  | 15.32.690 |
| 6099-38 | 70.08.060 |  | c 168 § 16 | 6163-40 | 69.28 .090 | 6163-124 | 69.04.570 | 6204 | Superf. |
| 6099-39 | 70.08.100 |  | but see | 6163-41 | 69.28.090 | 6163-125 | 69.04.580 | 6205 | 15.32 .740 |
| 6099-40 | 70.08.110 |  | Ch. 18.46 | 6163-42 | 69.28 .180 | 6163-126 | 69.04.590 | 6206 | 15.32 .370 |
| 6100 | 70.24.010 | 6130-60 | 70.36.010 | 6163-43 | 69.28 .170 | 6163-127 | 69.04.600 | 6207 | 1 5.32.340 |
| 6101 | 70.24.020 | 6130-61 | 70.36.020 | 6163-44 | 69.28.020 | 6163-128 | 69.04.610 | 6208 | 15.32.490 |
| 6102 | 70.24.030 | 6130-62 | 70.36.030 | 6163-45 | Sev. | 6163-129 | 69.04.620 |  | 15.32.500 |
| 6103 | 70.24.040 | 6130-63 | 70.36.040 |  | n69.28.010 | 6163-130 | 69.04.630 | 6209 | 15.32.130 |
| 6104 | 70.24.080 | 6130-64 | 70.36.050 | 6163-46 | Repealer | 6163-131 | 69.04.640 | 6210 | 15.32.150 |
| 6105 | 70.24 .050 | 6130-65 | 70.36.060 | 6163-50 | Short. t. | 6163-132 | 69.04.650 | 6211 | 15.32.160 |
| 6106 | 70.24 .060 | 6131-1 | 70.54.060 |  | n69.04.001 | 6163-133 | 69.04.660 | 6212 | 15.32.310 |
| 6107 | 70.24.070 | 6131-2 | 70.54.060 | 6163-51 | 69.04.001 | 6163-134 | 69.04.670 | 6213 | 15.32.170 |
| 6108 | Superf. | 6131-10 | 48.44.010 | 6163-52 | 69.04.002 | 6163-135 | 69.04.680 | 6214 | 15.32.170 |
| 6109 | 70.28 .010 | 6131-11 | 48.44.020 | 6163-53 | 69.04.003 | 6163-136 | 69.04.690 | 6215 | 15.32.180 |
| 6110 | 70.28.020 | 6131-12 | 48.44.030 | 6163-54 | 69.04.004 | 6163-137 | 69.04.700 | 6216 | 15.32 .190 |
| 6111 | 70.28 .030 | 6131-13 | 48.44.040 | 6163-55 | 69.04.005 | 6163-138 | 69.04.710 | 6217 | 15.32 .270 |
| 6112 | 70.28 .040 | 6131-14 | 48.44.050 | 6163-56 | 69.04.006 | 6163-139 | 69.04.720 | 6218 | 15.32.570 |
| 6113 | 70.28 .050 | 6131-15 | 48.44.060 | 6163-57 | 69.04.007 | 6163-139a | 69.04.730 | 6219 | 15.32.280 |
| 6113-1 | 70.32.010 | 6132 | 70.70.020 | 6163-58 | 69.04.008 | 6163-140 | 69.04.740 | 6220 | 15.32 .130 |
| 6113-2 | 70.32.020 | 6133 | 70.70.010 | 6163-59 | 69.04.009 | 6163-141 | 69.04.750 | 6221 | 15.32.320 |
| 6113-3 | 70.32 .030 | 6134 | 70.70 .030 | 6163-60 | 69.04.010 | 6163-142 | 69.04.760 | 6222 | R 1949 |
| 6114-4 | 70.32 .040 | 6135 | Superf. | 6163-61 | 69.04.011 | 6163-143 | 69.04.770 |  | c 168 § 22 |
| 6113-5 | 70.32.050 | 6136 | 70.70.040 | 6163-62 | 69.04.012 | 6163-144 | 69.04.780 | 6223 | 15.32 .270 |

Parallel Tables: Rem. Rev. Stat. ——RCW


Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev.Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 46.20 .060 |  | 46.04.060 | 6360-17 | 46.40.040 | 6360-66 | 46.48.040 | 6360-136 | 46.52.040 |
| 6312-47 | 46.20 .110 |  | 46.04.070 | 6360-18 | 46.40.050 |  | 46.48.044 | 6360-137 | 46.52 .050 |
| 6312-48 | 46.20 .240 |  | 46.04.080 | 6360-19 | 46.40.060 |  | 46.48.046 | 6360-138 | 46.52 .060 |
| 6312-49 | 46.20.010 |  | 46.04.090 | 6360-20 | 46.40.070 | 6360-67 | 46.48.050 | 6360-139 | 46.52.070 |
| 6312-50 | 46.20.090 |  | 46.04.100 | 6360-21 | 46.40.080 | 6360-68 | 46.48.060 | 6360-140 | 46.52.080 |
| 6312-51 | 46.20.100 |  | 46.04.110 | 6360-22a | 46.40.110 | 6360-69 | 46.48.070 | 6360-141 | 46.52 .090 |
| 6312-52 | 46.20 .170 |  | 46.04.120 |  | 46.40.120 | 6360-70 | 46.48.080 | 6360-142 | 46.52.100 |
| 6312-53 | 46.20 .160 |  | 46.04.130 | 6360-23 | 46.40.090 | 6360-71 | 46.48.090 | 6360-143 | 46.52.110 |
| 6312-54 | 46.20.180 |  | 46.04.140 | 6360-24 | 46.40.100 | 6360-72 | 46.48.100 | 6360-144 | 46.52.120 |
| 6312-55 | 46.20.120 |  | 46.04.150 | 6360-25 | 46.40.130 | 6360-73 | 46.48.110 | 6360-145 | 46.64.010 |
| 6312-56a | 46.20.150 |  | 46.04.160 | 6360-25a | 46.40.140 | 6360-74 | 46.48.120 | 6360-146 | 46.64.020 |
| 6312-57 | 46.20.130 |  | $R$-_see | 6360-27 | 46.40.150 | 6360-75 | 46.60.010 | 6360-147 | 46.64 .030 |
| 6312-58 | 46.20.140 |  | footnote | 6360-28 | 46.40.160 | 6360-76 | 46.60.030 | 6360-148 | 46.56 .200 |
| 6312-59 | 46.20.190 |  | to 1951 | 6360-29 | 46.40.170 | 6360-77 | 46.60.040 | 6360-149 | 46.56.210 |
| 6312-60 | 46.20.200 |  | c $102 \S 3$ | 6360-30 | 46.40.180 | 6360-78 | 46.60.050 | 6360-150 | 46.64.050 |
| 6312-61 | 46.20 .210 |  | 46.04.170 | 6360-31 | 46.40.190 | 6360-79 | 46.60.060 | 6360-151 | 46.68.050 |
| 6312-62 | 46.20.230 |  | 46.04.180 | 6360-32 | 46.40.200 | 6360-80 | 46.60.070 | 6360-152 | Repealer |
| 6312-63 | 46.20.220 |  | 46.04.190 | 6360-32a | 46.40.210 | 6360-81 | 46.60.080 | 6360-153 | Repealer |
| 6312-64 | 46.20.260 |  | 46.04.200 | 6360-34 | 46.36.020 | 6360-82 | 46.60.090 | 6360-154 | Constr. |
| 6312-65 | 46.20.250 |  | $R$-_see |  | 46.36.030 | 6360-83 | 46.60.100 |  | n46.04.010 |
| 6312-66 | 46.20 .290 |  | footnote | 6360-35 | 46.36.040 | 6360-84 | 46.60.110 | 6360-155 | Saving |
|  | 46.20 .300 |  | to 1951 | 6360-36 | 46.36.050 | 6360-85 | 46.60.120 |  | n46.04.010 |
|  | 46.20.310 |  | c 102 § 3 | 6360-37 | 46.36.060 | 6360-86 | 46.60.130 | 6360-156 | Saving |
|  | 46.20.320 |  | 46.04.210 | 6360-38 | 46.36.070 | 6360-87 | 46.60.140 | 6360-157 | Short t. |
|  | 46.20 .330 |  | 46.04.220 | 6360-39 | 46.36.080 | 6360-88 | 46.60.150 |  | n46.04.010 |
| 6312-67 | 46.20.280 |  | 46.04.230 | 6360-40 | 46.36.090 | 6360-89 | 46.60.160 | 6360-158 | Sev. |
| 6312-68 | 46.20.270 |  | 46.04.240 | 6360-41 | 46.36.100 | 6360-90 | 46.60.170 |  | n46.04.010 |
| 6312-69 | 46.20 .350 |  | 46.04.250 | 6360-42 | 46.36.120 | 6360-91 | 46.60.180 | 6360-159 | Eff. date |
| 6312-70 | 46.20 .360 |  | 46.04.260 | 6360-43 | 46.36.110 | 6360-92 | 46.60.190 | 6362-59 | 43.43 .010 |
| 6312-71 | 46.68.040 |  | 46.04.280 | 6360-44 | 46.36.130 | 6360-93 | 46.60.210 | 6362-60 | 43.43 .030 |
| 6312-72 | Repealer |  | 46.04.290 | 6360-45 | 46.48.130 | 6360-94 | 46.56.120 | 6362-61 | 43.43 .020 |
| 6312-73 | Eff. date |  | 46.04.300 |  | 46.48.140 | 6360-95 | 46.56 .110 | 6362-61a | 43.43 .330 |
| 6312-73a | 46.20 .370 |  | 46.04.310 | 6360-46 | 46.36.140 | 6360-96 | 46.56.130 | 6362-61b | 43.43 .340 |
| 6312-74 | 46.20 .340 |  | 46.04.320 | 6360-47 | 46.44.010 | 6360-97 | 46.60.220 | 6362-61c | 43.43.350 |
| 6312-75 | 46.08.010 |  | 46.04.330 | 6360-48 | 46.44.020 | 6360-98 | 46.60.230 |  | 43.43 .360 |
| 6312-76 | 46.68.010 |  | 46.40.340 | 6360-49 | 46.44.030 | 6360-98a | 46.60.240 | 6362-61d | 43.43 .370 |
| 6312-77 | 46.08.120 |  | 46.04.350 |  | 46.44.034 | 6360-98b | 46.60.200 | 6362-61e | 43.43 .380 |
| 6312-78 | 46.08.130 |  | 46.04.360 |  | 46.44.036 | 6360-98c | 46.56.080 | 6362-65 | 43.43 .040 |
| 6312-79 | 46.08.140 |  | 46.04.370 | 6360-50 | 46.44.040 | 6360-98d | 46.36.150 | 6362-66 | 43.43 .050 |
| 6312-80 | 46.08.110 |  | 46.04.380 |  | 46.44.042 | 6360-98e | 46.60.020 | 6362-67 | 43.43 .060 |
| 6312-81 | 46.68.060 |  | 46.04.390 |  | 46.44.044 | 6360-98f | 47.52.030 | 6362-68 | 43.43.070 |
| 6312-82 | 46.64.050 |  | 46.04 .400 |  | 46.44.045 | 6360-98g | 46.60.350 | 6362-69 | 43.43 .080 |
| 6312-83 | 46.68.050 |  | 46.04.410 | 6360-50-1 | 73.04.110 | 6360-99 | 46.60.250 | 6362-70 | 43.43 .090 |
| 6312-84 | Repealer |  | 46.04.420 | 6360-51 | 46.44.050 | 6360-99a | 46.60.260 | 6362-71 | 43.43 .100 |
| 6312-85 | Constr. |  | 46.04.430 | 6360-52 | 46.44.060 | 6360-99b | 46.60.270 | 6362-72 | 43.43 .110 |
|  | n46.04.010 |  | 46.04.440 | 6360-53 | 46.44.070 | 6360-100 | 46.60.280 | 6362-81 | 43.43 .120 |
| 6312-86 | Saving |  | 46.04.450 | 6360-54 | 46.44.080 | 6360-101 | 46.60.290 | 6362-82 | 43.43 .130 |
|  | n46.04.010 |  | 46.04.460 | 6360-55 | 46.44.090 | 6360-102 | 46.60.300 | 6362-83 | 43.43.140 |
| 6312-88 | Short t. |  | 46.04.470 |  | 46.44.091 | 6360-103 | 46.60.310 | 6362-84 | 43.43 .150 |
|  | n46.04.010 |  | 46.04.480 |  | 46.44.092 | 6360-104 | 46.60.320 | 6362-85 | 43.43 .160 |
| 6312-89 | Sev. |  | 46.04.490 |  | 46.44.093 | 6360-105 | 46.60 .330 | 6362-86 | 43.43 .170 |
|  | n46.04.010 |  | 46.04.500 |  | 46.44.094 | 6360-106 | 46.60.340 | 6362-87 | 43.43.180 |
| 6312-90 | Eff. date |  | 46.04.510 |  | 46.44.095 | 6360-107 | 46.48.270 | 6362-88 | 43.43.190 |
| 6312-112a | $S$ by |  | 46.04.520 |  | 46.44.096 | 6360-108 | 46.48.260 | 6362-89 | 43.43.200 |
|  | 82.44.140 |  | 46.04.530 |  | 46.44.097 | 6360-109 | 46.48.280 | 6362-90 | 43.43 .210 |
| 6312-115 | 82.44 .010 |  | 46.04.540 | 6360-56 | 46.44.100 | 6360-110 | 46.48.290 | 6362-91 | 43.43.220 |
| 6312-116 | 82.44.020 |  | 46.04.550 | 6360-57 | 46.44.110 | 6360-111 | 46.48.300 | 6362-92 | 43.43 .230 |
| 6312-117 | 82.44.030 |  | 46.04.570 | 6360-58 | R 1951 | 6360-112 | 46.56 .140 | 6362-93 | 43.43 .240 |
| 6312-118 | 82.44.040 |  | 46.04.580 |  | c 102 § 3 | 6360-113 | 46.56.050 | 6362-94 | 43.43.250 |
| 6312-119 | 82.44 .050 |  | 46.04.590 |  | but see | 6360-114 | 46.56.060 | 6362-95 | 43.43 .260 |
| 6312-120 | 82.44.060 |  | 46.04.600 |  | 46.48.170 | 6360-115 | 46.56.070 | 6362-96 | 43.43 .270 |
| 6312-120a | 82.44 .070 |  | 46.04.610 | 6360-58a | R 1951 | 6360-116 | 46.56.090 | 6362-97 | 43.43 .280 |
| 6312-121 | 82.44.080 |  | 46.04.620 |  | c 102 § 3 | 6360-117 | 46.56 .100 | 6362-98 | 43.43 .290 |
| 6312-122 | 82.44 .090 |  | 46.04.630 |  | but see | 6360-118 | 46.56.020 | 6362-99 | 43.43 .300 |
| 6312-123 | 82.44.100 |  | 46.04.640 |  | 46.48.170 | 6360-118 1/2 | 46.56.030 | 6362-100 | 43.43.310 |
| 6312-124 | 82.44 .110 |  | 46.04.650 | 6360-60- |  | 6360-119 | 46.56 .010 | 6362-101 | 43.43.320 |
| 6312-125 | 82.44.120 |  | 46.04.660 | 6360-63 | R 1951 | 6360-120 | 46.56 .040 | 6382-1 | 81.80.020 |
| 6312-126 | 82.44.130 |  | 46.04.670 |  | c 102 § 3 | 6360-121 | 46.08.080 | 6382-2 | 81.80 .010 |
| 6312-127 | 82.44.140 | 6360-2 | 46.08.020 |  | but see | 6360-122 | 46.56 .150 | 6382-2a | 81.80 .030 |
| 6312-128 | 82.44.150 | 6360-3 | 46.08.030 |  | 46.48.170 | 6360-123 | 46.56.160 | 6382-3 | 81.80 .040 |
| 6312-128a | 82.44.160 | 6360-4 | 46.08.040 | 6360-63a | 46.48.170 | 6360-124 | 46.56.170 | 6382-4 | 81.80 .050 |
| 6312-129 | R 1949 | 6360-5 | 46.08.050 | 6360-63b | 46.48.180 | 63601-25 | 46.56 .180 | 6382-4a | 81.80.060 |
|  | c 31 § 2 | 6360-6 | 46.36.010 | 6360-63c | 46.48.190 | 6360-126 | 46.56 .190 | 6382-5 | 81.80 .070 |
| 6312-130 | Repealer | 6360-7 | 46.32.010 | 6360-64 | 46.48.010 | 6360-127 | 16.24.070 | 6382-6 | 81.80 .080 |
| 6312-131 | Par. | 6360-8 | 46.32 .020 |  | 46.48 .020 |  | 16.24.080 | 6382-7 | 81.80 .090 |
|  | Inval. | 6369-9 | 46.32 .030 |  | 46.48.021 | 6360-128 | 46.08.070 | 6382-8 | 81.80 .100 |
|  | Sev. | 6360-10 | 46.32.040 |  | 46.48.022 | 6360-129 | 46.64.040 | 6382-9 | 81.80.110 |
|  | n82.44.010 | 6360-11 | 46.32.050 |  | 46.48.023 | 6360-130 | 46.48.160 | 6382-10 | 81.80 .120 |
| 6360-1 | 46.04.010 | 6360-12 | 46.32.060 |  | 46.48.024 | 6360-131 | 46.48.150 | 6382-11 | 81.80 .130 |
|  | 46.04.020 | 6360-13 | 46.32.070 |  | 46.48.025 | 6360-132 | 46.08.060 | 6382-11a | 81.80 .150 |
|  | 46.04.030 | 6360-14 | 46.40 .010 |  | 46.48.026 | 6360-133 | 46.52 .010 | 6382-12 | 81.80 .140 |
|  | 46.04.040 | 6360-15 | 46.40.020 |  | 46.48.027 | 6360-134 | 46.52.020 | 6382-13 | 81.80 .160 |
|  | 46.04.050 | 6360-16 | 46.40.030 | 6360-65 | 46.48.030 | 6360-135 | 46.52.030 | 6382-14 | 81.80 .170 |

[Parallel Tables——p 28]

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 6382-15 | 81.80.180 |  | n81.76.010 | 6400-59 | 47.36 .110 | 6401-15a | 47.16.150 | 6402-33 | 79.16 .150 |
| 6382-16 | 81.80 .190 | 6397-30 | Temporary | 6400-60 | 47.36.160 | 6401-16 | 47.16.160 | 6402-35 | 43.27.040 |
| 6382-17 | 81.80 .200 | 6397-31 | Temporary | 6400-61 | 47.36.170 | 6401-17 | 47.16.170 | 6402-36 | Approp. |
| 6382-18 | 81.80 .210 | 6397-32 | Temporary | 6400-62 | 47.36.180 | 6401-18 | 47.16 .180 | 6402-40 | 47.20 .580 |
| 6382-19 | 81.80.220 | 6397-33 | Temporary | 6400-63 | 47.36.140 | 6401-18a | 47.16.180 | 6402-41 | 47.20 .590 |
| 6382-19a | 81.80 .230 | 6397-34 | Temporary | 6400-64 | 47.36.150 | 6401-19 | 47.16.190 | 6402-42 | 47.20 .600 |
| 6382-20 | 81.80 .240 | 6397-35 | Temporary | 6400-65 | 47.48.010 | 6401-20 | 47.16.200 | 6402-43 | 47.20 .600 |
| 6382-21 | 81.80 .250 | 6397-36 | Temporary | 6400-66 | 47.48.020 | 6401-21 | Repealer | 6402-44 | 47.20 .610 |
| 6382-22 | 81.80.260 | 6397-37 | Temporary |  | 47.48.030 | 6401-22 | Eff. date | 6402-45 | 47.20 .620 |
| 6382-23 | 81.80.270 | 6397-38 | Temporary | 6400-67 | 47.48 .040 | 6401-23 | Obsolete | 6402-46 | 47.20 .630 |
| 6382-24 | 81.80.280 | 6397-39 | Temporary | 6400-68 | 47.32.010 | 6402-1 | 47.04.020 | 6402-47 | Temporary |
| 6382-25 | 81.80 .290 | 6397-40 | Temporary | 6400-69 | 47.32.020 | 6402-2 | 47.20.010 | 6402-48 | Temporary |
| 6382-26 | 81.80.300 | 6397-41 | Temporary | 6400-70 | 47.32 .030 | 6402-2a | 47.20.120 | 6402-50 | 47.32.150 |
| 6382-27 | 81.80 .310 | 6397-42 | Temporary | 6400-71 | 47.32.040 | 6402-2 |  | 6402-51 | 47.32.160 |
| 6382-28 | 81.80 .320 | 6397-43 | Temporary | 6400-72 | 47.32 .050 | (e)(f) | 47.20 .030 | 6402-52 | 47.32 .170 |
| 6382-29 | 81.80 .330 | 6397-44 | Temporary | 6400-73 | 47.32.060 | (g)(h) | 47.20 .040 | 6402-60 | 47.52 .010 |
| 6382-30 | 81.80.340 | 6397-45 | Temporary | 6400-74 | 47.32.070 | (i)(j) | 47.20.050 | 6402-61 | 47.52.020 |
| 6382-31 | 81.80.350 | 6397-56 | Temporary | 6400-75 | 47.32.080 | (k)(1) | 47.20 .060 |  | 47.52.025 |
| 6382-31a | 81.80.360 | 6397-50 |  | 6400-76 | 47.32 .090 | (m)(n) | 47.20 .070 | 6402-62 | 47.52 .040 |
| 6382-31b | Obsolete | 6397-53 | R 1951 | 6400-77 | 47.32 .100 | (o)(p) | 47.20 .080 | 6402-63 | 47.52 .050 |
| 6382-32 | 81.80.370 |  | c $36 \S 1$ | 6400-78 | 47.32 .110 | (q)(r) | 47.20 .090 | 6402-64 | 47.52 .060 |
| 6382-33 | 81.80 .380 | 6400-1 | 47.04.010 | 6400-79 | 47.32.120 | (s)(t) | 47.20 .100 | 6402-65 | 47.52.070 |
| 6382-34 | 81.80.390 | 6400-2 | Superseded | 6400-80 | 47.32 .130 | (u) v ) | 47.20 .110 | 6402-66 | 47.52 .080 |
| 6382-43 | Obsolete |  | by 1951 | 6400-81 | 47.32.140 | (w) | 47.20 .120 | 6402-67 | 47.52 .090 |
| 6382-45 | Obsolete |  | c 247 § 10 | 6400-82 | 47.44.060 | 6402-3 | 47.20.020 | 6402-68 | 47.52 .100 |
| 6382-56 | Eff. date |  | but see | 6400-83 | 47.44.010 | 6402-3 |  | 6402-69 | 47.52 .110 |
| 6382-47 | Sev. |  | 43.27.160 | 6400-84 | 47.44 .020 | (a)(b) | 47.20 .130 | 6402-70 | 47.52.120 |
|  | n81.80.010 | 6400-3 | 43.27.020 | 6400-85 | 47.44.030 | (d)(e) | 47.20 .140 | 6402-71 | Sev. |
| 6382-48 | Eff. date | 6400-3a | Obsolete | 6400-86 | 47.44 .040 | (f)(g) | 47.20 .150 |  | Repealer |
| 6382-61- |  | 6400-3b | Obsolete | 6400-87 | 47.44.050 | (h)(i) | 47.20.160 |  | n47.52.010 |
| 6382-72 | $\begin{array}{ll}R & 1951\end{array}$ | 6400-3c | Obsolete | 6400-88 | 47.40 .010 | 6402-4 |  | 6450-1 | 36.75 .010 |
|  | c $150 \S 18$ | 6400-3d | Obsolete | 6400-89 | 47.40.020 | (a)(b) | 47.20 .170 | 6450-2 | 36.75.020 |
| 6382-73 | Sev. | 6400-3e | Obsolete | 6400-90 | 47.40.030 | (c)(d) | 47.20 .180 | 6450-2a | 36.75 .030 |
| 6382-75 | 46.76.010 | 6400-3f | 43.27.030 | 6400-91 | 47.40.040 | (e)(f) | 47.20 .190 | 6450-3 | 36.75.040 |
| 6382-76 | 46.76.020 | 6400-3g | 43.27 .050 | 6400-92 | 47.40.050 | (g)(h) | 47.20 .200 | 6450-4 | 36.75.050 |
| 6382-77 | 46.76.030 | 6400-3h | 43.27 .060 | 6400-93 | 47.40.060 | (i)(j) | 47.20 .210 |  | 36.80.010 |
| 6382-78 | 46.76.040 | 6400-4 | Superf. | 6400-94 | 47.40.070 | (k)(1) | 47.20.220 |  | 36.80 .020 |
| 6382-79 | 46.76.050 | 6400-4a- |  | 6400-95 | 47.04.090 | 6402-5 |  |  | 36.80.030 |
| 6382-80 | 46.76.060 | 6400-4d | R 1949 | 6400-96 | 47.08.030 | (a)(b) | 47.20 .230 |  | 36.86.020 |
| 6382-81 | 46.76.070 |  | c 220 § 1 | 6400-97 | Saving | (c) | 47.20.240 |  | 36.86.030 |
| 6382-82 | 46.76.080 | 6400-5 | $S$ by |  | n47.04.010 | 6402-6 |  | 6450-5 | 36.75.060 |
| 6386-1 | 81.72.010 |  | 47.04.020 | 6400-98 | Saving | (a)(b) | 47.20.250 | 6450-6 | 36.82 .010 |
| 6386-2 | 81.72.020 | 6400-25 | 47.12.010 |  | n47.04.010 | (c)(d) | 47.20 .260 |  | 36.82.020 |
| 6386-3 | 81.72 .030 |  | 47.12 .020 | 6400-100 | Repealer | (e)(f) | 47.20 .270 |  | 36.82.030 |
| 6386-4 | 81.72.040 |  | 47.12.030 | 6400-101 | Repealer | (g)(h) | 47.20.280 | 6450-7 | 36.82.040 |
| 6386-5 | 81.72 .050 | 6400-26 | 47.12 .040 | 6400-102 | Repealer | (i)(j) | 47.20 .290 | 6450-8 | 36.82.050 |
| 6386-5a | 81.72.090 | 6400-27 | 47.12.050 | 6400-103 | Repealer | (k)(1) | 47.20.300 |  | 36.82.060 |
| 6386-5b | 81.72 .090 | 6400-28 | 47.12 .060 | 6400-104 | Constr. | 6402-7 |  | 6450-8a | 36.82.220 |
| 6386-6 | 81.72.060 |  | 47.12 .070 |  | n47.04.010 | (a)(b) | 47.20 .310 | 6450-8b | 36.80.060 |
| 6386-7 | 81.72 .070 | 6400-29 | 47.04.040 | 6400-105 | Short t. | 6402-8 | 47.20.320 | 6450-8c | 36.80.070 |
| 6386-8 | 81.72 .080 | 6400-30 | 47.28.020 |  | n47.04.010 | 6402-9 |  | 6450-8d | 36.75.280 |
| 6386-9 | 81.72.100 | 6400-31 | 47.28.010 | 6400-106 | Sev. | (a)(b) | 47.20 .330 | 6450-8e | 36.81 .120 |
| 6386-10 | 81.72.110 | 6400-32 | 47.08.010 |  | n47.04.010 | (c)(d) | 47.20 .340 | 6450-8f | 36.81 .130 |
| 6386-11 | 81.72.120 |  | 47.28.040 | 6400-107 | Eff. date | (e) | 47.20.350 | 6450-8g | 36.75.270 |
| 6387 | 81.68.010 | 6400-33 | 47.28 .050 | 6400-111 | 47.12 .090 | 6402-10 |  | 6450-8h | 36.86.070 |
| 6388 | 81.68.020 | 6400-34 | 47.28 .060 | 6400-112 | 47.12 .100 | (a)(b) | 47.20.360 | 6450-8i | 43.32 .010 |
| 6389 | 81.68.030 | 6400-35 | 47.28.070 | 6400-113 | 47.12 .100 | (c)(d) | 47.20 .370 | 6450-8j | 43.32.020 |
| 6390 | 81.68.040 | 6400-36 | 47.28.080 | 6400-114 | 47.12 .110 | (e) (f) | 47.20 .380 | 6450-8k | 36.86.080 |
| 6391 | 81.68 .060 | 6400-37 | 47.28.090 | 6400-115 | Obsolete | 6402-11 |  | 6450-9 | 36.85.010 |
| 6392 | 81.68.070 | 6400-38 | 47.28 .100 | 6400-120 | 47.12 .080 | (a)(b) | 47.20 .390 | 6450-10 | 36.75.070 |
| 6393 | 81.68.080 | 6400-39 | 47.28.110 | 6400-121 | 47.08.070 | (c)(d) | 47.20.400 |  | 36.75 .080 |
| 6394 | 81.68 .090 | 6400-40 | 47.28.120 | 6400-122 | 47.12 .120 | 6402-12 |  |  | 36.75 .090 |
| 6395-1 | Obsolete | 6400-41 | 47.28.030 | 6400-123 | 47.12 .120 | (a)(b) | 47.20.410 | 6450-11 | 36.75.100 |
| 6396 | Sev. |  | 47.28 .130 | 6401-1 | 47.16.010 | (c)(d) | 47.20 .420 | 6450-12 | 36.75.110 |
|  | n81.68.010 | 6400-42 | 47.36.010 | 6401-2 | 47.16.020 | (e) | 47.20.430 | 6450-13 | 36.75.120 |
| 6397 | Obsolete | 6400-43 | 47.04.050 | 6401-3 | 47.16.030 | 6402-13 |  | 6450-14 | 36.86.010 |
| 6397-13 | 81.76.010 | 6400-44 | 47.04.070 | 6401-4 | 47.16.040 | (a)(b) | 47.20 .440 | 6450-15 | 36.81 .100 |
| 6397-14 | 81.76.030 | 6400-45 | 47.08 .130 | 6401-5 | 47.16.050 | (c)(d) | 47.20 .450 | 6450-16 | 36.81.110 |
| 6397-15 | 81.76.040 | 6400-46 | 47.08.020 | 6401-5a | Obsolete | (e)(f) | 47.20 .460 | 6450-17 | 36.85.030 |
| 6397-16 | 81.76 .050 | 6400-47 | 47.04.060 | 6401-5b | Obsolete | 6402-14 | 47.20 .470 | 6450-18 | 36.85.040 |
| 6397-17 | 81.76.060 | 6400-47 1/2 | 47.04.080 | 6401-5c | Obsolete | 6402-15 | 47.20.480 | 6450-19 | 36.81 .010 |
| 6397-18 | 81.76.070 | 6400-48 | 47.36.030 | 6401-5d | 47.16.050 | 6402-16 |  | 6450-20 | 36.81 .020 |
|  | 81.76.080 |  | 47.36.040 | 6401-6 | 47.16.060 | (a)(b) | 47.20 .490 |  | 36.81 .030 |
| 6397-19 | 81.76 .090 | 6400-49 | 47.36 .050 | 6401-7 | 47.16.070 | (c)(d) | 47.20 .500 |  | 36.81 .040 |
| 6397-20 | 81.76.100 | 6400-50 | 47.36.020 | 6401-8 | 47.16.080 | 6402-17 | 47.20 .520 |  | 36.81 .090 |
| 6397-21 | 81.76 .110 | 6400-51 | 47.36.050 | 6401-8a | 47.16 .080 | 6402-18 | 47.20 .540 | 6450-21 | 36.81 .050 |
| 6397-22 | 81.76 .120 | 6400-52 | 47.36.060 | 6401-9 | 47.16 .090 | 6402-19 | 47.20 .550 |  | 36.81 .060 |
| 6397-23 | 81.76 .130 | 6400-53 | 47.36.130 | 6401-10 | 47.16 .100 | 6402-20 | 47.04.030 | 6450-22 | 36.81 .070 |
| 6397-24 | 81.76 .140 | 6400-54 | 47.36.070 | 6401-11 | 47.16 .110 | 6402-21 | Repealer |  | 36.81 .080 |
| 6397-25 | 81.76.150 | 6400-55 | 47.36.090 | 6401-12 | 47.16 .120 | 6402-22 | Sev. |  | 36.81 .090 |
| 6397-26 | 81.76.020 | 6400-56 | 47.36.100 | 6401-13 | 47.16 .130 |  | n47.04.020 | 6450-23 | 36.75.210 |
| 6397-27 | 81.76.160 | 6400-57 | 47.36.080 | 6401-14 | 47.16.140 | 6402-31 | 79.16.130 | 6450-24 | 36.75.220 |
| 6397-28 | Sev. | 6400-58 | 47.36.120 | 6401-15 | 47.16.150 | 6402-32 | 79.16.140 | 6450-25 | 36.75.230 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 36.75 .240 |  | n36.75.010 | 6600-1b | Temporary | 6600-131a | 46.28.010 | 6851-1 |  |
| 6450-25a | 78.48.010 | 6450-76 | Sev. | 6600-1c | 47.08.120 | 6600-131b | 46.28.020 | 6851-2 |  |
| 6450-25b | 78.48 .020 |  | n36.75.010 | 6600-1d | 46.68.090 | 6600-131c | 46.28.030 | 6851-7 |  |
| 6450-25c | 78.48 .030 | 6450-77 | Eff. date | 6600-1e | 46.68.100 | 6600-131d | 46.28.040 | 6851-8 |  |
| 6450-25d | 78.48.040 | 6450-91 | 47.08 .040 | 6600-2 | S in | 6600-131e | 46.28.050 | 6851-9 |  |
| 6450-25e | 78.48.050 | 6450-92 | 47.08.050 |  | Ch. 46.68 | 6600-131f | 46.28.060 | 6851-10 | $S$ in |
| 6450-25f | 78.48 .080 | 6450-93 | 47.08.060 | 6600-2a | 46.68.120 | 6600-131g | 46.28.070 | 6851-11 | Titles |
| 6450-25g | 78.48 .060 | 6450-95 | 36.75.130 | 6600-2b | 46.68.130 | 6600-131h | 46.28.080 | 6851-12 | 46, 47 |
| 6450-25h | R 1951 | 6450-96 | 36.75.140 | 6600-2c | Temporary | 6600-131i | 46.28.090 | 6851-13 |  |
|  | c 49 §5 | 6459-97 | 36.75 .150 | 6600-2d | Temporary | 6600-131j | 46.28.100 | 6851-14 |  |
| 6450-26 | 36.75 .160 | 6450-100 | Temporary | 6600-3 | $S$ in | 6600-131k | 46.28.110 | 6851-15 |  |
|  | 36.75 .210 | 6450-101 | Temporary |  | Ch. 46.68 | 6600-1311 | 46.28.120 | 6851-16 |  |
| 6450-27 | 36.75 .170 | 6450-102 | Temporary | 6600-3a | 46.68.110 | 6600-131m | 46.28.130 | 6851-17 |  |
| 6450-28 | 36.75 .180 | 6450-103 | Temporary | 6600-3b | Obsolete | 6600-131n | 46.28.140 | 6851-18 |  |
| 6450-29 | 36.75 .190 | 6524-1 | 47.56.010 | 6600-3c | Temporary | 6600-1310 | 46.28.150 | 6851-19 |  |
| 6450-30 | 36.75 .200 | 6524-2 | 47.56.020 | 6600-4 | Obsolete | 6600-131p | 46.28.160 | 6860 | 19.48.010 |
| 6450-31 | 36.54.020 | 6524-3 | 47.56.040 | 6600-4a | Obsolete | 6600-131q | 46.28.170 | 6861 | 19.48.020 |
| 6450-32 | 36.77.010 | 6524-3a |  | 6600-9 | Obsolete | 6600-131r | 46.28.180 | 6862 | 19.48.010 |
|  | 36.77.020 | 45 Supp. | 47.56.050 | 6600-9a | Obsolete | 6600-131s | 46.28.190 |  | 19.48.030 |
|  | 36.77.030 | PP | 47.56.270 | 6600-10 | Obsolete | 6600-132 | 46.24.270 |  | 19.48.040 |
|  | 36.77.040 | 6524-3b | 47.56.260 | 6600-10a | Obsolete | 6600-133 | 46.24.280 |  | 19.48.050 |
| 6450-33 | 36.77.050 | 6524-3c | 47.56.260 | 6600-11 | Obsolete | 6600-134 | 46.24 .290 |  | 19.48.060 |
| 6450-34 | 36.77 .060 | 6524-3d | Approp. | 6600-11a | Obsolete | 6600-135 | 46.24.300 | 6863 | 19.48.070 |
|  | 36.77.070 | 6524-3e | Approp. | 6600-11b | Obsolete | 6600-136 | 46.24.310 |  | 19.48.080 |
| 6450-36 | 36.86.050 | 6524-3 1/2 | 47.56 .070 | 6600-12 | Obsolete | 6600-137 | Constr. |  | 19.48.090 |
| 6450-37 | 36.86.040 | 6524-4 | 47.56 .120 | 6600-13 | Obsolete |  | n46.24.010 |  | 19.48.100 |
| 6450-38 | 36.55.010 | 6524-5 | 47.56 .090 | 6600-14 | Obsolete | 6600-138 | 46.24.320 | 6864 | 60.64.010 |
|  | 36.55 .040 | 6524-6 | 47.56 .080 | 6600-14a | Obsolete | 6600-139 | Short t. |  | 60.64 .020 |
|  | 36.55 .050 | 6524-7 | 47.56.130 | 6600-15 | Obsolete |  | n46.24.010 |  | 60.64 .030 |
|  | 36.55.060 | 6524-8 | 47.56.140 | 6600-15b | Obsolete | 6600-140 | Constr. | 6865 | 60.64.040 |
| 6450-39 | 36.55.020 | 6524-9 | 47.56.240 | 6600-15bb | Obsolete |  | n46.24.010 | 6866 | 19.48.110 |
| 6450-40 | 36.55.030 | 6524-10 | 47.56.030 | 6600-15c | Obsolete | 6600-141 | Sev. |  | 19.48.120 |
| 6450-41 | 36.55 .070 | 6524-11 | 47.56 .110 | 6600-16 | Obsolete |  | n46.24.010 | 6866-1 | Sev. |
| 6450-42 | 36.55.080 | 6524-12 | 47.56.250 | 6600-17 | Approp. | 6741-1 | 35.61 .010 |  | n19.48.010 |
| 6450-43 | 36.86.060 | 6524-13 | 47.56 .220 | 6600-18 | Repealer | 6741-2 | 35.61 .020 | 6868 | 70.62.110 |
| 6450-44 | 36.82.100 | 6524-14 | 47.56 .150 | 6600-19 | Eff. date |  | 35.61 .030 | 6869 | 70.62.120 |
|  | 36.82.110 |  | 47.56 .160 | 6600-21 | Approp. | 6741-3 | 35.61 .040 | 6870 | 70.62.010 |
|  | 36.82.120 |  | 47.56 .170 | 6600-22 | Approp. |  | 35.61 .050 | 6871 | 70.62.020 |
| 6450-45 | 36.82.140 |  | 47.56.180 | 6600-22a | Obsolete |  | 35.61 .060 | 6872 | 70.62.030 |
| 6450-46 | 36.75.250 |  | 47.56.190 | 6600-22b | Obsolete |  | 35.61.070 | 6873 | 70.62.040 |
| 6450-47 | 36.82.130 |  | 47.56.200 | 6600-22c | Obsolete |  | 35.61 .080 | 6874 | 70.62.050 |
| 6450-48 | 36.87.010 | 6524-15 | 47.56 .230 | 6600-23 | Temporary |  | 35.61 .090 | 6875 | 70.62 .070 |
| 6450-49 | 36.87 .020 | 6524-16 | 47.56.100 | 6600-24 | Eff. date |  | 35.61 .150 | 6876 | 70.62.060 |
|  | 36.87.030 | 6524-17 | 47.56.060 | 6600-25a | Obsolete | 6741-4 | 35.61.120 | 6877 | 70.62.080 |
| 6450-50 | 36.87.040 | 6524-18 | 47.56.210 | 6600-25aa | Obsolete |  | 35.61 .130 | 6878 | 70.62.130 |
| 6450-51 | 36.87 .050 . | 6524-19 | Repealer | 6600-25b | Obsolete |  | 35.61 .140 | 6879 | 70.62.090 |
|  | $36.87 .060{ }^{\circ}$ | 6524-20 | ${ }^{\text {Reper }}$ St | 6600-25c | Obsolete | 6741-5 | 35.61 .210 | 6880 | 70.62.100 |
|  | 36.87 .070 |  | n47.56.010 | 6600-25d | Obsolete | 6741-6 | 35.61 .100 | 6882 | $S$ by |
|  | 36.87 .080 | 6524-21 | Eff. date | 6600-25f | Repealer | 6741-7 | 35.61 .110 |  | 43.22 .010 |
| 6450-52 | 36.87 .090 36.820070 | 6524-22 | Preamble | 6600-25g | Repealer | 6741-8 | 35.61 .160 |  | 43.22 .050 |
| 6450-53 | 36.82 .070 36.82 .080 |  | n47.64.010 47.64 .010 | $6600-25 \mathrm{~h}$ $6600-25 i$ | Repealer | 6741-9 $6741-10$ | 35.61 .170 35.61 .170 | 6883 6884 | 43.22 .060 4322.070 |
| 6450-54 | 36.82 .080 36.82 .090 | 6524-23 $6524-24$ | 47.64 .010 47.64 .020 | 6600-25i | Repealer 46.24 .010 | 6741-10 | 35.61 .170 35.61 .210 | 68884 6885 | 43.22 .070 43.22 .080 |
| 6450-54a | 46.68.080 | 6524-24 | 47.64.030 | 6600-102 | 46.24 .010 | 6741-11 | 35.61 .190 | 6886 | 43.22 .090 |
| 6450-56 | 36.82.150 |  | 47.64 .040 | 6600-103 | 46.24.010 | 6741-12 | 35.61.200 | 6887 | 43.22.100 |
|  | 36.82.160 | 6524-25 | 47.64 .050 | 6600-104 | 46.24 .010 | 6741-13 | 35.61 .180 | 6888 | 43.22 .110 |
|  | 36.82.170 | 6524-26 | 47.64.060 | 6600-105 | 46.24 .010 | 6741-14 | 35.61 .130 | 6889 | Approp. |
|  | 36.82.180 | 6524-27 | 47.64 .070 | 6600-106 | 46.24 .010 | 6741-15 | 35.61 .220 | 6889-1 | Short t. |
|  | 36.82.190 | 6524-28 | 47.64 .080 | 6600-107 | 46.24 .020 | 6741-16 | 35.61 .230 |  | n74.24.010 |
|  | 36.82.200 | 6524-29 | 47.64 .090 | 6600-108 | 46.24 .030 | 6741-17 | 35.61 .240 | 6889-2 | 74.24 .010 |
| 6450-58 | 36.75.260 | 6584a-1 | 47.20.570 |  | 46.24 .040 | 6741-18 | 35.61 .290 | 6889-3 | 74.24 .020 |
| 6450-59 | 47.08.080 | 6584-6 | $S$ by | 6600-109 | 46.24.190 | 6741-19 | 35.61 .290 | 6889-4 | 74.24.030 |
| 6450-60 | 47.24.040 | 6585-7 $\}$ | 47.04.010, | 6600-110 | 46.24 .200 | 6741-20 | 35.61 .250 | 6889-5 | 74.24 .040 |
| 4650-61 | 47.24 .010 | 6584-8 | 47.56 .040 | 6600-111 | 46.24.210 |  | 35.61 .270 | 6889-6 | 74.24 .050 |
|  | 47.24 .020 | 6584-30 | 47.60.010 | 6600-112 | 46.24 .220 |  | 35.61 .260 | 6889-7 | 74.24 .060 |
|  | 47.24 .030 | 6584-31 | 47.60.020 | 6600-113 | 46.24 .230 |  | 35.61 .280 | 6889-8 | 74.24 .070 |
| 6450-63 | 47.24 .050 | 6584-32 | 47.60.050 | 6600-114 | 46.24 .240 | 6741-21 | 35.61 .280 | 6889-9 | 74.24 .080 |
| 6450-64 | 35.21 .260 |  | 47.60 .130 | 6600-115 | 46.24.260 | 6741-22 | 35.61 .300 | 6889-10 | 74.24 .090 |
| 6450-65 | 47.08.090 | 6584-33 | 47.60.040 | 6600-116 | 46.24.060 | 6741-23 | Val. | 6889-11 | 74.24.100 |
| 6450-66 | 36.75.290 |  | 47.60.060 | 6600-117 | 46.24 .250 |  | n35.6i. 010 | 6889-12 | 74.24.110 |
|  | 47.08.100 |  | 47.60.080 | 6600-118 | 46.24 .070 | 6741-24 | Sev. | 6889-13 | 74.24.120 |
|  | 47.08.110 |  | 47.60.090 | 6600-119 | 46.24 .080 |  | n35.61.010 | 6889-14 | 74.24.130 |
| 6450-67 | 36.82.210 |  | 47.60.110 | 6600-120 | 46.24 .090 | 6833-1 | Obsolete | 6889-15 | 74.24.140 |
| 6450-68 | Repealer | 6584-34 | 47.60.070 | 6600-121 | 46.24 .170 | 6844 ) |  | 6889-16 | 74.24.150 |
| 6450-69 | Repealer |  | 47.60.140 | 6600-122 | 46.24.180 | 6845 |  | 6889-17 | 74.24.160 |
| 6450-70 | Repealer |  | 47.60 .150 | 6600-123 | 46.24.100 | 6846 | $S$ in Chs. | 6889-18 | 74.24.170 |
| 6450-71 | Repealer |  | 47.60 .160 | 6600-124 | 46.24 .120 | 6847 | 47.04, | 6889-19 | 74.24.180 |
| 6450-72 | Repealer | 6584-35 | 47.60 .120 | 6600-125 | 46.24.130 | 6848 | 47.08 | 6889-20 | 74.24.190 |
| 6450-73 | ${ }^{\text {Constr. }}$ | 6584-36 | 47.60 .030 | 6600-126 | 46.24.110 | 6849 |  | 6889-21 | 74.24 .200 |
|  | n36.75.010 | 6584-37 | 47.60 .100 | 6600-127 | 46.24.140 | 6851 | Approp. | 6889-22 | 74.24.210 |
| 6450-74 | Saving | 6600 | 46.68 .070 | 6600-129 | 46.24.160 |  | Approp. | 6889-23 | 74.24.220 |
|  | n36.75.010 | 6600-1 | 46.68.070 | 6600-130 | 46.24.150 |  |  | 6889-23a | 74.24.240 |
| 6450-75 | Short t. | 6600-1a | Approp. | 6600-131 | 46.24.050 |  |  | 6889-23b | 74.24.250 |

[Parallel Tables-—p 30]

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 6889-23c | 74.24.260 | 6930-1 | R 1951 | 6953-52 | 71.12.630 | 7016-2 | Constr. | 7242-7 | Repealer |
| 6889-23d | 74.24.270 |  | c 139 § 69 | 6953-52a | 71.12 .010 |  | n15.52.010 | 7299 | 19.52 .010 |
| 6889-23e | Sev. | 6930-4 | R 1951 | 6953-53 | 71.12.460 | 7016-3 | Superf. | 7300 | 19.52 .020 |
| 688-23e | n74.24.240 |  | c 139 § 69 | 6953-54 | 71.12 .640 | 7016-4 | Superf. | 7301 | 39.56.010 |
| 6889-24 | 74.24.230 | 693-05 | Obsolete | 6953-55 | 71.12 .470 | 7016-5 | 15.52 .010 | 7302 | 39.56.020 |
| 6889-25 | Sev. | 6930-6 | R 1951 | 6953-56 | 71.12 .480 | 7016-6 | 15.52.010 | 7303 | 39.56.030 |
|  | n74.24.010 |  | c 139 § 69 | 6953-57 | 71.12 .500 | 7016-7 | Superf. | 7304 | 19.52 .030 |
| 6889-26 | Constr. | 6930-7 | R 1951 | 6953-58 | 71.12 .490 | 7016-8 | Superf. |  | 19.52 .040 |
| 6889-26 | n74.24.010 |  | c 139 § 69 | 6953-59 | 71.12 .510 | 7016-9 | 15.52.010 |  | 19.52.050 |
| 6889-31 | Short t. | 6930-8 | R 1951 | 6953-60 | 71.12.520 | 7016-10 | 15.52.080 | 7305 | Obsolete |
| 6889-31 | n74.28.010 |  | c 139 § 69 | 6953-61 | 71.12.530 | 7016-11 | 15.52.100 | 7306-1 | Short t. |
| 6889-32 | 74.28 .010 | 6931 | R 1951 | 6953-62 | 71.12 .540 | 7016-12 | 15.52.090 |  | n66.04.010 |
| 6889-33 | 74.28.020 |  | c 139 § 69 | 6953-63 | 71.12 .550 | 7016-13 | 15.52.090 | 7306-2 | 66.08.010 |
| 6889-34 | 74.28.030 | 6932 | R 1951 | 6953-64 | 71.12 .560 | 7016-14 | 15.52.100 | 7306-3 | 66.04.010 |
| 6889-35 | 74.28 .040 |  | c 139 § 69 | 6953-65 | 71.12 .570 | 7016-15 | 15.52.140 |  | 66.04 .020 |
| 6889-36 | 74.28 .050 | 6933 | R 1951 | 6953-66 | 71.12 .580 |  | 15.52.150 |  | 66.04.030 |
| 6889-37 | 74.28 .060 |  | c $139 § 69$ | 6953-67 | 71.12 .590 | 7016-16 | 15.52.020 |  | 66.04.040 |
| 6889-38 | 74.28.070 | 6934 | 71.04.120 | 6954 | 72.24 .190 | 7016-17 | 15.52.030 |  | 66.04 .050 |
| 6889-39 | Sev. |  | AGO 1-14-52 | 6954-1 | 72.24 .220 | 7016-18 | 15.52.040 |  | 66.04.060 |
|  | n74.28.010 |  | rules this | 6954-2 | 72.24 .230 | 7016-19 | 15.52.050 |  | 66.04.070 |
| 6889-41 | Temporary |  | section not | 6955 | 72.24 .200 | 7016-20 | 15.52.050 |  | 66.04 .080 |
| 6889-42 | Temporary |  | repealed | 6956 | 72.24.210 | 7016-21 | 15.52.060 |  | 66.04.090 |
| 6889-43 | Temporary |  | by 1951 | 6969 | 10.76.050 |  | 15.52.070 |  | 66.04.100 |
| 6889-44 | Temporary |  | c 139 § 69 | 6970 | 10.76.070 | 7016-22 | 15.52.170 |  | 66.04.110 |
| 6889-45 | Temporary | 6935 | R 1951 | 6971 | 10.76.080 |  | 15.52.180 |  | 66.04 .130 |
| 6889-46 | Temporary |  | c 139 § 69 | 6972 | 10.76.060 | 7016-23 | 15.52.110 |  | 66.04.140 |
| 6889-47 | Temporary | 6936 | R 1951 | 6973 | Obsolete |  | 15.52.320 |  | 66.04.150 |
| 6889-48 | Temporary |  | c 139 § 69 | 6974 | 10.76.090 | 7016-24 | 15.52.200 |  | 66.04.160 |
| 6889-49 | Temporary | 6937 | R 1951 | 6975 | S by |  | 15.52.210 |  | 66.04.170 |
| 6889-50 | Temporary |  | c 139 § 69 |  | 15.48.230 | 7016-25 | 15.52.210 |  | 66.04.180 |
| 6889-51 | Obsolete | 6938 | R 1951 | 6977 | Approp. |  | 15.52.320 |  | 66.04.190 |
| 6890 | 26.16.010 |  | c 139 § 69 | 6978 | 22.08 .010 | 7016-26 | 15.52.210 |  | 66.04.200 |
| 6891 | 26.16.020 |  | but see | 6979 | 22.08.020 | 7016-27 | 15.52.320 |  | 66.04.210 |
| 6892 | 26.16.030 |  | Ch. 71.02 | 6983 | 22.08.110 | 7016-28 | 15.52.150 |  | 66.04.220 |
| 6893 | 26.16.040 | 6939 | R 1951 | 6984 | 22.08.120 |  | 15.52.160 |  | 66.04.230 |
| 6894 | 26.16.120 |  | c 139 § 69 | 6985 | 22.08.030 | 7016-29 | Superf. |  | 66.04.240 |
| 6895 | 26.16.130 | 6940 | R 1951 | 6986 | Superf. | 7016-30 | Superf: |  | 66.04.250 |
| 6896 | 26.16.140 |  | c 139 § 69 | 6987 | 22.08.040 | 7016-31 | Supert. |  | 66.04.260 |
| 6898 | Constr. | 6941 |  | 6988 | 22.08.040 | 7016-32 | Superf. |  | 66.04.270 |
| 6899 | Obsolete | 6946 | R 1951 | 6989 | 22.08.050 | 7016-33 | 15.52.010 |  | 66.04.280 |
| 6900 | 26.16.150 |  | c 139 § 69 |  | 22.08.060 |  | 15.52.190 |  | 66.04.290 |
| 6901 | 26.16.160 | 6947 | 72.24 .120 |  | 22.08.070 | 7016-34 | Superf. |  | 66.04.300 |
| 6902 | 26.16.170 | 6948 | 72.24.130 |  | 22.08.080 | 7016-35 | 15.52.230 |  | 66.04.310 |
| 6903 | 26.16.180 | 6949 | 72.24.140 | 6990 | Sev. | 7016-36 | 15.52.220 |  | 66.04.320 |
| 6904 | 26.16.190 |  | 72.24.150 | 6991 | 22.08.090 | 7016-37 | 15.52.100 |  | 66.04.330 |
| 6905 | 26.16.200 |  | 74.24.160 | 6992 | 22.08.100 | 7016-38 | 15.52.240 |  | 66.04.340 |
| 6906 | 26.20.010 | 6950 | 72.24.170 | 6993 | 22.08.130 | 7016-39 | 15.52.010 |  | 66.04.350 |
| 6907 | 26.20.020 | 6951 | 72.24.180 | 6994 | 22.08.140 |  | 15.52.120 |  | 66.04.360 |
| 6908 | 26.20.030 | 6952 | R 1951 | 6995 | 22.08.150 | 7016-40 | 15.52.120 |  | 66.04.370 |
| 6908-1 | 26.20.040 |  | c 139 § 69 | 6996 | 22.08.160 | 7016-41 | 15.52.130 |  | 66.04.380 |
| 6909 | 26.20.050 | 6953 | R 1951 |  | 22.08.170 | 7016-42 | 15.52.010 |  |  |
|  | 26.20.060 |  | c $139 § 69$ | 6996-1 | 22.08.180 | 7016-43 | 15.52.010 | (1) | 66.16.010 |
| 6910 | 26.20.080 | 6953-1 | 71.12 .660 | 6996-2 | 22.08.190 | 7016-44 | 15.52.010 | 7306-4 |  |
|  | 26.20.090 | 6953-2 | 71.12.610 | 6997 | 22.08.240 | 7016-45 | 15.52.250 | $(2,3,4)$ | 66.16.020 |
| 6911 | 26.20.060 | 6953-3 | 71.12.600 | 6998 | 22.08.250 | 7016-46 | 15.52.250 | 7306-5 | 66.08.020 |
| 6912 | 26.20.070 | 6953-4 |  | 6999 | 22.08.260 | 7016-47 | 15.52.250 | 7306-6 | 66.16.030 |
| 6913 | 72.24 .010 | 6953-14 | R 1951 | 7000 | 22.08.270 | 7016-48 | 15.52.260 | 7306-7 | 66.16.040 |
| 6914 | 72.24.020 |  | c 139 § 69 | 7000-1 | 22.08.290 | 7016-49 | 15.52.270 | 7306-8 | 66.16 .050 |
| 6915 | 72.24 .010 |  | but see | 7000-2 | 22.08.300 | 7016-50 | 15.52.280 | 7306-9 | 66.16.060 |
| 6916 | 72.24 .020 |  | Ch. 71.02 | 7000-3 | 22.08.310 | 7016-51 | Superf: | 7306-10 | 66.16.070 |
| 6917 | 72.24 .030 | 6953-15 | 71.12.650 | 7000-4 | 22.08.320 | 7016-52 | Superf. | 7306-11 | 66.16.080 |
| 6918 | Obsolete | 6953-16 |  | 7000-5 | 22.08.330 | 7016-53 | 15.52.290 | 7306-12 | 66.20.010 |
| 6919 | Repealer | 6953-19 | $\begin{array}{ll}R & 1951\end{array}$ | 7000-6 | Repealer | 7016-54 | 15.52.310 | 7306-13 |  |
| 6920 | Obsolete |  | c 139 § 69 | 7000-7 | Constr. | 7016-55 | 15.52.300 | (1) | 66.20.020 |
| 6921 | 72.24.040 |  | but see | 7001 | 22.08.280 | 7016-56 | 15.52.330 | (2) | 66.20 .030 |
| 6922 | Obsolete |  | Ch. 71.02 | 7002-1 | Approp. | 7016-57 | 15.52.340 | (3) | 66.12 .100 |
| 6923 | 72.24 .050 | 6953-20 | 71.12 .620 | 7003 | 22.08 .340 | 7016-58 | Sev. | 7306-14 | 66.20 .040 |
| 6924 | 72.24 .060 | 6953-21 | 71.12 .170 | 7004 | 22.08.350 |  | n15.52.010 | 7306-15 | 66.20 .050 |
| 6925 | 72.24.070 | 6953-22 | 71.12.180 | 7005 | 22.08.360 | 7016-59 | Repealer | 7306-16 | 66.20.060 |
| 6926 | 72.24 .080 | 6953-23 | 71.12.190 | 7006 | 22.08.370 |  | 45.01.01, and | 7306-17 | 66.20.070 |
| 6927 | 72.24 .090 | 6953-24 | 71.12 .200 | 7007 | 22.08.380 |  | following, see | 7306-18 | 66.20.080 |
| 6928 | 72.24 .100 | 6953-25 | 71.12.010 |  | 22.08.390 |  | § 45 above, | 7306-19 | 66.20.090 |
| 6929 | 72.24.110 | 6953-26 |  |  | 22.08.400 |  | this table | 7306-19A | 66.04.200 |
| 6930 | R 1951 | 6953-39 | R 1951 | 7008 | 22.08.020 | 7089-6 | Obsolete |  | 66.20 .160 |
|  | c 139 § 69 |  | c 223 § 28 | 7009 | 22.08.410 | 7118 | 48.19 .440 | 7306-19B | 66.20.170 |
|  | but see |  | but see | 7010 | 22.08.420 | 7131-18 | Repealer | 7306-19C | 66.20.180 |
|  | Ch. 71.02 |  | Ch. 71.06 | 7011 | 22.08.430 | 7131-19 | Obsolete | 7306-19D | 66.20.190 |
| 6930a | R 1951 | 6953-40 | 71.12.010 | 7012 | Sev. | 7226-1 | $S$ by | 7306-19E | 66.20.200 |
|  | c 139 § 69 | 6953-41- |  | 7013 | Obsolete |  | 48.30 .040 | 7306-19F | 66.20.210 |
| 6930b | R 1951 | 6953-51 | R 1951 | 7014 | 22.08.020 |  | \& 48.30.090 | 7306-20 | 66.20 .100 |
|  | c 139 § 69 |  | c 223 § 28 | 7015 | Obsolete | 7226-2 | S by | 7306-21 | 66.20.110 |
| 6930c | R 1951 |  | but see | 7016-1 | Short t. |  | 48.01 .080 | 7306-22 | 66.20.120 |
|  | c 139 § 69 |  | Ch. 71.06 |  | n15.52.010 | 7242-6 | 30.12.200 | 7306-23A | 66.24.150 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7306-23B | 66.24.240 | (2) | 66.44.280 | 7306-90A | 66.28.020 | 7389 | 90.28.070 | 7402-41 | 89.20 .070 |
| 7306-23C |  | (3) | 66.44.290 | 7306-91 | Duplication | 7390 | 90.28.080 | 7402-42 | 89.24 .250 |
| (1) | 66.24.170 | 7306-37A | 66.44.300 | 7306-92 |  | 7391 | 90.28 .090 | 7402-43 | 89.20 .300 |
|  | 66.24.180 | 7306-38 | 66.44.210 | (1) | 66.44.090 | 7391a | 90.28 .100 | 7402-44 | 89.20 .310 |
| (2) | 66.24.190 | 7306-39 | 66.20.130 | (2) | 66.44.130 | 7392 | 90.32 .010 | 7402-45 | 89.24 .010 |
| 7306-23D | 66.24.140 | 7306-40 | 66.20.140 | (3) | 66.44.140 | 7393 | 90.32.020 | 7402-46 | 89.20 .330 |
| 7306-23E | 66.24.250 | 7306-41 | 66.24.150 | (4) | 66.44.150 | 7394 | 90.32.030 | 7402-47 | 89.26 .240 |
| 7306-23F |  | 7306-42 | 66.28.050 | (5) | 66.44.160 | 7395 | 90.28.110 | 7402-48 | 89.20 .320 |
| $(2,3)$ | 66.24.270 | 7306-42A | 43.66.040 | 7306-92A | 66.44.170 | 7396 | 90.28 .130 | 7402-49 | 89.20 .340 |
| (1) | 66.24.280 | 6306-43 | 66.08.060 | 7306-93 | 66.44.180 | 7397 | 90.28.120 | 7402-50 | 89.24 .510 |
| 7306-23G | 66.24.260 | 7306-44 | 66.28.120 | 7306-94 | Sev. | 7398 | 90.28.140 | 7402-51 | 89.24.520 |
| 7306-23H | 66.28.070 | 7306-45 | 66.28.110 |  | n66.04.010 | 7399 | 90.04.040 | 7402-52 | 89.24 .500 |
| 7306-231 | 66.24.310 | 7306-46 | 66.28.100 | 7306-95 | Constr. | 7399-1 | 90.40.090 | 7402-53 | 89.24.530 |
| 7306-23J | 66.24.160 | 7306-47 | 66.44.120 |  | n66.04.010 | 7399-2 | Sev. | 7402-54 | 89.24.540 |
| 7306-23K | 66.24 .200 | 7306-48 | 66.12.020 | 7306-96 | Repealer | 7400 | 90.04.010 | 7402-55 | 89.24 .550 |
| 7306-23L | 66.24.390 | 7306-49 |  | 7306-97 | Saving | 7400-1 | 90.44.020 | 7402-56 | 89.24.560 |
| 7306-23M | 66.24.320 | (1) | 66.12 .030 |  | n66.04.010 | 7400-2 | 90.44.030 | 7402-57 | 89.24.570 |
| 7306-23N | 66.24.330 | (2) | 66.12.040 |  | Eff. date | 7400-3 | 90.44.010 | 7402-58 | 89.24 .580 |
| 7306-230 | 66.24.340 | (3) | 66.12 .050 | 7306-97a | Eff. date | 7400-4 | 90.44.040 | 7402-59 | 89.24.020 |
| 7306-23P | 66.24.350 | 7306-50 | 66.12.060 |  | Saving | 7400-5 | 90.44.050 | 7402-60 | 89.24 .030 |
| 7306-23Q | 66.24.360 | 7306-51 |  |  | n66.04.010 | 7400-6 | 90.44.060 | 7402-61 | 89.24 .040 |
| 7306-23R | 66.24.370 | (1) | 66.12.070 | 7328-1 | 66.44.320 | 7400-7 | 90.44.070 | 7402-62 | 89.22 .800 |
| 7306-23S | 66.24.380 | (2) | 66.12 .080 | 7347-5 |  | 7400-8 | 90.44.080 | 7402-63 | 89.22 .810 |
| 7306-23S-1 | 66.24.400 | (3) | 66.12 .090 | 7347-11 | R 1949 | 7400-9 | 90.44.090 | 7402-64 | 89.22 .820 |
| 7306-23S-2 | 66.24.410 | 7306-52 | 66.28 .090 |  | c 187 § 2 | 7400-10 | 90.44.100 | 7402-65 | 89.22 .830 |
| 7306-23S-2 |  | 7306-53 | 71.08.100 | 7348 | 4.24 .100 | 7400-11 | 90.44.110 | 7402-66 | 89.22.840 |
| (d) | 66.40.010 | 7306-54 | 71.08.110 | 7350 | 4.24 .110 | 7400-11A | 90.44.120 | 7402-67 | 89.22 .850 |
| 7306-23S-3 | 66.24.420 | 7306-55 | 66.32.090 | 7351 | 90.04.020 | 7400-12 | 90.44.130 | 7402-68 | 89.22 .860 |
| 7306-23S-4 | 66.24.430 | 7306-56 | 66.08.130 | 7351-1 | 90.08.040 |  | 90.44.140 | 7402-69 | 89.22 .870 |
| 7306-23S-5 | 66.24.440 | 7306-56A | 66.08.140 | 7351-2 | 90.08.050 |  | 90.44.150 | 7402-70 | 89.22 .880 |
| 7306-23T | 66.24.450 | 7306-57 | 66.44.040 | 7351-3 | 90.08.060 |  | 90.44.160 | 7402-71 | 89.20 .350 |
| 7306-23U | 66.24.010 | 7306-58 | 66.44.050 | 7351-4 | 90.08.070 |  | 90.44.170 | 7402-72 | 89.20 .360 |
| 7306-24 | 66.24.290 | 7306-59 | 66.44.060 | 7352 | 90.04.010 | 4700-13 | 90.44.180 | 7402-73 | 89.20 .370 |
| 7306-24A |  | 7306-60 | 66.44.070 | 7353 | 90.28.050 | 7400-14 | 90.44.190 | 7402-74 | 89.20 .380 |
| (1) | 66.04.120 | 7306-61 | 66.44.080 | 7354 | 90.04.030 | 7400-15 | 90.44.200 | 7402-75 | 89.20 .390 |
| (2) | 66.24.210 | 7306-62 | 66.08.150 | 7354-1 | 90.28 .010 | 7400-16 | 90.44.240 | 7402-76 | 89.22 .020 |
| (2) | 66.24.220 | 7306-62a | 66.08.100 | 7354-2 | 90.28.020 | 7400-17 | 90.44.220 | 7402-77 | 89.22.050 |
| (2) | 66.24 .230 |  | 66.08.110 | 7355 | $S$ by | 7400-18 | 90.44.230 | 7402-78 | 89.22 .010 |
| 7306-24B | 66.24 .300 | 7306-63 | 43.66.010 |  | 43.21.130 | 7400-19 | 90.44.210 | 7402-79 | 89.22 .010 |
| 7306-25 | 66.24.210 | 7306-64 | 43.66.020 | 7356 |  | 7401 | 90.28.040 | 7402-80 | 89.22 .030 |
|  | 66.24.230 | 7306-65 | 43.66.030 |  | $S$ by | 7402 | 90.28 .030 | 7402-81 | 89.22.030 |
| 7306-26 | 66.28.060 | 7306-66 | 43.66.140 | 7357 | 43.21.120 | 7402-1 | 89.20.020 | 7402-82 | 89.22 .600 |
| 7306-27 |  | 7306-67 | 66.08.070 | 7358 | 43.21 .130 |  | 89.20 .040 | 7402-83 | Superf. |
| (1) | 66.24.010 | 7306-68 | 66.08.080 | 7359 | 90.08.010 | 7402-2 | 89.20 .200 | 7402-84 | 89.22.040 |
| (2) | 66.24 .020 | 7306-69 | 66.08.050 | 7360 | 90.08.020 | 7402-3 | 89.20 .030 | 7402-85 | 89.22.050 |
| (2A) | 66.24 .030 | 7306-70 |  | 7361 | 90.04.050 |  | 89.20 .040 | 7402-86 | 89.22 .070 |
| (2A) | 66.24 .040 | (1) | 66.44 .030 |  | 90.04 .060 | 7402-4 | 89.20 .500 | 7402-87 | 89.22 .060 |
| (3) | 66.24 .050 | (2) | 66.44.010 |  | 90.12 .080 | 7402-5 | 89.20 .510 | 7402-88 | 89.22 .290 |
| (4) | 66.24 .060 | (2) | 66.44.020 | 7362 | 90.08 .030 | 7402-6 | 89.20 .210 | 7402-89 | 89.22 .300 |
| (5) | 66.24 .070 | 7306-71 | 43.66.150 | 7363 | Obsolete | 7402-7 | 89.20 .220 | 7402-90 | 89.22 .310 |
| (6) | 66.24 .080 | 7306-72 | 43.66.170 | 7364 | 90.12 .010 | 7402-8 | 89.20 .230 | 7402-91 | 89.22 .320 |
| (7) | 66.24 .090 | 7306-73 | 43.66.060 | 7365 | 90.12 .020 | 7402-9 | 89.20 .240 | 7402-92 | 89.22 .080 |
| (8) | 66.24.100 | 7306-74 | 43.66.160 | 7366 | 90.12.030 | 7402-10 | 89.20 .520 |  | 89.22.280 |
| (9) | 66.24 .100 | 7306-75 | 43.66.070 | 7367 | 90.12 .040 | 7402-11 | 89.20 .530 | 7402-93 | 89.22 .090 |
| 7306-27A | 66.28.080 | 7306-77 | 43.66.080 | 7368 | 90.12 .050 | 7402-12 | 89.20 .540 | 7402-94 | 89.22.100 |
| B | 66.24.110 | 7306-78 | 43.66.090 | 7369 | 90.12.060 | 7402-13 | 89.20.550 | 7402-95 | 89.22 .110 |
| C | 66.24.120 |  | 43.66.100 | 7370 | 90.12 .070 | 7402-14 | 89.20 .560 | 7402-96 | 89.22 .120 |
| D | 66.28.030 |  | 43.66.110 | 7371 | 90.12.080 | 7402-15 | 89.20 .570 | 7402-97 | 89.22 .130 |
| 7306-28 | 66.44.090 |  | 43.66.120 | 7372 | 90.12 .090 | 7402-16 | 89.20 .570 | 7402-98 | 89.22 .180 |
| 7306-29 | 66.08.120 | 7306-78A | 43.66.130 | 7373 | 90.12.100 | 7402-17 | 89.20 .590 | 7402-99 | 89.22.180 |
| 7306-30 | 66.28.040 | 7306-79 |  | 7374 | 90.12 .110 | 7402-18 | 89.20.580 | 7402-100 | 89.22.140 |
| 7306-31 | 66.08.090 | (1) | 66.08.030 | 7375 | 90.12 .120 | 7402-19 | 89.20 .700 | 7402-101 | 89.22.150 |
| 7306-32 | 66.12.010 | (2) | 66.08.040 | 7376 | 90.12 .130 | 7402-20 | 89.20 .710 | 7402-102 | 89.22 .160 |
| 7306-33 |  | 7306-80 | 43.66.050 | 7377 | 90.12.140 | 7402-21 | 89.20 .710 | 7402-103 | 89.22 .170 |
| (1) | 66.32 .010 | 7306-81 | 35.21 .170 | 7378 | 90.20 .010 | 7402-22 | 89.20 .770 | 7402-104 | 89.22 .400 |
| (2) | 66.32.020 |  | 36.27.020 | 7379 | 90.20.020 | 7402-23 | 89.20 .740 | 7402-105 | 89.22.470 |
| (2) | 66.32 .030 | 7306-82 | 66.40 .010 | 7380 | 90.20 .030 | 7402-24 | 89.20 .720 | 7402-106 | 89.22.420 |
| (2) | 66.32 .040 | 7306-83 | 66.40 .020 | 7381 | 90.20 .040 | 7402-25 | 89.20 .730 | 7402-107 | 89.22 .410 |
| (3) | 66.32 .050 | 7306-83A | 66.40 .030 | 7382 | 90.20 .050 | 7402-26 | 89.20 .750 | 7402-108 | 89.20 .060 |
| (3) | 66.32.060 | 7306-84 | 66.40.040 |  | 90.20 .060 | 7402-27 | 89.20 .760 | 7402-109 | 89.22.450 |
| (3) | 66.32.070 |  | 66.40.050 | 7383 | 90.20 .070 | 7402-28 | 89.20 .780 | 7402-110 | 89.22 .440 |
| (3) | 66.32 .080 |  | 66.40.060 | 7384 | 90.20 .080 | 7402-29 | 89.20 .790 | 7402-111 | 89.22 .330 |
| 7306-33A | 66.36.010 |  | 66.40.070 | 7385 | 90.20 .090 | 7402-30 | 89.20.870 | 7402-112 | 89.22 .570 |
|  | 66.36.020 |  | 66.40.080 | 7386 | 90.20 .100 | 7402-31 | 89.20 .800 | 7402-113 | 89.22.580 |
|  | 66.36.030 |  | 66.40.090 | 7387 | 90.20 .110 | 7402-32 | 89.20 .890 | 7402-114 | 89.22.590 |
|  | 66.36.040 | 7306-85 | 66.40 .100 | 7388 | 90.28.060 | 7402-33 | 89.20.880 | 7402-115 | 89.22.660 |
| 7306-34 | 66.44.100 | 7306-86 | 66.40.110 | 7388-1 | 90.24 .010 | 7402-34 | 89.20 .900 | 7402-116 | 89.22 .670 |
| 7306-35 | 66.44.110 | 7306-87 | 66.40.120 | 7388-2 | 90.24 .020 | 7402-35 | 89.20 .910 | 7402-117 | 89.22 .680 |
| 7306-36 | 66.44.200 | 7306-87A | 66.40.130 | 7388-3 | 90.24 .030 | 7402-36 | 89.20 .920 | 7402-118 | 89.22 .690 |
| 7306-36A(1) | 66.44.310 | 7306-88 | 66.40.140 | 7388-4 | 90.24 .040 | 7402-37 | 89.20 .930 | 7402-119 | 89.22 .710 |
| 7306-36A(2) | 66.24.130 | 7306-88A | 66.40.150 | 7388-5 | 90.24 .050 | 7402-38 | 89.20.940 | 7402-120 | 89.22 .720 |
| 7306-37 |  | 7306-89 | 66.16.090 | 7388-6 | 90.24 .060 | 7402-39 | 89.20.080 | 7402-121 | 89.22 .700 |
| (1) | 66.44.270 | 7306-90 | 66.28.010 | 7388-7 | 90.24.070 | 7402-40 | 89.20 .050 | 7402-122 | 89.22 .730 |

Parallel Tables: Rem. Rev. Stat. - — RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7402-123 | 89.22 .740 | 7402-204 | 89.26.840 | 7403 | 90.36.010 | 7434-2 | 87.19.010 |  | 87.36.080 |
| 7402-124 | 89.22 .740 | 7402-205 | 89.26.850 | 7404 | 90.36.020 | 7434-3 | 87.19 .030 | 7464-2 | 87.36.090 |
| 7402-125 | 89.22.020 | 7402-206 | 89.26.860 | 7405 | 90.36.030 | 7434-4 | 87.19 .050 | 7464-3 | Sev. |
| 7402-126 | 89.22.610 | 7402-207 | 89.26.810 | 7406 | 90.36.050 | 7434-5 | 87.19.040 |  | n87.36.070 |
| 7402-127 | 89.22.640 | 7402-208 | 89.26.820 | 7407 | 90.36.040 | 7434-6 | 87.19 .020 | 7465 | 87.36.100 |
| 7402-128 | 89.22 .620 | 7402-209 | 89.22.460 | 7408 | 90.40.010 | 7434-7 | 87.16.120 | 7466 | 87.36.110 |
| 7402-129 | 89.22 .630 | 7402-210 | 89.28.200 | 7409 | 90.40.020 | 7434-8 | Val. | 7467 | 87.36 .120 |
| 7402-130 | Superf. | 7402-211 | 89.28.210 | 7410 | 90.40 .030 |  | n87.19.010 | 7468 | 87.40 .010 |
| 7402-131 | 89.26.010 | 7402-212 | 89.28.220 | 7411 | 90.40.040 | 7434-10 | 87.28.010 | 7469 | 87.40 .020 |
| 7402-132 | 89.26.020 | 7402-213 | 89.28.220 | 7412 | 90.40.050 | 7434-11 | 87.28.020 | 7470 | 87.40 .030 |
| 7402-133 | 89.26.030 | 7402-214 | 89.28.230 | 7413 | 90.40.060 | 7434-12 | 87.28 .030 | 7471 | 87.40 .040 |
| 7402-134 | 89.26.060 | 7402-215 | 89.28.240 | 7414 | 90.40.070 | 7434-13 | 87.28 .080 | 7472 | 87.40 .050 |
| 7402-135 | 89.26 .070 | 7402-216 | 89.28.250 | 7415 | 90.40.080 | 7434-13a | 87.28.040 | 7473 | Constr. |
| 7402-136 | 89.22.650 | 7402-217 | 89.28.260 | 7416 | 90.28.170 | 7434-14 | 87.28.070 |  | n87.01.020 |
| 7401-137 | 89.22.650 | 7402-218 | 89.22.430 | 7416-1 | Obsolete | 7434-15 | 87.28 .090 | 7474 | 87.44 .010 |
| 7402-138 | 89.22.200 | 7402-219 | 89.28.400 | 7417 | 87.01.020 | 7434-16 | 87.28 .100 | 7475 | 87.44.020 |
| 7402-139 | 89.26.210 | 7402-220 | 89.28 .410 | 7417-1 | 87.01.010 | 7434-17 | 87.28 .050 | 7476 | 87.44.030 |
| 7402-140 | 89.26.220 | 7402-221 | 89.28 .420 | 7417-2 | 87.01.210 | 7434-18 | 87.28.060 | 7477 | 87.44.040 |
| 7402-141 | 89.26.230 | 7402-222 | 89.28.430 | 7418 | 87.01.020 | 7434-19 | 87.28 .110 | 7478 | 87.44.050 |
| 7402-142 | 89.26.210 | 7402-223 | 89.28.440 |  | 87.01 .030 | 7434-20 | 87.28.120 | 7479 | 87.44.060 |
| 7402-143 | 89.24.270 | 7402-224 | 89.28 .460 |  | 87.01 .040 |  | 87.29.130 | 7480 | 87.44.060 |
|  | 89.24.590 | 7402-225 | 89.28.450 |  | 87.01.050 | 7435 | 87.16.100 | 7481 | 87.44.070 |
|  | 89.26.250 | 7402-226 | 89.28.470 | 7419 | 87.01.060 | 7436 | 87.32.010 | 7482 | 87.44.080 |
| 7402-144 | 89.26.260 | 7402-227 | 89.28.480 | 7420 | 87.01 .070 |  | 87.32.020 | 7483 | 87.44.080 |
| 7402-145 | 89.26.270 | 7402-228 | 89.28.490 |  | 87.01 .080 | 7437 | 87.08.180 | 3484 | 87.44 .090 |
| 7402-146 | 89.24.050 | 7402-229 | 89.28.500 |  | 87.01.090 | 7438 | 87.32.030 | 7485 | 87.44.020 |
| 7402-147 | 89.24.060 | 7402-230 | 89.28.510 | 7420-1 | 87.01 .110 | 7439 | 87.32.040 | 7485-1 | 87.44.100 |
| 7402-148 | 89.24.070 | 7402-231 | 89.28.820 | 7421 | 87.01.100 | 7440 | 87.32.060 | 7485-2 | 87.44.110 |
| 7402-149 | 89.24.080 | 7402-232 | 89.28.820 |  | 87.01.120 |  | 87.32.070 | 7485-3 | 87.44.120 |
| 7402-150 | 89.24 .090 | 7402-233 | 89.28.830 |  | 87.01.130 |  | 87.32.080 | 7485-4 | 87.44.130 |
| 7402-151 | 89.24.100 | 7402-234 | 89.28.840 | 7422 | 87.01.140 |  | 87.32.090 |  | 87.44.140 |
| 7402-152 | 89.24.110 | 7402-235 | 89.28.850 | 7423 | 87.01.150 | 7441 | 87.32.100 | 7485-5 | 87.44.130 |
| 7402-153 | 89.24.120 | 7402-236 | 89.28.520 | 7424 | 87.01.160 | 7442 | 87.32.050 | 7485-6 | 87.44.140 |
| 7402-154 | 89.24.130 | 7402-237 | 89.28.530 | 7425 | 87.01.170 | 7442-1 | 87.32.120 | 7486 | 87.44.150 |
| 7402-155 | 89.24.140 | 7402-238 | 89.28.540 |  | 87.01.210 | 7442-2 | 87.32.130 | 7487 | 87.44.160 |
| 7402-156 | 89.24.150 | 7402-239 | 89.28.550 | 7426 | 87.01.180 | 7443 | 87.32.140 | 7488 | 87.44.170 |
| 7402-157 | 89.24.160 | 7402-240 | 89.28.560 | 7427 | 87.01.190 | 7444 | 87.32.150 | 7489 | 87.44.180 |
| 7402-158 | 89.24.170 | 7402-241 | 89.28.700 | 7428 | 87.01.200 | 7445 | 87.32.160 | 7490 | 87.44.190 |
| 7402-159 | 89.24.180 | 7402-242 | 89.28.710 |  | 87.32 .010 |  | 87.32.170 | 7491 | 87.44.200 |
| 7402-160 | 89.24.190 | 7402-243 | 89.28 .720 | 7428-1 | 87.08.130 |  | 87.32.180 | 7492 | 87.44.210 |
| 7402-161 | 89.24.260 | 7402-244 | 89.28.730 | 7428-2 | 87.08.130 | 7445a | 87.32.220 | 7493 | 87.44.220 |
| 7402-162 | 89.24.200 | 7402-245 | 89.28.740 | 7428-3 | 87.08.140 | 7445b | 87.32.220 | 7494 | 87.44.230 |
| 7402-163 | 89.24.210 | 7402-246 | 89.28.750 | 7428-4 | 87.08.150 | 7445c | 87.32.220 | 7495 | 87.08.120 |
| 7402-164 | 89.24 .220 | 7402-247 | 89.28 .760 | 7429 | 87.01.210 | 7445-1 | Obsolete | 7496 | 87.44.160 |
| 7402-165 | 89.24 .230 | 7402-248 | 89.28 .770 |  | 87.08.080 | 7446 | 87.32.190 | 7497 | 87.44.240 |
| 7402-166 | 89.24.240 | 7402-249 | 89.28.570 | 7429-1 | 87.08.090 | 7447 | 87.32.210 | 7498 | Obsolete |
| 7402-167 | 89.24.400 | 7402-250 | 89.28 .780 | 7429-2 |  | 7447-1 | 87.32.200 | 7499 | 87.08.190 |
| 7402-168 | 89.24.410 | 7402-251 | 89.28.790 | 7429-6 | Obsolete | 7447-2 | 87.32.240 | 7500 | 87.08.200 |
| 7402-169 | 89.24.420 | 7402-252 | 89.28.800 | 7430 | 87.08.170 | 7447-3 | Repealer | 7501 | 87.08.210 |
| 7402-170 | 89.24.430 | 7402-253 | 89.28.810 | 7431 | 87.01.230 | 7448 | 87.32.230 | 7502 | 87.08.220 |
| 7402-171 | 89.24.440 | 7402-254 | 89.28 .010 | 7431 1/2 | 87.12 .010 | 7448 1/2 | Eff. date | 7503 | 87.08.230 |
| 7402-172 | 89.24.450 | 7402-255 | 89.28.060 |  | 87.16.010 | 7448-1 | 87.32.270 | 7504 | 87.08.240 |
| 7402-173 | 89.26.400 | 7402-256 | 89.28.020 | 7431 1/2-1 | 87.12.020 | 7448-2 | 87.32.270 | 7505 | Sev. |
| 7402-174 | 89.26.480 | 7402-257 | 89.28 .030 | 7431 1/2-2 | 87.12.020 | 7448-3 | 87.32.280 |  | n87.01.020 |
| 7402-175 | 89.26.500 | 7402-258 | 89.28 .040 | 7431 1/2-3 | 87.12.030 | 7448-4 | 87.32 .290 | 7505-1 | 87.44.250 |
| 7402-176 | 89.26.410 | 7402-259 | 89.28.050 | 7431 1/2-4 | 87.12.040 | 7448-5 | 87.32.320 | 7505-2 | 87.44.260 |
| 7402-177 | 89.26.420 | 7402-260 | 89.28.070 | 7431 1/2-5 | 87.12.050 | 7448-6 | 87.32.300 | 7505-3 | 87.44.270 |
| 7402-178 | 89.26 .430 | 7402-261 | 89.28 .080 | 7431 1/2-6 | 87.12 .010 | 7448-7 | 87.32 .310 | 7505-4 | 87.44.280 |
| 7402-179 | 89.26.440 | 7402-262 | 89.28 .070 | 7432 | 87.16.020 | 7448-8 | 87.32.320 | 7505-5 | 87.44.290 |
| 7402-180 | 89.26.450 | 7402-263 | 89.26.040 |  | 87.16.030 | 7448-9 | 87.32.330 | 7505-5a | 87.04.010 |
| 7402-181 | 89.26.460 | 7402-264 | 89.26.050 |  | 87.16.040 | 7449 | 87.32.260 | 7505-5b | 87.04.020 |
| 7402-182 | 89.26.470 | 7402-265 | 89.24.700 |  | 87.16.050 | 7450 | 87.32.250 | 7505-5c | 87.04.030 |
| 7402-183 | 89.26.520 | 7402-266 | 89.24 .710 |  | 87.16.060 | 7451 | 87.16.110 | 7505-5d | 87.04.040 |
| 7402-184 | 89.26.530 | 7402-267 | 89.24 .710 |  | 87.16.070 | 7452 | 87.08.020 | 7505-5e | 87.04.060 |
| 7402-185 | 89.26.540 | 7402-268 | 89.24 .720 | 7432 1/2 | 87.16.130 | 7453 | 87.08.030 | 7505-5f | 87.04.070 |
| 7402-186 | 89.26.490 | 7402-269 | 89.24.730 | 7432-1 | 87.25.010 |  | 87.08.040 | 7505-5g | 87.04.050 |
| 7402-187 | 89.26.510 | 7402-270 | 89.24.750 | 7432-2 | 87.25.020 |  | 87.08.050 | 7505-5h | 87.04.080 |
| 7402-188 | 89.26.550 | 7402-271 | 89.24 .740 | 7432-3 | 87.25 .030 | 7453-1 | Sev. | 7505-5i | 87.04.090 |
| 7402-189 | 89.26.560 | 7402-272 | 89.24.780 | 7432-4 | 87.25.040 |  | n87.01.020 | 7505-5j | 87.04.100 |
| 7402-190 | 89.26.570 | 7402-273 | 89.24 .760 | 7432-5 | 87.25.050 | 7454 | 87.08.060 | 7505-5k | Constr. |
| 7402-191 | 89.26.720 | 7402-274 | 89.24.770 | 7432-6 | 87.25.060 | 7454-1 | 87.08.070 |  | n87.04.010 |
| 7402-192 | 89.26.700 | 7402-275 | 89.24.800 | 7432-7 | 87.25 .070 | 7455 | 87.08.160 | 7505-51 | Sev. |
| 7402-193 | 89.26.710 | 7402-276 | 89.24 .810 | 7432-8 | 87.25 .090 | 7456 | 87.08.100 | 7505-10 | 87.76.010 |
| 7402-194 | 89.26.730 | 7402-277 | 89.24.790 | 7432-9 | 87.25 .100 | 7457 | 87.08.110 | 7505-11 | 87.76.020 |
| 7402-195 | 89.26 .740 | 7402-278 | Constr. | 7432-10 | 87.25 .120 | 7458 | 87.32 .110 | 7505-12 | 87.76.030 |
| 7402-196 | 89.26.740 |  | n89.20.010 | 7432-11 | 87.25.080 | 7459 | 87.01.220 | 7505-13 | 87.76.040 |
| 7402-197 | 89.26 .750 | 7402-279 | Sev. | 7432-12 | 87.25 .130 | 7460 | 87.36.010 | 7505-20 | 87.80.010 |
| 7402-198 | 89.26.760 |  | n89.20.010 | 7432-13 | 87.25.110 | 7461 | 87.36.020 | 7505-21 | 87.80.020 |
| 7402-199 | 89.26.770 | 7402-280 | 89.12 .140 | 7432-14 | Sev. |  | 87.36.030 | 7505-22 | 87.80.030 |
| 7402-200 | 89.26.780 | 7402-281 | 89.12.150 |  | n87.25.010 | 7462 | 87.36.040 | 7505-23 | 87.80.040 |
| 7402-201 | 89.26.790 | 7402-282 | Sev. | 7433 | 87.16.080 | 7463 | 87.36.050 | 7505-24 | 87.80.050 |
| 7402-202 | 89.26.800 |  | n89.12.140 | 7434 | 87.16.090 | 7464 | 87.36.060 | 7505-25 | 87.80.060 |
| 7402-203 | 89.26.830 | 7402-283 | 87.68.060 | 7434-1 | 87.19.060 | 7464-1 | 87.36.070 | 7505-26 | 87.80.070 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 87.80.080 | 7530 | 87.52.060 | 7543-30 | 87.56.230 | 7590 | 43.22.310 | 7614-26 | 49.60.180 |
| 7505-27 | 87.80.090 | 7530-1 | 87.22.010 | 7543-31 | 87.56.240 | 7591 | $S$ in |  | 49.60 .190 |
| 7505-28 | 87.80.100 | 7530-2 | 87.22.020 | 7543-32 | Purpose |  | Ch. 40.12 |  | 49.60.200 |
| 7505-29 | 87.80.110 | 7530-3 | 87.22.030 |  | n87.56.010 | 7592 | 43.22.330 |  | 49.60.210 |
| 7505-30 | 87.80.120 | 7530-4 | 87.22.040 | 7543-33 | Constr. | 7593 | $S$ in |  | 49.60.220 |
| 7505-31 | 87.80.130 | 7530-5 | 87.22.050 |  | n87.56.010 |  | Ch. 43.22 | 7614-27 | 49.60.230 |
| 7505-32 | 87.80 .140 | 7530-6 | 87.22.060 | 7544 | 3.04.010 | 7594 | 49.48.010 |  | 49.60.240 |
| 7505-33 | 87.80.150 | 7530-7 | 87.22.060 | 7545 | R 1951 | 7595 | 49.48.020 |  | 49.60.250 |
| 7505-34 | 87.80.160 | 7530-8 | 87.22.070 |  | c 156 § | 7596 | 49.48 .030 | 7614-27A | 49.60.260 |
| 7505-35 | 87.80.170 | 7530-9 | 87.22.080 |  | 17 but see | 7596-1 | 49.48 .040 |  | 49.60.270 |
| 7505-36 | 87.80.180 | 7530-10 | 87.22.080 |  | Chs. 3.12, | 7596-2 | 49.48 .050 |  | 49.60.280 |
| 7505-37 | 87.80.190 | 7530-11 | 87.22 .090 |  | 3.14 | 7596-3 | 49.48.060 |  | 49.60 .290 |
| 7505-38 | 87.80.200 | 7530-12 | 87.22.100 | 7546 | 3.04.030 | 7596-4 | 49.48 .070 |  | 49.60.300 |
| 7505-39 | 87.80.210 | 7530-13 | 87.22.100 | 7547 | 3.04.040 | 7596-5 | 49.48.080 | 7614-28 | 49.60.310 |
| 7506 | 87.60.010 | 7530-14 | 87.22.110 | 7548 | 3.04.050 | 7597 | 49.48.090 | 7614-29 | 49.60.320 |
| 7507 | 87.60.020 | 7530-15 | 87.22.120 | 7549 | 3.04.060 | 7598 | 49.48.100 | 7614-30 | 49.60.020 |
| 7508 | 87.60.030 | 7530-16 | 87.22.120 | 7550 | 3.04.070 | 7598-1 | 49.48.110 | 7615 |  |
| 7509 | 87.60.040 | 7530-17 | 87.22.130 | 7551 | 3.04 .080 | 7599 | 49.44.010 |  | $S$ by |
| 7510 | 87.60.050 | 7530-18 | 87.22.140 | 7552 | 3.04 .100 | 7603 | 49.40.010 | 7616 | 49.12.220 |
| 7511 | 87.60.060 | 7530-19 | 87.22.140 | 7553 | 3.04.130 | 7604 | 49.40 .020 | 7617 | 49.12 .220 |
| 7512 | 87.60.070 | 7530-20 | 87.22.150 | 7554 | 3.04.140 | 7605 | 49.40 .030 | 7618 | Obsolete |
| 7513 | 87.60.080 | 7530-21 | 87.22.160 | 7555 | 3.08 .010 | 7606 | 49.40 .040 | 7619 | 49.12.230 |
| 7514 | 87.60.090 | 7530-22 | 87.22.160 | 7556 | 3.08.050 | 7607 | 49.40.050 |  | 49.28.070 |
| 7515 | 87.60.100 | 7530-23 | 87.22.170 | 7557 | 3.08.020 | 7608 | 49.40.060 | 7620 | 49.12.200 |
| 7516 | 87.60.110 | 7530-24 | 87.22.170 | 7558 | 3.08.030 | 7609 | 49.40 .070 | 7621 |  |
| 7517 | 87.60.120 | 7530-25 | 87.22.180 | 7559 | 3.08.040 | 7610 | 49.40 .080 |  | $S$ by |
| 7518 | 87.60.130 | 7530-26 | 87.22.190 | 7560 | 3.08.060 | 7611 | 49.36.010 | 7622 | 26.28.060 |
| 7519 | 87.60.140 | 7530-27 | 87.22.190 | 7560-1 | 3.08.070 | 7612 | $S$ in | 7623 | 49.12.010 |
| 7520 | 87.60.150 | 7530-28 | 87.22.200 | 7561 | 3.16.100 |  | Ch. 49.32 | 7624 | 49.12 .020 |
| 7521 | 87.60.160 | 7530-29 | 87.22.210 | 7562 | 3.12 .010 | 7612-1 | 49.32.040 | $76241 / 4$ | 49.12 .030 |
| 7522 | 87.60.170 | 7530-30 | 87.22.210 | 7563 | R 1951 | 7612-2 | 49.32 .020 | 7625 | 49.12 .040 |
| 6523 | 87.60.180 | 7530-31 | 87.22.230 |  | c 156 § 17 | 7612-3 | 49.32 .030 | 7626 | 49.12.050 |
| 7524 | Repealer | 7530-32 | 87.22.240 |  | but see | 7612-4 | 49.32 .050 | 7627 | 49.12 .060 |
| 7525 | Sev. | 7530-33 | 87.22.240 |  | Ch. 3.12 | 7612-5 | 49.32 .060 | 7628 | 49.12 .070 |
|  | n87.60.010 | 7530-34 | 87.22.250 | 7564 | R 1951 | 7612-6 | 49.32.070 | 7629 | 49.12.080 |
| 7525-1 | 87.48.010 | 7530-35 | 87.22.260 |  | c 156 § 17 | 7612-7 | Unconst'l | 7630 | 49.12 .090 |
| 7525-2 | 87.48.020 | 7530-36 | 87.22.270 |  | but see | 7612-8 | Unconst'l | 7631 | 49.12.100 |
| 7525-3 | 87.48.030 | 7530-37 | 87.22.220 |  | Ch. 3.12 | 7612-9 | Unconst'l | 7632 | 49.12 .110 |
| 7525-4 | 87.48.040 | 7530-38 | 87.22.280 | 7565 | R 1951 | 7612-10 | 49.32.080 | 7633 | 49.12.120 |
| 7525-13 | 87.68.010 | 7530-39 | Sev. |  | c 156 § 17 | 7612-11 | 49.32 .090 | 7634 | 49.12.040 |
| 7525-14 | 87.68.020 |  | n87.22.010 |  | but see | 7612-12 | 49.32 .100 | 7635 | 49.12 .130 |
| 6525-15 | 87.68.030 | 7530-40 | 87.22 .010 |  | Ch. 3.12 | 7612-13 | 49.32.010 | 7636 | 49.12 .170 |
| 7525-16 | 87.68.040 | 7530-41 | 87.64 .010 | 7565-1 | 3.12 .080 | 7612-14 | Sev. | 7636-1 | 49.12 .210 |
| 7525-17 | 87.68.050 | 7530-42 | 87.64 .010 | 7566 | R 1951 |  | n49.32.010 | 7637 | 49.12 .140 |
| 7525-18 | Constr. |  | 87.64.020 |  | c 156 § 17 | 7612-15 | Repealer | 7638 | 49.12 .150 |
|  | n87.68.010 |  | 87.64.030 |  | but see | 7612-21 | 49.52.050 | 7639 | 49.12.160 |
| 7525-19 | - Sev. | 7530-43 | 87.64.040 |  | Ch. 3.12 | 7612-22 | 49.52 .060 | 7640 | 49.12.180 |
|  | n87.68.010 | 7530-44 | 87.64.060 | 7567 | 3.16.030 | 7612-23 | 49.52 .070 | 7641 | 49.12.190 |
| 7525-20 | 89.12.010 | 7530-45 | 87.64.050 | 7568 | 3.16.030 | 7612-24 | 49.52.080 | 7642 | 49.28.010 |
| 7525-21 | 89.12 .030 | 7531 |  | 7569 |  | 7612-25 | Sev. | 7643 | 49.28.020 |
| 7525-22 | 89.12 .020 | 7543 | R 1951 |  | by 1951 |  | n49.52.050 | 7644 | 49.28.030 |
| 7525-23 | 89.12 .040 |  | c 237 § 16 |  | c 156 § 4 | 7613 | 49.36.020 | 7645 | 49.28.040 |
| 7525-24 | 89.12.050 |  | but see | 7570 | R 1951 | 7614 | 49.36.030 | 7646 | 49.28 .050 |
| 7525-25 | 89.12 .060 |  | Ch. 87.53 |  | c 156 § 17 | 7614-1 | 49.52.010 | 7647 | 49.28 .060 |
| 7525-26 | 89.12 .070 | 7543-1 | 87.56.010 |  | but see | 7614-2 | 49.52 .020 | 7648 | 81.64.160 |
| 7525-27 | 89.12 .080 | 7543-2 | 87.56.020 |  | Ch. 3.12 | 7614-3 | 49.04.010 | 7649 | 81.64.170 |
| 7525-28 | 89.12 .090 | 7543-3 | 87.56.030 | 7571 | 3.16.010 |  | 49.04.020 | 7650 | $S$ by |
| 7525-29 | 89.12.100 | 7543-4 | 87.56.040 | 7572 | 3.16 .020 | 7614-4 | 49.04.030 |  | 49.28.070 |
| 7525-30 | 89.12.110 | 7543-5 | 87.56.050 | 7575 | 3.16.030 | 7614-5 | 49.04.040 | 7651 | 49.28.070 |
| 7525-31 | Repealer | 7543-6 | 87.56.060 | 7576 | 3.12 .100 | 7614-6 | 49.04.050 | 7651-1 | 49.28.080 |
| 7525-32 | Repealer | 7543-7 | 87.56.060 | 7576-1 | 3.24 .010 | 7614-7 | 49.04.060 | 7651-2 | 49.28.080 |
| 7525-33 | 89.12 .120 | 7543-8 | 87.56.070 | 7576-2 | 3.24 .020 | 7614-8 | 49.04.070 | 7651-3 | Sev. |
| 7525-34 | 89.12.130 | 7543-9 | 87.56.080 | 7576-3 | 3.24 .060 | 7614-9 | Approp. |  | n49.28.080 |
| 7525-35 | 8ev. | 7543-10 | 87.56.080 | 7576-4 | 3.24 .030 | 7614-10 | Sev. | 7651-4 | 49.28 .080 |
|  | n89.12.010 | 7543-11 | 87.56.090 | 7576-5 | 3.24.040 |  | n49.04.010 | 7652 | 81.40 .040 |
| 7525-40 | 87.68.070 | 7543-12 | 87.56.100 | 7576-6 | 3.24 .050 | 7614-20 | 49.60.010 | 7653 | 81.40.050 |
|  | 87.68.080 | 7543-13 | 87.56.110 | 7576-7 | 3.24 .070 | 7614-21 | 49.60.030 | 7658 | 49.20.010 |
| 7525-41 | 87.68 .090 | 7543-14 | 87.56.120 | 7576-8 | 3.24.080 | 7614-22 | 46.60 .040 | 7659 | 49.20.020 |
| 7525-42 | 87.68.100 | 7543-15 | 87.56.130 | 7576-9 | 3.24 .090 | 7614-23 | 46.60.050 | 7660 | 49.20.030 |
| 7525-43 | 87.68.110 | 7543-16 | 87.56.130 | 7577 | 3.16.160 |  | 49.60 .060 | 7661 | 49.20.040 |
| 7525-44 | 87.68.120 | 7543-17 | 87.56.140 | 7578 | 3.16.110 |  | 49.60.070 | 7662 | 49.20.050 |
| 7525-45 | 87.68.130 | 7543-18 | 87.56.140 | 7579 | 3.16.120 |  | 49.60.080 | 7663 | 49.20 .060 |
| 7525-46 | 87.68.070 | 7543-19 | 87.56.150 | 7580 | 3.16.130 |  | 49.60.090 | 7664 | 49.20 .070 |
|  | 87.68 .140 | 7543-20 | 87.56.150 | 7581 | 3.16 .150 |  | 49.60.100 |  | 49.20 .080 |
| 7526 | 87.52.010 | 7543-21 | 87.56.160 | 7582 | 3.16.050 | 7614-24 | 49.60.110 |  | 49.20 .090 |
| 7527 | 87.52.010 | 7543-22 | 87.56.170 | 7583 | 3.12 .090 | 7614-25 | 49.60.080 | 7665 | 49.20 .110 |
| 7527-1 | 87.52.020 | 7543-23 | 87.56.180 | 7584 | 3.16 .060 |  | 49.60.090 | 7666 | 49.20 .100 |
| 7527-2 | 87.52 .020 | 7543-24 | 87.56.190 | 7585 | 3.16.140 |  | 49.60.120 | 7666-1 | 49.24.010 |
| 7527-3 | 87.52 .030 | 7543-25 | 87.56.200 | 7586 | $S$ by |  | 49.60.130 | 7666-2 | 49.24.020 |
|  | 87.52 .040 | 7543-26 | 87.56.220 |  | 43.22.270 |  | 49.60.140 | 7666-3 | 49.24.030 |
| 7528 | 87.52 .030 | 7543-27 | 87.56 .170 | 7587 | 43.22.330 |  | 49.60.150 | 7666-4 | 49.24 .040 |
| 7529 | 87.52.040 | 7543-28 | 87.56.210 | 7588 | 43.22.290 |  | 49.60.160 | 7666-5 | 49.24.050 |
|  | 87.52.050 | 7543-29 | 87.56.250 | 7589 | 43.22.300 |  | 49.60.170 | 7666-7 | 49.24.060 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7666-8 | 49.24.070 |  | 51.20.160 | 7684 | 51.04.080 | 7731 | 49.16.040 | 7797-40b | 76.20.020 |
| 7666-9 | 49.24.080 |  | 51.20 .170 |  | 51.28.060 | 7732 | Obsolete | 7797-40c | 76.20.030 |
| 7666-10 | 49.24 .090 |  | 51.20 .180 |  | 51.32 .040 | 7733 | Obsolete | 7797-40d | 76.20 .040 |
| 7666-11 | 49.24 .100 |  | 51.20 .190 |  | 51.32 .140 | 7734 | 49.16.050 | 7797-41 | 79.12 .200 |
| 7666-12 | 49.24.110 |  | 51.20 .200 | 7685 | 51.04 .060 | 7746 | 49.16.060 | 7797-42 | 79.12 .210 |
| 7666-13 | 49.24.120 |  | 51.20 .210 | 7686(a) | 51.28 .020 | 7747 | 49.16.070 | 7797-42a | 76.12 .220 |
| 7666-14 | 49.24.130 |  | 51.20 .220 | (b) | 51.28 .030 | 7748 | 49.16.010 | 7797-42b | 79.12 .230 |
| 7666-15 | 49.24.140 |  | 51.20 .230 | (c) | 51.28 .040 | 7749 | 49.16.080 | 7797-43 | 79.12 .240 |
| 7666-16 | 49.24.150 |  | 51.20 .240 | (d) | 51.28 .050 | 7751 | 49.16.090 | 7797-44 | 79.12.250 |
| 7666-17 | 49.24.160 |  | 51.20 .250 | (e) | 51.48.060 | 7752 | 49.16.100 | 7797-45 | 79.12 .290 |
| 7666-18 | 49.24.170 |  | 51.20 .260 | 7687 | 51.04 .050 | 7760 | Obsolete | 7797-46 | 79.12 .300 |
| 7666-19 | 49.24.180 |  | 51.20 .270 | 7688 | 51.32 .110 | 7761 | Obsolete | 7797-47 | 79.12 .310 |
| 7666-20 | 49.24.190 |  | 51.20 .280 | 7689 | 51.28 .010 | 7762 | Obsolete | 7797-48 | 79.12 .320 |
| 7666-21 | 49.24.200 |  | 51.20.290 | 7690 | 51.48.040 | 7763 | 49.16.110 | 7797-49 | 79.12 .330 |
| 7666-22 | 49.24.210 |  | 51.20 .300 |  | 51.48.090 | 7764 |  | 7797-50 | 79.12.340 |
| 7666-23 | 49.24 .220 |  | 51.20 .310 | 7692 | 51.12 .050 | 7772 | Obsolete | 7797-51 | 79.12.350 |
| 7666-24 | 49.24.230 |  | 51.20 .320 |  | 51.12.070 | 7773 | $S$ in | 7797-52 | 79.12 .360 |
| 7666-25 | 49.24.240 |  | 51.20.330 | 7692-1 | Unconst'I |  | Ch. 43.22 | 7797-53 | 79.12 .370 |
| 7666-26 | 49.24 .250 |  | 51.20.340 | 7693 | 51.12.080 | 7774 | 49.16.120 | 7797-54 | 79.12.380 |
| 7666-27 | 49.24.260 |  | 51.20 .350 | 7693a | 51.12.100 | 7775 | 49.16.140 | 7797-55 | 79.12 .390 |
| 7666-28 | 49.24.270 |  | 51.20 .360 | 7695 | 51.12.090 | 7880 | Obsolete | 7797-56 | 79.12.410 |
| 7666-29 | 49.24.280 |  | 51.20 .370 | 7696 | 51.12 .110 | 7786-1 | Obsolete | 7797-57 | 79.12 .400 |
| 7666-30 | 49.24.290 |  | 51.20 .380 | 7697 | 51.52.050 | 7788 | 49.16.130 | 7797-58 | 79.12 .420 |
| 7666-31 | 49.24.300 |  | 51.20 .390 |  | 51.52.060 | 7789 |  | 7797-59 | 79.12 .260 |
| 7666-32 | 49.24.310 |  | 51.20 .400 |  | 51.52.070 | 7793 | Obsolete | 7797-60 | 79.12.280 |
| 7666-33 | 49.24.320 | 7676c | 51.16.060 |  | 51.52.080 | 7793-20 | Temporary | 7797-61 | 79.12.430 |
| 7666-34 | 49.24.330 |  | 51.16.070 |  | 51.52.090 | 7794 | 49.16.150 | 7797-62 | 79.12 .440 |
| 7666-35 | 49.24 .340 |  | 51.16.090 |  | 51.52.100 | 7795 | Sev. | 7797-63 | 79.12.450 |
| 7666-36 | 49.24.350 |  | 51.16.110 |  | 51.52.110 |  | n49.16.010 | 7797-64 | 79.12.460 |
| 7666-37 | 49.24.360 | 7676d | 51.16.030 |  | 51.52.115 | 7795-1 | Sev. | 7797-65 | 79.12.470 |
| 7666-38 | 49.24.380 |  | 51.16.100 |  | 51.52.130 |  | n51.28.020 | 7797-66 | 79.12 .480 |
| 7666-39 | 49.24 .370 |  | 51.44.010 |  | 51.52.140 | 7796 | Repealer | 7797-67 | 79.12 .490 |
| 7666-40 | 81.40.080 |  | 51.48.010 | 7697-1 | 51.52.150 | 7796-1 | Repealer | 7797-68 | 79.12 .500 |
| 7666-41 | 81.40.090 |  | 51.48.020 | 7697-2 | 51.52.115 |  | Saving | 7797-69 | 79.12 .510 |
| 7667 | 49.08.010 |  | 51.48.030 | 7698 | $S$ in | 7796-2 | Eff. date | 7797-79 | 79.12.520 |
| 7668 | 49.08.020 |  | 51.48.090 |  | Ch. 43.22 | 7796-25 | Temporary | 7797-71 | 79.12.530 |
| 7669 | 49.08.030 |  | 51.48.100 | 7699 | 51.04.040 | 7796-26 | Obsolete | 7797-72 | 79.12.540 |
| 7670 | 49.08.040 | 7676e | 51.16.050 | 7700 | Obsolete | 7797-1 | 79.04.010 | 7797-73 | 79.12.270 |
| 7671 | 49.08.050 |  | 51.16.080 | 7701 | Obsolete | 7797-2 | 79.04.020 | 7797-74 | 79.12.550 |
| 7672 | 49.08.060 |  | 51.16.100 | 7702 | Obsolete | 7797-3 | 79.04.030 | 7797-75 | 79.12.560 |
| 7673 | 51.04.010 |  | 51.16.140 | 7703 | 51.04.020 | 7797-4 | 79.04.040 | 7797-76 | 43.12.080 |
| 7674 | 51.12.010 |  | 51.52.050 | 7704 | 51.48.080 | 7797-5 | 79.04.050 | 7797-77 | 79.08.130 |
|  | 51.12.020 | 7676f | 51.04.020 | 7705 | 51.44.110 | 7797-6 | 79.04.060 | 7797-78 | 79.36.010 |
|  | 51.12 .030 |  | 51.16.130 |  | 51.44.120 | 7797-7 | 70.04.070 | 7797-79 | 79.36.020 |
|  | 51.12.040 |  | 51.44.050 | 7705-1 | 51.44.100 | 7797-8 | 79.04.080 | 7797-80 | 79.36.030 |
|  | 51.52.050 |  | 51.44.060 | 7705-2 | 51.44.070 | 7797-9 | 79.04.090 | 7797-81 | 79.36.040 |
| 7674a | 51.12.010 | 7676-1a | 51.16.120 | 7706 | 51.04 .090 | 7797-10 | 43.65 .010 | 7797-82 | 79.36.050 |
|  | 51.12.050 | 7676-1b | 51.44.040 | 7707 | 51.04.100 | 7797-11 | 43.65 .040 | 7797-83 | 79.36.060 |
| 7674-1 | 51.08.180 | 7676-2 | 51.12.060 | 7708 | Approp. | 7797-12 | 43.65 .030 | 7797-84 | 79.36 .070 |
| 7675 | 49.16.010 | 7676-3 | Sev. | 7709 | 49.16 .160 | 7797-13 | 43.65 .020 | 7797-85 | 79.36 .080 |
|  | 51.08.020 |  | n51.12.060 | 7710 | Superf. | 7797-14 | 43.12 .020 | 7797-86 | 79.36 .090 |
|  | 51.08.030 | 7679 | 51.08.150 | 7711 | Obsolete | 7797-15 | 43.12 .030 | 7797-87 | 79.36 .100 |
|  | 51.08.050 |  | 51.08.160 | 7712 | 51.16.010 | 7797-16 | 43.12 .040 | 7797-88 | 79.36 .110 |
|  | 51.08.070 |  | 51.32.010 |  | 51.52.050 | 7797-17 | 43.12 .050 | 7797-89 | 79.36.120 |
|  | 51.08.080 |  | 51.32 .020 | 7713 | 51.16.140 | 7797-18 | 43.12 .060 | 7797-90 | 79.36 .130 |
|  | 51.08.090 |  | 51.32.050 |  | 51.44.020 | 7797-19 | 79.08.050 | 7797-91 | 79.36 .140 |
|  | 51.08.100 |  | 51.32.060 | 7713-1 | 49.52.030 | 7797-20 | 79.08.060 | 7797-92 | 88.28 .010 |
|  | 51.08.110 |  | 51.32.080 | 7713-2 | 49.52 .040 | 7797-21 | 79.08.040 | 7797-93 | 88.28.020 |
|  | 51.08.120 |  | 51.32.090 | 7714 | 51.36.010 | 7797-22 | 79.12 .010 | 7797-94 | 88.28.030 |
|  | 51.08.130 |  | 51.32 .100 |  | 51.36.020 | 7797-23 | 79.12 .020 | 7797-95 | 88.28 .040 |
|  | 51.08.170 | 7679(e) | 51.44.030 |  | 51.36.030 | 7797-23A | 43.65 .060 | 7797-96 | 79.36 .150 |
|  | 51.08.180 |  | 51.44.070 |  | 51.40 .070 | 7797-24 | 79.12 .030 | 7797-97 | 79.36 .160 |
|  | 51.08.190 |  | 51.44 .080 | 7715 | 51.04 .030 | 7797-25 | 79.12 .040 | 7797-98 | 79.36 .170 |
|  | 51.24 .010 |  | 51.44 .090 | 7716 | 51.04.030 | 7797-26 | 79.12 .050 | 7797-99 | 79.36 .180 |
|  | 51.28.060 | 7679(g) | 51.32.120 | 7717 | Obsolete | 7797-27 | 79.12 .060 | 7797-100 | 79.36 .190 |
|  | 51.32.030 | 7679(h) | 51.32 .160 | 7718 | Obsolete | 7797-28 | 79.12 .070 | 7797-101 | 79.36 .200 |
| 7676a | 51.16 .010 |  | 51.52.060 | 7719 | 51.04 .030 | 7797-29 | 79.12 .080 | 7797-102 | 79.36 .210 |
|  | 51.16.020 | 7679(i) | 51.08.020 | 7720 | 51.52.050 | 7797-30 | 79.12 .090 | 7797-103 | 79.36.220 |
| 7676b | 51.20 .010 | 7679(j) | 51.32 .150 | 7723 | 51.44.120 | 7797-31 | 79.12.100 | 7797-104 | 8.28 .010 |
|  | 51.20.020 | 7679a | 51.08.030 | 7724 | 51.40.010 | 7797-31A | Special |  | 8.28 .020 |
|  | 51.20 .030 | 7679b | 51.32 .070 |  | 51.40.020 | 7797-32 | 79.12 .110 | 7797-105 | 43.65 .040 |
|  | 51.20 .040 | 7679-1 | 51.08.100 |  | 51.40 .030 | 7797-33 | 79.12 .120 | 7797-106 | 43.65 .050 |
|  | 51.20 .050 |  | 51.08.140 |  | 51.40.040 | 7797-33a | Obsolete | 7797-107 | 79.16 .200 |
|  | 51.20 .060 | 7679-2 | 51.16.040 |  | 51.40 .050 | 7797-33b | Obsolete | 7797-108 | 79.16.210 |
|  | 51.20 .070 | 7679-3 | 51.52.120 |  | 51.40.060 | 7797-33c | Obsolete | 7797-109 | 79.16.220 |
|  | 51.20 .080 | 7680 | 51.04.070 |  | 51.52.050 | 7797-34 | 79.12 .130 | 7797-110 | 79.16.230 |
|  | 51.20 .090 |  | 51.24 .020 | 7725 | Obsolete | 7797-35 | 79.12 .140 | 7797-111 | 79.16.240 |
|  | 51.20 .100 |  | 51.32 .020 | 7726 | 51.48 .050 | 7797-36 | 79.12 .150 | 7797-112 | 79.16.250 |
|  | 51.20.110 | 7681 | 51.32.130 |  | 51.48.090 | 7797-37 | 79.12.160 | 7797-113 | 79.16.260 |
|  | 51.20 .120 | 7682 | 51.16.150 | 7727 | 49.16.020 | 7797-38 | 79.12 .170 | 7797-114 | 79.16.270 |
|  | 51.20 .130 | (b) | 51.16.160 | 7728 | 49.16.010 | 7797-39 | 79.12 .180 | 7797-115 | 79.16.280 |
|  | 51.20.140 | (c) | 51.16.170 | 7729 | 49.16.010 | 7797-40 | 79.12.190 | 7797-116 | 79.16.290 |
|  | 51.20 .150 | 7683 | 51.48.070 | 7730 | 49.16.030 | 7797-40a | 76.20.010 | 7797-117 | 79.16.300 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7797-118 | 79.16.310 | 7797-185d | 78.28.120 | 7896 | 79.24.020 | 7993 | Obsolete | 8137-3 | 44.12.020 |
| 7797-119 | 79.16.320 | 7797-185e | 78.28.220 | 7897 | 79.24.080 | 7993-1 | 79.08.080 | 8137-3a | 44.08.020 |
| 7797-120 | 79.16.330 | 7797-185f | 78.28.150 | 7898 | 79.24.010 | 7993-2 | 79.08.090 |  | 44.12 .020 |
| 7797-121 | 79.16.340 | 7797-185g | 78.28.200 | 7899 | 79.24.040 | 7993-3 | 79.08.100 | 8137-4 | 44.08 .010 |
| 7797-122 | 79.16.350 | 7797-185h | 78.28.210 | 7900 | 79.24.050 | 7993-4 | 77.40 .010 | 8137-5 | 44.12 .010 |
| 7797-123 | 79.16.360 | 7797-185i | 78.28 .130 | 7901 | 43.34.020 | 7993-5 | 77.40 .020 | 8137-6 | 44.04.020 |
| 7797-124 | 79.16.370 | 7797-185j | 78.28.140 |  | 79.24.060 | 7993-5a | 77.40 .070 | 8137-7 | 44.04.110 |
| 7797-125 | 79.08.030 | 7797-185k | 78.28.160 | 7902 | 79.24.070 | 7993-5b | 77.40.080 | 8137-8 | Repealer |
| 7797-126 | 79.16.020 | 7797-1851 | 78.28.170 | 7903 | 70.24.030 | 7993-6 | 77.40.030 | 8147 | $S$ by |
| 7797-127 | 79.16.030 | $7797-185 \mathrm{~m}$ | 78.28.030 | 7904 | $S$ by | 7993-7 | 77.40.040 |  | 44.04.060 |
| 7797-128 | 79.16.040 | 7797-185n | 78.28.070 |  | 43.34.060 | 7993-8 | 77.40 .050 | 8148 | 44.04.050 |
| 7797-129 | 79.16.050 | 7797-1850 | 78.28.270 | 7904-1 | Temporary | 7993-9 | 77.40.060 | 8149 | 44.04.070 |
| 7797-130 | 79.16.060 | 7797-185p | 78.28 .180 | 7904-2 | Temporary | 7993-10 | Special | 8150 | 44.04.040 |
| 7797-131 | 79.16.070 | 7797-185q | 78.28.190 | 7904-3 | Temporary | 7993-20 | Temporary | 8151 | 44.04 .070 |
| 7797-132 | 79.16.080 | 7797-185r | Sev. | 7904-4 | Temporary | 8009 | Obsolete | 8152 | 44.04.060 |
| 7797-133 | 79.16.010 |  | n78.28.010 | 7904-5 | Temporary | 8009-1 | 79.16.410 | 8153 | 44.04.070 |
| 7797-134 | 79.16.090 | 7797-185s | Repealer | 7905 | Temporary | 8010 | Obsolete | 8153-1 | 44.04.080 |
| 7797-135 | 79.16.100 | 7797-186 | 79.08.010 | 7906 | Temporary | 8015 | R 1935 | 8153-2 | 44.04.090 |
| 7797-136 | 79.16.110 | 7797-187 | 43.12 .110 | 7906-1 | Superf. |  | c 115 § 1 | 8154-1 | 44.04.030 |
| 7797-137 | 79.16.120 | 7797-188 | 43.65 .070 | 7907 | Temporary | 8016 | 79.16.180 | 8162-1 | 44.04.100 |
| 7797-138 | 79.20.120 | 7797-189 | 79.16.420 | 7908 | Temporary | 8017 | 79.16 .190 | 8177 | 44.04.010 |
| 7797-139 | 79.20 .130 | 7797-190 | 43.12 .120 | 7909 |  | 8069 | 79.20 .150 | 8178 | 44.16 .010 |
| 7797-140 | 79.20 .140 | 7797-191 | 43.12 .130 | 7914 | Obsolete | 8070 | 79.20 .160 | 8179 | 44.16 .030 |
| 7797-141 | 43.12.090 | 7797-192 | 79.44.110 | 7915 | 43.34.030 | 8071 | 79.20 .170 | 8180 | 44.16 .040 |
| 7797-142 | 79.20.010 | 7797-192a | 79.44.120 | 7915-1 | 43.34.040 | 8072 | Approp. | 8181 | 44.16.050 |
| 7797-143 | 79.20.020 | 7797-193 | 43.12 .070 | 7916 | Obsolete | 8074 | R 1935 | 8182 | 44.16.060 |
| 7797-144 | 79.20 .030 | 7797-194 | 79.08.020 | 7916-1 | Obsolete |  | c $115 \S 1$ | 8183 | 44.16.070 |
| 7797-145 | R 1951 | 7797-195 | 43.65 .080 | 7916-2 | Obsolete | 8074-1 | 79.40 .070 | 8184 | 44.16.080 |
|  | c 271 § 47 | 7797-196 | 43.12 .150 | 7917 | Obsolete | 8074-2 | 79.40 .080 | 8185 | 44.16 .090 |
|  | but see | 7797-197 | 79.40.010 | 7918 | 43.34.050 | 8075 | R 1935 | 8186 | 44.16.100 |
|  | 79.20.030 | 7797-198 | 79.40 .020 | 7919 | Obsolete |  | c $115 \S 1$ | 8187 | 44.16.110 |
| 7797-146 | 79.20 .050 | 7797-199 | 79.40 .030 | 7920 | Obsolete | 8076 | R 1935 | 8188 | 44.16 .130 |
| 7797-147 | R 1951 | 7797-200 | 79.40 .040 | 7921 | Obsolete |  | c 115 § 1 | 8189 | 44.16.140 |
|  | c 271 § 47 | 7797-200a | 79.40 .050 | 7921-1 | 43.34.060 | 8077 | 79.24.090 | 8190 | 44.16 .150 |
|  | but see | 7797-200b | 79.40 .060 | 7921-2 | Temporary | 8095 | 28.77.240 | 8191 | 44.16.160 |
|  | 79.20.030 | 7797-201 | Constr. | 7921-3 | Temporary | 8096 | 28.77.250 | 8192 | 44.16.020 |
| 7797-148 | 79.20 .070 |  | n78.20.010 | 7921-4 | Temporary | 8097 | 28.77.260 | 8193 | 44.16.170 |
| 7797-149 | 79.20.080 | 7810 | R 1935 c 115 | 7921-5 | Temporary | 8098 | 28.77.270 | 8194 | 44.16.120 |
| 7797-149a | 79.20 .090 | 7824 | 79.28 .010 | 7921-6 | Approp. | 8107-1 | 79.36.230 | 8195 | 44.16 .180 |
| 7797-149b | 79.20 .100 | 7825 | 79.28 .020 | 7921-7 | Obsolete | 8107-2 | 79.36.240 | 8196 | 44.20 .010 |
| 7797-149c | 79.20.110 | 7826 | 79.28 .030 | 7921-8 | Unconst'l | 8107-3 | 79.36 .250 | 8197 | 44.20 .020 |
| 7797-150 | 79.32.010 | 7826-1 | 79.28 .040 | 7921-9 | Unconst'l | 8107-4 | 79.36.260 | 8198 | 44.20 .030 |
| 7797-151 | 79.32.020 | 7826-2 | 79.28 .050 | 7921-10 | 79.24.100 | 8107-5 | 79.36 .270 | 8199 | 44.20 .040 |
| 7797-152 | 79.32.030 | 7826-3 | 79.28.060 | 7921-11 | 79.24.110 | 8107-6 | 79.36 .290 | 8200 | 44.20 .050 |
| 7797-153 | 79.32.040 | 7828 | Obsolete | 7921-12 | 79.24.120 | 8107-7 | 79.36.280 | 8201 | 44.20 .080 |
| 7797-154 | 43.12 .100 | 7829 | Obsolete | 7921-13 | 79.24 .130 | 8107-8 | Sev. | 8202 | 44.20 .070 |
| 7797-155 | 78.20.010 | 7830 | Obsolete | 7921-14 | 79.24.140 |  | n79.36.230 | 8203 | 44.20.060 |
|  | 78.20.020 | 7831 | Obsolete | 7921-15 | 79.24 .150 | 8108-1 | 37.04.010 | 8204 | 43.56.010 |
| 7797-156 | 78.20 .010 | 7832 | Obsolete | 7921-16 | 79.24.160 | 8108-2 | 37.04.020 | 8205 | 43.56 .020 |
|  | 78.20.030 | 7844 | Obsolete | 7921-20 | 46.08.150 | 8108-3 | 37.04.030 | 8206 | 43.56 .030 |
| 7797-157 | 78.20 .040 | 7845 | Obsolete | 7921-21 | 46.08.160 | 8108-4 | 37.04.040 | 8207 | 43.56.040 |
| 7797-158 | 78.20.050 | 7846 | Obsolete | 7921-22 | 46.08.170 | 8110 | 37.08.200 | 8207-1 | 44.24 .010 |
| 7797-159 | 78.20.060 | 7846-1 | 28.77.340 | 7922 | 79.48.010 | 8110-1 | 37.08.210 | 8207-2 | 44.24 .020 |
| 7797-160 | 78.20.070 | 7847 | Obsolete | 7923 | 79.48 .020 | 8120 | 37.08.240 | 8207-3 | 44.24.030 |
| 7797-161 | 78.20.080 | 7848 | 79.08.070 | 7924 | 79.48 .030 | 8121 | 37.08.250 | 8207-4 | 44.24 .040 |
| 7797-162 | 78.20 .090 | 7849 | 28.80.240 | 7925 | 79.48.040 | 8122 | Temporary | 8207-5 | 44.24 .050 |
| 7797-162a | 78.20.100 | 7850 | 28.80.230 | 7926 | 79.48.050 | 8122-1 | 79.08.120 | 8207-6 | 44.24.060 |
| 7797-163 | 78.24 .010 | 7851 | Obsolete | 7927 | 79.48 .060 | 8123 | Temporary | 8207-7 | 44.24 .070 |
| 7797-164 | 78.24.020 | 7867-1 | Temporary | 7928 | 79.48.070 | 8124 | Temporary | 8209 | 27.20.010 |
| 7797-165 | 78.24 .030 | 7879-1 | 79.52 .010 | 7929 | 79.48.080 | 8124-1 | 79.08.110 | 8216-1 | 27.04.060 |
| 7797-166 | 78.24.070 | 7879-1a | n79.52.010 | 7930 | 79.48.090 | 8125 | 79.44.010 | 8217-1 | 40.04.010 |
| 7797-167 | 78.24.040 | 7879-2 | 79.52.020 | 7931 | 79.48.100 | 8126 | 79.44.020 | 8217-2 | 40.04.020 |
| 7797-168 | 78.24.050 | 7879-3 | 79.52 .030 | 7932 | 79.48.110 | 8127 | 79.44.030 | 8217-3 | 40.04.030 |
| 7797-169 | 78.24 .060 | 7879-4 | 79.52.050 | 7933 | 79.48 .120 | 8128 | 79.44.040 | 8217-4 | 40.04.040 |
| 7797-170 | 78.24 .080 | 7879-5 | $S$ by | 7934 | 79.48 .130 | 8129 | 79.44.050 |  | 40.04.050 |
| 7797-171 | 78.24.090 |  | 79.52.060 | 7935 | 79.48.140 | 8130 | 79.44.070 |  | 40.04.060 |
| 7797-172 | 78.24.100 | 7879-6 | 79.52 .130 | 7936 | 79.48 .150 | 8131 | 79.44.080 |  | 40.04.070 |
| 7797-173 | 78.24.110 | 7879-11 | 79.52 .070 | 7937 | 79.48 .160 | 8132 | 79.44.090 |  | 40.04.080 |
| 7797-174 | 78.24.120 | 7879-12 | 79.52 .080 | 7938 | 79.48 .170 | 8133 | 79.44.110 | 8217-5 | 40.04.090 |
| 7797-175 | 78.28 .010 | 7879-13 | 79.52 .090 | 7939 | 79.48 .180 | 8134 | 79.44.100 | 8217-6 | 40.04.100 |
| 7797-176 | 78.28.020 | 7879-13a | 79.52 .110 | 7940 | 79.48 .190 | 8135 | 79.44.130 | 8217-7 | 40.04.110 |
| 7797-177 | 78.28.040 | 7879-14 | 79.52.100 | 7941 | 79.48.200 | 8136 | 79.44.140 | 8217-8 | Repealer |
| 7797-178 | 78.28 .230 | 7879-15 | 79.52 .040 | 7942 | 79.48.210 | 8136a | 79.44.060 | 8225-1 | 27.04.010 |
| 7797-179 | 78.28.020 | 7879-16 | 79.52 .050 | 7943 | 79.48.220 | 8136-1 | Obsolete | 8225-2 | 27.04.050 |
| 7797-180 | 78.28.240 | 7879-16a | 79.52 .120 | 7944 | 79.48.230 | 8136-2 | Obsolete | 8226-1 | 27.12.020 |
| 7797-181 | 78.28 .250 | 7879-17 | 79.52 .060 | 7945 | 79.48.240 | 8136-10 | 77.12 .360 | 8226-2 | 27.12 .010 |
| 7797-182 | 78.28 .260 | 7895-1 | 79.12 .570 | 7983 | Superf. | 8136-11 | 77.12 .370 | 8226-3 | 27.12.020 |
| 7797-183 | 78.28.060 | 7895-2 | 79.12 .580 | 7987 | Temporary | 8136-12 | 77.12 .380 | 8226-4 | 27.12.030 |
| 7797-184 | 78.28 .080 | 7895-3 | 79.12 .590 | 7988 | Temporary | 8136-13 | 77.12 .390 | 8226-4a | 27.12.040 |
| 7797-185 | 78.28.050 | 7895-4 | 79.12.600 | 7989 | Temporary | 8137-1 | Superf. |  | 27.12.050 |
| 7797-185a | 78.28 .090 | 7895-5 | 79.12.610 | 7990 | Temporary | 8137-2 | 44.08.020 |  | 27.12.060 |
| 7797-185b | 78.28.100 | 7895-6 | 79.12.620 | 7991 | Obsolete | 8137-2a | 44.08.020 |  | 27.12.070 |
| 7797-185c | 78.28.110 | 7895-7 | 79.12.630 | 7992 | Obsolete |  | 44.12.020 | 8226-5 | 27.12.080 |

Parallel Tables: Rem. Rev. Stat.——RCW

\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline \begin{tabular}{l}
Rem. \\
Rev. Stats.
\end{tabular} \& Rev. Code of Wash. \& Rem. Rev. Stats. \& Rev. Code of Wash. \& Rem. Rev. Stats. \& Rev. Code of Wash. \& Rem. Rev. Stats. \& Rev. Code of Wash. \& Rem. Rev. Stats. \& Rev. Code of Wash. \\
\hline 8226-7 \& 27.12.180 \& 8269-10 \& 18.04.040 \& 8277-9 \& Obsolete \& 8293-3 \& 20.08.050 \& 8307-4 \& 19.28.120 \\
\hline \multirow[t]{2}{*}{8226-8} \& 27.12.190 \& 8269-11 \& 18.04.050 \& 8277-12 \& 18.15.070 \& 8293-4 \& 20.08.090 \& \& 19.28 .130 \\
\hline \& 27.12.200 \& 8269-12 \& 18.04.060 \& 8277-13 \& 18.15.080 \& 8293-5 \& 20.08.060 \& \& 19.28 .140 \\
\hline 8226-9 \& 27.12.210 \& 8269-13 \& 18.04.070 \& 8277-14 \& 18.15.090 \& 8293-6 \& 20.08.100 \& \& 19.28.150 \\
\hline 8226-9a \& 27.12.230 \& 8269-14 \& 18.04.080 \& 8277-14a \& 18.15.110 \& 8293-7 \& 20.08.070 \& \& 19.28 .160 \\
\hline \multirow[t]{2}{*}{8226-10} \& 27.12.240 \& 8269-15 \& 18.04.090 \& 8277-15 \& 18.15.120 \& 8293-8 \& 20.08.080 \& \& 19.28 .170 \\
\hline \& 27.12.250 \& 8269-16 \& 18.04.100 \& \multirow[t]{3}{*}{8277-16} \& 18.15.130 \& 8293-9 \& 20.12.010 \& 8307-5 \& 19.28 .180 \\
\hline \multirow[t]{5}{*}{8226-11} \& 27.08.010 \& 8269-17 \& 18.04.110 \& \& 18.15.140 \& 8294 \& 20.12.020 \& 8307-6 \& 19.28.190 \\
\hline \& 27.08.020 \& 8269-18 \& 18.04.120 \& \& 18.15.150 \& 8295 \& 20.20.010 \& 8307-7 \& 19.28.310 \\
\hline \& 27.08.030 \& 8269-19 \& 18.04.130 \& 8277-17 \& 18.15.160 \& 8295-1 \& 20.08.030 \& \& 19.28.320 \\
\hline \& 27.08.040 \& 8269-20 \& 18.04.140 \& 8277-18 \& Superf. \& 8295-2 \& 20.20.020 \& 8307-8 \& 19.28.210 \\
\hline \& 27.08.050 \& 8269-21 \& 18.04.150 \& \multirow[t]{2}{*}{8277-19} \& Sev. \& 8295-3 \& 20.20.030 \& \& 19.28 .220 \\
\hline 8226-12 \& 27.12.260 \& 8269-22 \& 18.04.160 \& \& n18.15.010 \& 8296 \& 20.20.040 \& \& 19.28.230 \\
\hline 8226-13 \& 27.12.270 \& 8269-23 \& 18.04.170 \& 8278-1 \& 18.18.030 \& 8297 \& 20.20.050 \& \& 19.28.240 \\
\hline 8226-14 \& 27.12 .280 \& 8269-24 \& 18.04.180 \& 8278-2 \& \multirow[t]{2}{*}{18.18.010} \& \multirow[t]{2}{*}{\[
\begin{aligned}
\& 8297-1 \\
\& 8297-2
\end{aligned}
\]} \& 20.20.060 \& 8307-9 \& 19.28.250 \\
\hline 8226-15 \& 27.12.290 \& 8269-25 \& 18.04.190 \& \multirow[t]{2}{*}{\(8278-3\)
(a)} \& \& \& 20.16.010 \& 8307-10 \& 19.28.060 \\
\hline 8226-16 \& 27.12.330 \& 8269-26 \& 18.04.200 \& \& 18.18.050 \& 8297-3 \& 20.16.020 \& 8307-11 \& \multirow[t]{2}{*}{19.28.200} \\
\hline 8226-17 \& 27.12 .340 \& 8269-27 \& 18.04.210 \& (d) \& 18.18.060 \& \multirow[t]{2}{*}{\(8297-4\)
8298} \& 20.16.030 \& \multirow[t]{3}{*}{8307-12} \& \\
\hline 8226-18 \& 27.12.300 \& 8269-28 \& 18.04.220 \& (e) \& 18.18.070 \& \& 20.16.040 \& \& 19.28.280 \\
\hline 8226-19 \& 27.12.310 \& 8269-29 \& 18.04.230 \& (f) \& 18.18.190 \& 8299 \& 20.24.010 \& \& 19.28 .290 \\
\hline 8226-20 \& 27.12.320 \& 8269-30 \& 18.04.240 \& (g)(h) \& 18.18.210 \& 8299-1 \& 20.24.020 \& 8307-13 \& 19.28.300 \\
\hline 8246a \& 27.12 .220 \& 8269-31 \& 18.04.250 \& (1) \& 18.18.170 \& 8299-2 \& 20.24.030 \& 8307-14 \& 19.28.350 \\
\hline 8246-1 \& 27.12 .090 \& 8269-32 \& 18.04.260 \& 8278-4 \& 18.18.200 \& 8299-3 \& 20.24.040 \& 8307-15 \& Repealer \\
\hline 8246-2 \& 27.12 .100 \& 8269-33 \& 18.04.270 \& 8278-5 \& 18.18.170 \& 8299-4 \& 20.24.050 \& 8307-16 \& 19.28.340 \\
\hline 8246-3 \& 27.12.110 \& 8269-34 \& 18.04.280 \& 8278-6 \& 18.18.180 \& 8300 \& 20.12.030 \& 8307-17 \& Sev. \\
\hline 8246-4 \& 27.12.120 \& 8269-35 \& 18.04.290 \& 8278-7 \& 18.18.100 \& 8301 \& 20.12.040 \& \& n19.28.010 \\
\hline 8246-5 \& 27.12.130 \& 8269-36 \& 18.04.300 \& 8278-8 \& 18.18.020 \& 8302 \& 20.24.060 \& 8307-18 \& 19.28.330 \\
\hline 8246-6 \& 27.12.140 \& 8269-37 \& 18.04.310 \& 8278-9 \& 18.18.080 \& 8302-1 \& 20.24.070 \& 8312-1 \& 67.16.010 \\
\hline 8246-7 \& 27.12.150 \& 8269-38 \& 18.04.320 \& 8278-10 \& \& 8302-2 \& 20.08.110 \& 8312-2 \& 43.50 .010 \\
\hline 8246-8 \& 27.12.160 \& 8269-39 \& 18.04.330 \& \multirow[t]{3}{*}{(a)} \& 18.18.090 \& 8302-3 \& Sev. \& 8312-3 \& 43.50 .020 \\
\hline 8246-9 \& 27.12 .170 \& 8269-40 \& 18.04.340 \& \& 18.18.130 \& \& n20.04.010 \& 8312-4 \& 67.16 .020 \\
\hline 8247 \& \multirow[t]{2}{*}{27.24.010} \& 8269-41 \& 18.04.350 \& \& 18.18.140 \& 8302-4 \& Constr. \& \& 67.16.030 \\
\hline 8248 \& \& 8269-42 \& 18.04.360 \& 8278-11 \& 18.18.140 \& \& n20.04.010 \& 8312-5 \& 67.16.040 \\
\hline \multirow[t]{2}{*}{8252} \& \(S\) in \& 8269-43 \& 18.04.370 \& 8278-12 \& 18.18.110 \& 8303-1 \& 67.12.010 \& 8312-6 \& 67.16.050 \\
\hline \& Ch. 27.24 \& 8269-44 \& 18.04.380 \& 8278-12(h) \& 18.18.090 \& 8303-2 \& 67.12.020 \& 8312-7 \& 67.16.060 \\
\hline \multirow[t]{2}{*}{8254} \& 27.24.070 \& 8269-45 \& 18.04.390 \& 8278-13 \& 18.18.130 \& 8303-3 \& 67.12 .030 \& 8312-8 \& 67.16.070 \\
\hline \& 27.24.080 \& 8269-46 \& 18.04.400 \& 8278-14 \& 18.18.120 \& 8303-4 \& 67.12.040 \& 8312-9 \& 67.16.100 \\
\hline 8254-1 \& 27.24.010 \& \& 18.08.010 \& 8278-15 \& \multirow[t]{2}{*}{18.18.220} \& \multirow[t]{2}{*}{8303-5} \& 67.12 .050 \& \multirow[t]{2}{*}{8312-10} \& \multirow[t]{2}{*}{Sev.

043.50 .010} <br>

\hline \multirow[t]{3}{*}{8254-3} \& 27.24.070 \& \multirow[t]{3}{*}{8271} \& 18.08.030 \& \multirow[t]{4}{*}{| $8278-16$ |
| :--- |
| (a) |} \& \& \& 67.12 .060 \& \& <br>

\hline \& 27.24.080 \& \& 18.08.050 \& \& 18.18.230 \& 8303-7 \& 67.12.070 \& 8312-11 \& 67.16.110 <br>
\hline \& 27.24.090 \& \& 18.08.060 \& \& 18.18.240 \& 8303-11 \& Superf. \& 8312-13 \& 67.16.080 <br>
\hline 8254-4 \& 27.24.020 \& 8272 \& 18.08.020 \& \& \multirow[t]{2}{*}{18.18.250} \& 8303-12 \& 67.12 .080 \& 8312-14 \& 67.16.090 <br>

\hline 8254-5 \& 27.24.030 \& 8273 \& 18.08.040 \& \multicolumn{2}{|l|}{8278-17} \& 8303-13 \& 67.12 .090 \& 8313 \& \multirow[t]{2}{*}{$$
\begin{array}{r}
18.39 .010 \\
S \text { by }
\end{array}
$$} <br>

\hline 8254-6 \& 27.24.040 \& 8274 \& 18.08.070 \& (a)(d) \& \& \multirow[t]{3}{*}{$$
\begin{aligned}
& 8303-14 \\
& 8303-15
\end{aligned}
$$} \& 67.12 .100 \& \multirow[t]{2}{*}{8314} \& <br>

\hline 8254-7 \& 27.24.050 \& 8275 \& 18.08.080 \& (e)(f) \& 18.18.260 \& \& Constr. \& \& 18.39 .010 <br>
\hline 8254-8 \& 27.24.060 \& 8276 \& 18.08.090 \& (b) \& 18.18.210 \& \& n67.12.080 \& \multirow[t]{2}{*}{8314-1} \& \multirow[t]{2}{*}{18.39 .020
18.39 .110} <br>
\hline 8254-9 \& 27.24.070 \& 8276-1 \& 43.48.010 \& (c) \& 18.18.150 \& \multirow[t]{2}{*}{8303-16} \& ${ }_{\text {Sev. }}$ \& \& <br>
\hline 8255 \& 27.40.010 \& 8276-2 \& 43.48.020 \& (g) \& 18.18.160 \& \& n67.12.080 \& 8315 \& \multirow[t]{2}{*}{Obsolete
18.39 .030} <br>
\hline 8256 \& 27.40.020 \& 8276-3 \& 43.48 .030 \& (i) \& 18.18.270 \& \multirow[t]{2}{*}{8304-1} \& 36.49 .010 \& \multirow[t]{2}{*}{8315-1} \& <br>

\hline 8257 \& 27.40.030 \& 8276-4 \& 43.48.040 \& 8278-18 \& 18.18.040 \& \& 36.49 .020 \& \& $$
\begin{aligned}
& 18.39 .030 \\
& 18.39 .080
\end{aligned}
$$ <br>

\hline 8258 \& 27.40.040 \& 8276-5 \& 43.48.050 \& 8278-19 \& Constr. \& \multirow[t]{2}{*}{8304-3} \& 36.49 .030 \& 8316 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& \text { Obsolete } \\
& 18.39 .040
\end{aligned}
$$} <br>

\hline 8259 \& 27.28.010 \& 8276-7 \& 67.08.010 \& \multirow[t]{2}{*}{8278-20} \& \multirow[t]{2}{*}{$$
\begin{array}{r}
\mathrm{Sev} . \\
\mathrm{n} 18.18 .010
\end{array}
$$} \& \& 36.49 .040 \& \multirow[t]{2}{*}{8316-1} \& <br>

\hline 8260 \& 27.28.020 \& \multirow[t]{2}{*}{8276-8} \& 67.08.020 \& \& \& 8304-4 \& 36.49.050 \& \& 18.39.090 <br>

\hline 8261 \& 27.28.030 \& \& 67.08.030 \& 8278-21 \& Repealer \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8304-5 \\
& 8304-6
\end{aligned}
$$} \& 36.49 .060 \& 8317 \& 18.39.070 <br>

\hline 8262 \& Obsolete \& 8276-10 \& 67.08.040 \& 8289 \& 67.12 .110 \& \& 36.49 .070 \& 8318 \& 18.39 .180 <br>

\hline 8263 \& Approp. \& 8276-11 \& 67.08.050 \& 8290 \& 67.12 .120 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8304-6 \\
& 8304-7 \\
& 8304-17
\end{aligned}
$$} \& 36.49.080 \& \multirow[t]{3}{*}{8318-1} \& 18.39.050 <br>

\hline 8264 \& Obsolete \& \multirow[t]{2}{*}{8276-11a} \& 67.08.050 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8291 \\
& 8291-1
\end{aligned}
$$} \& 67.12 .130 \& \& 8304-17 Approp. \& \& 18.39.060 <br>

\hline 8265 \& 27.28.040 \& \& \multirow[t]{3}{*}{Approp. Obsolete Superf.} \& \& 19.12.010 \& 8306-21 \& 18.43.010 \& \& 18.39.140 <br>

\hline 8265-1 \& 27.32.010 \& 8276-11c \& \& 8291-1 \& 19.12.050 \& 8306-22 \& 18.43.020 \& 8319 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 18.39 .100 \\
& 18.39 .150
\end{aligned}
$$} <br>

\hline 8265-2 \& 27.32.020 \& 8276-11d \& \& \multirow[t]{2}{*}{8291-2} \& 19.12.020 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8306-23 \\
& 8306-24
\end{aligned}
$$} \& 18.43 .030 \& 8320 \& <br>

\hline 8265-3 \& 27.32.030 \& 8276-12 \& 67.08.060 \& \& 19.12.030 \& \& 18.43.040 \& 8321 \& $$
\begin{aligned}
& \text { 18.39.150 } \\
& 18.39 .190
\end{aligned}
$$ <br>

\hline 8265-4 \& 27.36.010 \& 8276-13 \& 67.08.070 \& 8291-3 \& 19.12.040 \& \multicolumn{2}{|l|}{8306-25 18.43.050} \& 8322 \& \multirow[t]{2}{*}{18.39 .120
18.39 .180} <br>
\hline 8265-5 \& 27.36.030 \& 8276-14 \& 67.08.080 \& 8291-4 \& 19.12.060 \& \multicolumn{2}{|l|}{8306-26 18.43.060} \& \multirow[t]{2}{*}{8323} \& <br>

\hline 8265-6 \& 27.36.020 \& 8276-15 \& 67.08.090 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8291-5 \\
& 8291-6
\end{aligned}
$$} \& 19.12.080 \& 8306-27 \& 18.43.070 \& \& 18.39.200 <br>

\hline 8265-7 \& 27.36.040 \& 8276-16 \& 67.08.100 \& \& 19.12.070 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8306-28 \\
& 8306-29
\end{aligned}
$$} \& 18.43.080 \& 8323-1 \& 18.39 .160 <br>

\hline 8265-8 \& 27.36.050 \& 8276-17 \& 67.08.110 \& 8291-7 \& 19.12 .090 \& \& 18.43 .090 \& 8323-2 \& 18.39.220 <br>

\hline 8265-9 \& 27.48.010 \& 8276-18 \& 67.08.120 \& \multirow[t]{2}{*}{8292} \& Short t. \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8306-30 \\
& 8306-31
\end{aligned}
$$} \& 18.43.100 \& 8323-3 \& 68.08.230 <br>

\hline 8265-10 \& 27.48.020 \& 8276-19 \& 67.08.130 \& \multicolumn{2}{|l|}{\multirow[b]{2}{*}{8292-1 20.04.010}} \& \& 18.43.110 \& 8324 \& 18.39.210 <br>

\hline 8265-11 \& 27.48.030 \& \multirow[t]{2}{*}{8276-20} \& 67.08.020 \& \& \& $$
\begin{aligned}
& 8306-31 \\
& 8306-32
\end{aligned}
$$ \& 18.43.120 \& 8325 \& 18.39 .130 <br>

\hline 8265-20 \& \multirow[t]{4}{*}{43.24.090} \& \& 67.08.100 \& \multicolumn{2}{|l|}{8292-2 20.04 .020} \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8306-33 \\
& 8306-34
\end{aligned}
$$} \& 18.43.130 \& 8325-1 \& \multirow[t]{2}{*}{18.39 .170

18.39 .230} <br>
\hline 8266 \& \& \multirow[t]{2}{*}{$8276-22$
$8276-24$} \& 67.08.140 \& \multicolumn{2}{|l|}{8292-3 20.04.030} \& \& Short t. \& 8325-2 \& <br>
\hline 8268 \& \& \& 67.08.150 \& \multicolumn{2}{|l|}{8292-4 20.04.040} \& 8306-34 \& n18.43.010 \& 8325-3 \& Sev. <br>
\hline 8268-1 \& \& \multirow[t]{2}{*}{8276-25} \& Sev. \& \multicolumn{2}{|l|}{8292-5 20.04.050} \& \multirow[t]{2}{*}{} \& 19.28.010 \& \multicolumn{2}{|l|}{n18.39.010} <br>
\hline 8268-2. \& \multirow[t]{4}{*}{$\begin{array}{r}R \\ \text { c } \\ \hline 26 \text { ¢ } 1949 \\ \hline\end{array}$} \& \& n43.48.010 \& \multicolumn{2}{|l|}{8292-6 20.04.060} \& \& 19.28 .020 \& 8326 \& Repealer <br>

\hline 8268-3 \& \& 8277-1 \& 18.15.010 \& \multicolumn{2}{|l|}{$$
8292-7 \quad 20.04 .070
$$} \& \multirow{3}{*}{8307-1} \& 19.28.030 \& 8326-40 \& 46.80.010 <br>

\hline 8269 \& \& 8277-2 \& 18.15.020 \& \multirow[t]{2}{*}{$$
\begin{aligned}
& 8292-8 \\
& 8292-9
\end{aligned}
$$} \& \[

$$
\begin{aligned}
& 20.04 .070 \\
& 20.04 .080
\end{aligned}
$$
\] \& \& 19.28.040 \& 8326-41 \& 46.80.020 <br>

\hline 8269-1] \& \& 8277-2a \& 18.15 .030 \& \& 20.04.090 \& \& 19.28.050 \& 8326-42 \& 46.80.030 <br>
\hline 8269-1(a) \& \multirow[t]{2}{*}{18.01.030} \& \multirow[t]{2}{*}{$8277-3$

$8277-4 \mathrm{a}$} \& 18.15 .040 \& \[
$$
\begin{aligned}
& 8292-9 \\
& 8292-10
\end{aligned}
$$

\] \& 20.04.100 \& \multirow[t]{6}{*}{\[

$$
\begin{aligned}
& 8307-2 \\
& 8307-3
\end{aligned}
$$
\]} \& 19.28.260 \& 8326-43 \& 46.80.040 <br>

\hline 8269-2- \& \& \& Obsolete \& $$
\begin{aligned}
& 8292-10 \\
& 8292-11
\end{aligned}
$$ \& \multirow[t]{5}{*}{\[

$$
\begin{aligned}
& 20.04 .110 \\
& 20.04 .120 \\
& 20.08 .010 \\
& 20.08 .020 \\
& 20.08 .040
\end{aligned}
$$

\]} \& \& 19.28.070 \& 8326-44 \& \multirow[t]{5}{*}{\[

$$
\begin{aligned}
& 46.80 .050 \\
& 46.80 .060 \\
& 46.80 .070 \\
& 46.80 .080 \\
& 46.80 .090
\end{aligned}
$$
\]} <br>

\hline 8269-7 \& R 1949 \& \multirow[t]{4}{*}{$$
\begin{aligned}
& 8277-5 \\
& 8277-6 \\
& 8277-7 \\
& 8277-8
\end{aligned}
$$} \& 18.15.100 \& \multirow[t]{4}{*}{\[

$$
\begin{aligned}
& 8292-12 \\
& 8293 \\
& 8293-1 \\
& 8293-2
\end{aligned}
$$
\]} \& \& \& 19.28.080 \& 8326-45 \& <br>

\hline \& c 226 § 41 \& \& 18.15.050 \& \& \& \& 19.28 .090 \& 8326-46 \& <br>
\hline 8269-8 \& 18.04.020 \& \& 18.15.060 \& \& \& \& 19.28.100 \& 8326-47 \& <br>
\hline 8269-9 \& 18.04.030 \& \& Obsolete \& \& \& \& 19.28.110 \& 8326-48 \& <br>
\hline
\end{tabular}

Parallel Tables: Rem. Rev. Stat.——RCW


Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 8371-17 | 31.08.200 | 8434 | 63.20 .020 | 8603-37 | 38.12.200 |  | 1951 c 178 | 8661 | 78.32.440 |
| 8371-18 | 31.08.210 | 8435 | 63.28 .010 | 8603-38 | 38.40.150 | 8607-25 |  | 8661-1 | 43.22 .150 |
| 8371-19 | 31.08.220 | 8436 | 63.28.020 | 8603-39 | 38.40.080 | 8607-27 | $\begin{array}{ll}R & 1951\end{array}$ | 8662 | 78.36.400 |
| 8371-20 | 31.08.230 | 8436a | 63.28.030 | 8603-40 | 38.40.030 |  | c $178 \S 17$ | 8663 | 78.36.410 |
| 8371-21 | 31.08.240 | 8436b | 63.28.040 | 8603-41 | 38.24.020 |  | but see | 8664 | 78.36.420 |
| 8371-22 | 31.08.250 | 8436c | 63.28.050 | 8603-42 | 38.24.010 |  | 1951 c 178 | 8665 | 78.36.430 |
| 8371-23 | 31.08.260 | 8436d | 63.28.060 | 8603-43 | 38.24.050 | 8607-28 | Val. | 8666 | 78.36.440 |
| 8371-24 | Obsolete | 8436-1 | 28.77.230 | 8603-44 | 38.08.080 |  | n35.21.040 | 8667 | 78.36.440 |
| 8371-25 | Repealer | 8436-2 | 28.77.230 | 8603-45 | 38.32.030 | 8607-34 | Special | 8668 | 78.32.580 |
| 8371-26 | Sev. | 8436-3 | 28.77.230 | 8603-46 | 38.40.040 | 8607-35 | Special | 8669 | 78.32.620 |
|  | n31.08.010 | 8437 | 26.04.010 | 8603-47 | 38.40.110 | 8607-36 | Special | 8670 | 78.36.450 |
| 8371-27 | Short t. | 8438 | 26.04.020 | 8603-48 | 38.40.050 | 8607-40 |  | 8671 | 78.36.460 |
|  | n31.08.010 | 8439 | 26.04.030 | 8603-49 | 38.40.130 | 8607-52 | Temporary | 8672 | 78.36.470 |
| 8381-1 | 76.36.010 | 8440 | 26.04.040 | 8603-50 | 38.24.040 | 8607-60 |  | 8673 | 78.36.470 |
| 8381-2 | 76.36.020 | 8441 | 26.04.050 | 8603-51 | 38.24.030 | 8607-64 | Temporary | 8674 | 78.36.500 |
| 8381-3 | 76.36.030 | 8442 | 26.04.060 | 8603-52 | 38.32.120 | 8607-70 |  | 8675 | 78.36.480 |
| 8381-4 | 76.36.040 |  | 26.24.200 | 8603-53 | 38.40.100 | 8607-73 | Temporary | 8676 | 78.36.480 |
| 8381-5 | 76.36.050 | 8443 | 26.04.070 | 8603-54 | 38.40.120 | 8607-80 |  | 8677 | 78.36.490 |
| 8381-6 | 76.36.060 | 8444 | 26.04.080 | 8603-55 | 38.40.140 | 8607-86 | Temporary | 8678 | 78.36.510 |
| 8381-7 | 76.36.070 | 8445 | 26.04.090 | 8603-56 | 38.28.010 | 8608 | 78.04.010 | 8679 | 78.36.520 |
| 8381-8 | 76.36.080 | 8446 | 26.04.100 | 8603-57 | 38.28.020 | 8609 | 78.04.010 | 8680 | 78.36.530 |
| 8381-9 | 76.36.090 | 8447 | 26.04.110 | 8603-58 | 38.28.030 | 8610 | 78.04.020 | 8681 | 78.34.710 |
| 8381-10 | 76.36.100 | 8448 | 26.04.120 | 8603-59 | 38.28.040 | 8611 | 78.04.030 | 8682 | 78.34.730 |
| 8381-11 | 76.36.110 | 8449 | 26.04.130 | 8603-60 | 38.28.050 | 8612 | 78.04.040 | 8683 | 78.34.820 |
| 8381-12 | 76.36.120 | 8450-1 | 26.04.140 | 8603-61 | 38.32.140 | 8613 | 78.04.050 | 8684 | 78.36.530 |
| 8381-13 | 76.36.130 | 8450-2 | 26.04.150 | 8603-62 | 38.32.150 | 8614 | Superf. | 8685 | 78.34.780 |
| 8381-14 | 76.36.140 | 8450-3 | 26.04.160 | 8603-63 | 38.28.060 | 8614-1 | 43.21 .060 | 8686 | 78.38.800 |
| 8381-15 | Sev. | 8450-4 | 26.04.170 | 8603-64 | 38.28.070 | 8614-2 | 43.21 .070 | 8687 | 78.38.810 |
| 8381-16 | 76.36.150 | 8450-5 | 26.04.180 | 8603-65 | 38.36.010 | 8614-3 | 43.21 .080 | 8688 | 78.38.820 |
| 8395 | 76.24.010 | 8450-6 | 26.04.190 | 8603-66 | 38.36.020 | 8614-4 | 43.21 .090 | 8689 | 78.38.830 |
| 8396 | 76.24 .020 | 8450-7 | 26.04.200 | 8603-67 | 38.32.040 | 8615 | Obsolete | 8690 | 78.38.840 |
| 8397 | 76.24.030 | 8451 | 26.04.210 | 8603-68 | 38.32.050 | 8616 | 78.08.020 | 8691 | 78.38.850 |
| 8398 | 76.24.040 | 8452 | 26.04.230 | 8603-69 | 38.36.030 | 8617 | 78.08.030 | 8692 | 78.38.860 |
| 8399 | 76.28.010 | 8453 | 26.04.220 | 8603-70 | 38.36.040 | 8618-1 | Temporary | 8693 | 78.38.870 |
| 8400 | 76.28.020 | 8454 | 26.04.240 | 8603-71 | 38.36.050 | 8619 | $S$ by | 8694 | 78.38.880 |
| 8401 | 76.28.030 | 8456 | 38.44.010 | 8603-72 | 38.36.060 |  | 78.08.040 \& | 8695 | 78.38.890 |
| 8402 | 76.28.040 | 8457 | 38.44.020 | 8603-73 | 38.36.070 | 8620 | 78.08.050 | 8696 | 78.36.800 |
| 8403 | 76.28.050 | 8458 | 38.44.030 | 8603-74 | 38.36.080 | 8621 | 78.08.040 | 8697 | 78.36.820 |
| 8404 | 76.28.060 | 8459 | 38.44.040 | 8603-75 | 38.36.090 | 8622 | 78.08.050 | 8698 | 78.36.830 |
| 8405 | 76.28.070 | 8460 | 38.44.050 | 8603-76 | 38.36.100 | 8623 | 78.08.060 | 8699 | 78.36.840 |
| 8406 | 76.28.080 | 8461 | 38.44.060 | 8603-77 | 38.36.110 | 8624 | 78.08.070 | 8700 | 78.36.540 |
| 8407 | 76.28.090 | 8514-1 | 38.40.060 | 8603-78 | 38.36.120 | 8625 | 78.08.010 | 8701 | 78.36.860 |
| 8408 | 76.32.010 | 8598-1 | 38.20.020 | 8603-79 | 38.32.060 | 8626 | 78.08.080 | 8702 | 78.36.870 |
| 8409 | 76.32.020 | 8599 | 38.20 .040 | 8603-80 | 38.04.020 | 8627 | 78.08.081 | 8703 | 78.36.880 |
| 8410 | 76.32.030 | 8600 | 8.28.030 | 8603-81 | 38.32.020 | 8628 | 78.08.082 | 8704 | 78.36.890 |
| 8411 | 76.32.040 | 8603-1 | Short t. | 8603-82 | 38.32.010 | 8629 | 78.08.090 | 8705 | 78.34.120 |
| 8412 | 76.32.050 |  | n38.04.010 | 8603-83 | 38.04.050 | 8630 | 78.08.130 | 8706 | 78.38 .510 |
| 8413 | 76.32.060 | 8603-2 | 38.04.030 | 8603-84 | 38.32.070 | 8631 | 78.08.100 | 8707 | 78.38.520 |
| 8414 | 76.32.070 | 8603-3 | 38.08.020 | 8603-85 | 38.28.080 | 8632 | 78.08.110 | 8708 | 78.38.540 |
| 8415 | 76.32.080 | 8603-4 | 38.04.040 | 8603-86 | 38.16.040 | 8633 | Superf. | 8709 | 78.32.430 |
| 8415-10 | 76.40.020 | 8603-5 | 38.08.010 | 8603-87 | 38.32.100 | 8634 | 78.08.120 | 8710 | 78.32.450 |
| 8415-11 | 76.40.010 | 8603-6 | 38.08.040 | 8603-88 | 38.32.110 | 8635 | Obsolete | 8711 | 78.32.450 |
| 8415-12 | 76.40.030 | 8603-7 | 38.08.060 | 8603-89 | 38.40.160 | 8636 | 78.32.010 | 8712 | 78.32.470 |
| 8415-13 | 76.40.040 | 8603-8 | 38.08.030 | 8603-90 | 38.40.090 | 8637 | 43.22.010 | 8713 | 78.38.550 |
| 8415-14 | 76.40.050 | 8603-9 | 38.08.050 | 8603-91 | 38.20.050 |  | 43.22 .120 | 8714 | 78.32.460 |
| 8415-15 | 76.40.060 | 8603-10 | 38.32.080 | 8603-92 | 38.08.090 | 8638 | 43.22.130 | 8715 | 78.36.200 |
| 8415-16 | 76.40.010 | 8603-11 | 38.32.090 | 8603-93 | 38.20.010 | 8639 | 43.22.140 | 8716 | 78.36.210 |
| 8415-17 | 76.40.070 | 8603-12 | 38.04.010 | 8603-94 | 38.32.130 | 8640 | 43.22.160 | 8717 | 78.36.230 |
| 8415-18 | 76.40.080 | 8603-13 | 38.40.010 | 8603-95 | Sev . | 8641 | 43.22.170 | 8718 | 78.36.220 |
| 8415-19 | 76.40.090 | 8603-14 | 38.40.020 |  | n38.04.010 |  | 43.22.180 | 8719 | 78.34.220 |
| 8415-20 | 76.40.100 | 8603-15 | 38.08.070 | 8603-96 | Repealer | 8642 | 43.22.190 | 8720 | 78.34.610 |
| 8415-21 | 76.40.110 | 8603-16 | 38.12 .010 | 8603-100 | Temporary | 8643 | 43.22.200 | 8721 | 78.34.620 |
| 8415-22 | 76.40.130 |  | 38.12.020 | 8603-101 | Temporary | 8644 | 43.22 .190 | 8722 | 78.38.560 |
| 8415-23 | 76.40.120 | 8603-17 | 38.12.040 | 8603-102 | Temporary |  | 43.22.210 | 8723 | 78.38.530 |
| 8415-24 | Constr. | 8603-18 | 38.12.050 | 8603-103 | Temporary |  | 43.22.220 | 8724 | 78.34.630 |
| 8416 | 63.24 .010 | 8603-19 | 38.12.060 | 8604 | 73.28 .010 |  | 43.22 .230 | 8725 | 78.34.640 |
| 8417 | 63.24 .020 | 8603-20 | 38.12.070 | 8605 | 73.28 .020 |  | 43.22 .240 | 8726 | 78.34.650 |
| 8418 | 63.24 .030 | 8603-21 | 38.12.030 | 8606 | 73.28 .030 | 8645 | 43.22.250 | 8727 | 78.34.660 |
| 8419 | 63.24 .040 | 8603-22 | 38.12.080 | 8607 | 73.28.040 | 8647 | 78.32.210 | 8728 | 78.32.040 |
| 8420 | 63.24 .050 | 8603-23 | 38.12.090 | 8607-1 | Short t. |  | 78.32.240 | 8729 | 78.34.720 |
| 8421 | 63.24.060 | 8603-24 | 38.12.100 |  | n38.48.010 | 8648 | 78.32.210 | 8730 | 78.34.670 |
| 8422 | 63.24 .070 | 8603-25 | 38.12.110 | 8607-2 |  | 8649 | 78.32.220 | 8731 | 78.38.570 |
| 8423 | 63.24 .080 | 8603-26 | 38.12.120 | 8607-5 | R 1951 |  | 78.32.230 |  | 78.38.580 |
| 8424 | 63.24.090 | 8603-27 | 38.12.130 |  | c 178 § 17 | 8650 | 78.32.250 | 8732 | 78.34.680 |
| 8425 | 63.24.100 | 8603-28 | 38.12.140 |  | but see | 8651 | 78.32.260 | 8733 | 78.34.690 |
| 8426 | 63.24.110 | 8603-29 | 38.12 .150 |  | 1951 c 178 | 8653 | 78.32.270 | 8734 | 78.32.400 |
| 8427 | 63.24.120 | 8603-30 | 38.12.160 | 8607-6 | Approp. | 8654 | 78.32.280 | 8735 | 78.32.410 |
| 8428 | 63.24 .130 | 8603-31 | 38.12.170 | 8607-7 |  | 8655 | 78.32.290 | 8736 | 78.32.420 |
| 8429 | 63.24 .140 | 8603-32 | 38.12 .190 | 8607-15 | Temporary | 8656 | 78.32.200 | 8737 | 78.38.500 |
| 8430 | 63.20.010 | 8603-33 | 38.12 .180 | 8607-20 |  | 8657 | 78.32.200 | 8738 | 78.32.480 |
| 8431 | 63.20 .030 | 8603-34 | 38.16 .030 | 8607-24 | $\begin{array}{ll}R & 1951\end{array}$ | 8658 | 78.32.230 | 8739 | 78.32.490 |
| 8432 | 63.20 .040 | 8603-35 | 38.16.010 |  | c 178817 | 8659 | 78.32.240 | 8740 | 78.32.500 |
| 8433 | 63.20.050 | 8603-36 | 38.16.020 |  | but see | 8660 | 78.32.440 | 8741 | 78.32.530 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 8742 | 78.32.520 | 8821 | 78.38.290 | 8888 | Val . | 8913-1 | 35.24.440 | 8954 | 35.22.080 |
| 8743 | 78.32.510 | 8822 | 78.38.300 |  | n35.02.010 | 8913-2 | Val. |  | 35.22.100 |
| 8744 | 78.32.540 | 8823 | 78.38.220 | 8889 | Val. |  | n35.24.440 |  | 35.22.110 |
| 8745 | 78.32.560 | 8824 | Duplication |  | n35.02.010 | 8913-3 | Obsolete | 8955 | 35.22.140 |
| 8746 | 78.32.570 | 8825 | 78.38.370 | 8890 | Val. | 8913-4 | Obsolete |  | 35.22.150 |
| 8747 | 78.32.550 | 8826 | 78.38.350 |  | n35.02.010 | 8914 | 35.07.010 | 8956 | 35.22.160 |
| 8748 | 78.32.590 | 8827 | 78.34 .700 | 8891 | 35.05.120 | 8915 | 35.07.020 |  | 35.22.190 |
| 8749 | 78.32.600 | 8828 | 78.34.150 | 8891-1 | 35.62.010 |  | 35.07.040 | 8957 | 35.22.170 |
| 8750 | 78.32.610 | 8829 | 78.34.160 | 8891-2 | 35.62.020 | 8916 | 35.07.050 | 8958 | 35.22.180 |
| 8751 | 78.38.270 | 8830 | 78.36.810 | 8891-3 | 35.62.030 | 8917 | 35.07.060 | 8959 | 35.22.180 |
|  | 78.38.350 | 8831 | 78.34.170 | 8891-4 | 35.62.040 | 8918 | 35.07.070 | 8960 | 35.22.230 |
| 8752 | 78.38.330 | 8832 | 78.34.470 | 8891-5 | 35.62.050 | 8919 | 35.07.080 | 8961 | 35.22.230 |
| 8753 | 78.34.450 | 8833 | 78.32.030 | 8891-6 | 35.62 .060 |  | 35.07.090 | 8962 | 35.22.190 |
| 8754 | 78.34.460 | 8834 | 78.38.080 | 8892 | 35.21 .160 | 8920 | 35.07.120 | 8963 | 35.22.120 |
| 8755 | 78.34.460 | 8835 | 78.34.230 | 8893 | Obsolete | 8921 | 35.07.130 | 8964 | 35.22.130 |
| 8756 | 78.34.480 | 8836 | 78.32.070 | 8894 | 35.12.010 | 8922 | 35.07.150 | 8965 | 35.22.130 |
| 8757 | 78.34.490 | 8837 | 78.32.030 |  | 35.12 .020 | 8923 | 35.07.170 | 8966 | 35.22.280 |
| 8758 | 78.38.200 | 8838 | 78.38.010 |  | 35.12 .030 |  | 35.07.180 | 8966-1 | 35.22.240 |
| 8759 | 78.38.210 | 8839 | 78.32.050 |  | 35.12.040 | 8924 | 35.07.190 | 8966-2 | 35.22.250 |
|  | 78.38.220 |  | 78.32.060 | 8895 | Val. | 8925 | 35.07.160 | 8966-3 | 35.22.260 |
| 8760 | 78.38.230 | 8840 | 78.38.320 |  | n35.12.010 | 8926 | 35.07.200 | 8966-4 | 35.22.270 |
| 8761 | 78.38.310 | 8841 | 78.34 .210 | 8896 | 35.13 .010 |  | 35.07.210 | 8966-5 | 35.22.350 |
| 8762 | 78.38.260 | 8842 | 78.34 .180 | 8897 | 35.13 .020 | 8927 | 35.07.220 | 8967 | 35.22.410 |
| 8763 | 78.38.280 |  | 78.34 .190 |  | 35.13 .030 | 8928 | 35.07.140 | 8968 | Val. |
| 8764 | 78.38.240 |  | 78.38 .340 |  | 35.13.040 | 8929 | 35.07.030 |  | n35.22.280 |
| 8765 | 70.74.260 | 8843 | 78.32.800 |  | 35.13 .050 | 8930 | 35.07.110 | 8970 | 35.22.370 |
| 8766 | 78.36.010 | 8844 | 78.32 .810 | 8898 | 35.13 .060 | 8931 | 35.07.100 | 8971 | 35.22 .340 |
| 8767 | 78.36.020 | 8845 | 78.32.820 |  | 35.13 .080 | 8931-1 | 35.07.230 | 8972 | 35.22.310 |
| 8768 | 78.36.040 | 8846 | 78.32.830 | 8899 | 35.13.070 | 8931-2 | 35.07.240 | 8973 | 35.22.320 |
| 8769 | 78.36.030 | 8847 | 78.32 .840 |  | 35.13 .090 | 8931-3 | 35.07.250 | 8974 | 35.22.380 |
| 8770 | 78.36.050 | 8848 | 78.32 .850 | 8900 | 35.13 .100 |  | 35.07.260 | 8975 | 35.22.390 |
| 8771 | 78.38.020 | 8849 | 78.32.860 |  | 35.13 .110 | 8931-11 | 53.48.010 | 8976 | 35.22.400 |
| 8772 | 78.38.030 | 8850 | 78.32.870 | 8901 | 35.13 .120 | 8931-12 | 53.48.020 | 8977 | 35.22.070 |
| 8773 | 78.36.900 | 8851 |  | 8902 | 35.16.010 | 8931-13 | 53.48.030 |  | 35.22.080 |
| 8774 | 78.38.040 | (a)(b) | 78.32 .880 |  | 35.16.020 | 8931-14 | 53.48.040 |  | 35.22.100 |
| 8775 | 78.38.050 | (c) | 78.38.220 |  | 35.16 .030 | 8931-15 | 53.48 .050 |  | 35.22.200 |
| 8776 | 78.38.060 | 8852 | 78.34.200 | 8903 | 35.16 .040 | 8931-16 | 53.48.060 | $8978{ }^{8}$ | Cr S in |
| 8777 | 78.38.070 | 8853 | Repealer | 8904 | 35.16.050 | 8931-17 | 53.48.070 | 8979 | Ch. 29.82 |
| 8778 | 78.36.880 | 8854 | ${ }_{\text {Sev. }}$ | 8905 | 35.16 .010 | 8931-18 | 53.48 .080 | 8980 |  |
| 8779 | 78.36.600 |  | n43.22.120 |  | 35.16.060 | 8931-19 | 53.48 .090 | 8981 | 35.22 .570 |
| 8780 | 78.36.610 | 8855 | Obsolete | 8906 | 35.13.190 | 8931-20 | 53.48.120 | 8981-1 | 35.22.330 |
| 8781 | 78.36.620 | 8856 | 78.32.020 |  | 35.13 .200 | 8931-21 | Sev. | 8981-2 | 35.22.290 |
| 8782 | 78.36.630 | 8856-1 | 78.34.400 | 8907 | 35.13.200 |  | n53.48.010 | 8981-3 | 35.22 .300 |
| 8783 | 78.36.640 |  | 78.34 .410 |  | 35.13.210 | 8931-22 | Purpose | 8981-4 | 35.21.020 |
| 8784 | 78.36.650 | 8856-2 | 78.34.420 | 8908 | Val. |  | n53.48.010 | 8982 | Constr. |
| 8785 | 78.36.660 | 8856-3 | 78.34.430 |  | n35.13.190 | 8932 | 35.01 .010 |  | n35.22.030 |
| 8786 | 78.36.670 | 8856-4 | 78.34 .600 | 8908-10 | 35.13 .010 |  | 35.01.020 | 8983 | 35.45.100 |
| 8787 | 78.36.680 | 8856-5 | 78.34 .800 | 8908-11 | 35.13 .140 |  | 35.01 .030 | 8984 | 35.45.110 |
| 8788 | 78.36.690 | 8856-6 | 78.34 .810 | 8908-12 | 35.13 .130 |  | 35.01 .040 | 8985 | 35.45.120 |
| 8789 | 78.36.700 | 8856-7 | 78.34.440 | 8908-13 | 35.13 .150 | 8933 | 35.01 .010 | 8986 | 35.54 .010 |
|  | 78.36.710 | 8857 | 78.12.010 |  | 35.13.160 |  | 35.01 .020 | 8987 | 35.54.010 |
| 8790 | 78.36.720 | 8858 | 78.12 .020 | 8908-14 | 35.13 .160 |  | 35.01 .030 | 8988 | 35.54 .010 |
| 8791 | 78.36.730 | 8859 | 78.12.030 | 8908-15 | 35.13 .170 |  | 35.06.010 | 8989 | 35.54 .010 |
| 8792 | 78.38.360 | 8860 | 78.12 .040 | 8909-1 | 35.10 .010 |  | 35.06.020 | 8990 | 35.54 .010 |
| 8793 | 78.36 .740 | 8861 | 78.12 .050 | 8909-2 | 35.10 .010 | 8834 | 35.01 .040 | 8991 | 35.54.010 |
| 8794 | 78.34.010 | 8862 | 78.12 .060 |  | 35.10 .020 | 8935 | 35.21 .010 | 8992 | 35.22 .420 |
| 8795 | 78.34.020 | 8863 | 78.36.850 |  | 35.10.030 |  | 35.27.020 | 8992-1 | 35.22 .470 |
| 8796 | 78.34.030 | 8864 | 78.36.850 |  | 35.11 .010 | 8936 | 35.06.010 | 8993 | 35.22.460 |
| 8797 | 78.32.030 | 8865 | 78.12.070 |  | 35.11 .020 | 8937 | 35.06.030 |  | 35.22.530 |
| 8798 | 78.34.760 | 8883 | 35.02.010 | 8909-3 | 35.10.020 | 8938 | 35.06.040 | 8993-1 | 35.22.530 |
| 8799 | 78.34.770 | 8884 | 35.02.020 |  | 35.10 .040 | 8939 | $S$ by | 8993-2 | 35.22.540 |
| 8800 | 78.34.040 |  | 35.02.030 | 8909-4 | 35.10 .050 |  | 35.06.020 | 8993-3 | 35.22.550 |
| 8801 | 78.34 .050 |  | 35.02 .040 |  | 35.10 .060 | 8940 | 35.06.050 | 8993-4 | 35.22.560 |
| 8802 | 78.34.060 |  | 35.02.050 |  | 35.11 .020 | 8941 | 35.06.060 | 8993-5 | Obsolete |
| 8803 | 78.34.060 |  | 35.02 .060 | 8909-5 | 35.10 .070 | 8942 | 35.06.070 | 8994 | 35.22.490 |
| 8804 | 78.34.070 |  | 35.02.070 | 8909-6 | 35.10.080 | 8943 | 35.06.080 | 8995 | 35.22 .500 |
| 8805 | 78.34.080 |  | 35.02 .080 | 8909-7 | 35.10 .090 | 8944 | 35.30.010 | 8996 | 35.22.440 |
| 8806 | S8.3 by |  | 35.02 .100 | 8909-8 | 35.11 .030 | 8945 | 35.30 .020 | 8996-1 | 35.22.450 |
|  | 78.34 .180 |  | 35.02 .110 |  | 35.11 .040 | 8946 | 35.30 .030 | 8997 | 35.22.430 |
| 8807 | 78.34.090 | 8885 | 35.02.090 | 8909-9 | 35.11 .050 | 8947 | 35.22.010 | 8998 | 35.22.510 |
| 8808 | 78.34.100 |  | 35.02.120 | 8909-10 | 35.11 .060 | 8948 | 35.22.020 | 8999 | 35.22.480 |
| 8809 | 78.34.110 |  | 35.02 .130 |  | 35.11 .070 | 8948-1 | 35.22.210 | 8999-1 | 63.32.010 |
| 8810 | 78.34.130 | 8886 | 35.05.010 | 8909-11 | 35.10 .100 | 8948-2 | 35.22 .220 | 8999-2 | 63.32.020 |
| 8811 | 78.34.120 |  | 35.05 .020 |  | 35.11 .080 | 8949 | 35.22.200 | 8999-3 | 63.32.030 |
| 8812 | 78.34.790 |  | 35.05 .030 | 8909-12 | 35.10 .110 | 8950 | Constr. | 8999-4 | 63.32.040 |
| 8813 | 78.36.750 |  | 35.05 .040 |  | 35.10 .130 |  | n35.22.020 | 9000 | 35.22.520 |
| 8814 | Duplication |  | 35.05 .050 |  | 35.11 .080 | 8951 | 35.22 .030 | 9000-1 | 35.33 .030 |
| 8815 | 78.38.250 |  | 35.05 .060 | 8909-13 | 35.10 .120 | 8952 | 35.22.040 | 9000-2 | 35.33.040 |
| 8816 | 78.34.140 |  | 35.05 .070 |  | 35.11 .080 | 8953 | 35.22 .050 |  | 35.33.050 |
| 8817 | 78.36.060 |  | 35.05 .080 | 8909-14 | 35.10 .130 |  | 35.22.060 | 9000-3 | 35.33.050 |
| 8818 | 78.36.070 |  | 35.05 .090 35.05 |  | 35.11 .080 |  | 35.22 .070 |  | 35.33.060 |
| 8819 | 78.34 .740 |  | 35.05 .100 | 8909-15 | Val. |  | 35.22 .080 | 9000-4 | 35.33.070 |
| 8820 | 78.34.750 | 8887 | 35.05.110 |  | n35.10.010 |  | 35.22.090 | 9000-5 | 35.33.120 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 9000-6 | 35.33.130 | 9026 | 35.23.220 | 9096 | 29.21.030 |  | 84.52.056 | 9175-2 | n35.27.370 |
|  | 35.33.080 | 9027 | 35.23.220 |  | 29.21.040 | 9131 | 35.24 .350 |  | Sev. |
|  | 35.33.090 | 9028 | 35.23 .160 |  | 29.21 .050 | 9132 | 35.24.210 |  | n35.27.370 |
|  | 35.33.100 | 9029 | 35.23 .130 |  | 29.21.090 |  | 35.24 .220 | 9176 | 35.27.400 |
|  | 35.33.150 | 9030 | 35.23.130 |  | 29.21 .130 | 9133 | 35.24 .260 | 9177 | 35.27 .350 |
| 9000-7 | 35.33.140 | 9031 | 35.23.140 |  | 29.21 .150 | 9134 | 35.24 .230 | 9177-1 | 35.27 .180 |
| 9000-8 | 35.33.020 |  | 35.23.220 |  | 29.30.070 | 9135 | 35.24 .330 | 9177-2 | 35.27 .190 |
| 9000-9 | 35.33.010 | 9032 | 35.23.250 |  | 29.62.140 | 9136 | 35.24 .310 | 9177-3 | 35.27 .190 |
| 9000-10 | 35.33.110 | 9033 | 35.23.250 | 9097 | 29.85.120 | 9137 | 35.24 .190 | 9177-4 | 35.27 .180 |
| 9000-11 | 35.33.160 |  | 35.23 .260 | 9098 | 29.85.130 | 9138 | 35.24 .130 | 9178 | 35.27 .200 |
| 9000-13 | 35.32.010 |  | 35.23.270 | 9099 | 35.17 .180 | 9138-1 | 35.24 .390 |  | $\begin{aligned} & 35.27 .290 \\ & 35.27 .300 \end{aligned}$ |
|  | 35.32.020 |  | 35.23.280 |  | 35.17 .190 | 9138-2 | 35.24 .400 |  |  |
| 9000-14 | 35.32.010 |  | 35.23.290 | 9100 | 35.17 .010 | 9139 | 35.24 .120 | 9179 | 35.27 .340 |
|  | 35.32.030 | 9034 | 35.23.440 |  | 35.17 .030 | 9140 | 35.24 .110 | 9180 | 35.27.320 |
|  | 35.32.040 | 9035 | 35.23.470 |  | 35.17 .090 | 9141 | 35.24 .160 | 9181 | 35.27 .410 |
|  | 35.32.100 | 9036 | 35.23.480 | 9101 | 35.17 .010 | 9142 | 35.24 .020 | 9182 | 35.27.380 |
|  | 35.32.190 |  | 35.23.490 |  | 35.17 .080 | 9143 | 35.24 .450 | 9184 | Val.R 1951 |
|  | 35.32.210 | 9037 | S-see | 9102 | 35.17 .130 |  | 35.24 .460 | 9185 |  |
| 9000-15 | 35.32 .050 |  | Title 66 | 9103 | 35.17 .040 |  | 35.24 .470 |  | c 211 § 2 |
|  | 35.32.060 | 9038 | 35.23 .390 |  | 35.17 .110 |  | 35.24.140 |  | but see |
| 9000-16 | 35.32.070 |  | 35.23 .400 |  | 35.17 .120 | 9144 | 35.24.140 |  | 35.23 .35235.27 .510 |
|  | 35.32.080 | 9039 | 35.23 .380 | 9104 | 35.17 .050 | 9145 | R 1951 | 9185-1 |  |
| 9000-17 | 35.32.080 | 9040 | 35.23.520 |  | 35.17 .060 |  | c 211 § 2 | 9186 | 35.27 .160 |
| 9000-18 | 35.32.140 | 9041 | S-ssee |  | 35.17 .070 |  | but see | 9187 | 35.27 .130 |
|  | 35.32.150 |  | Ch. 80.40 | 9105 | 35.17 .200 |  | 35.23.352 |  | 35.27.170 |
|  | 35.32.180 | 9042 | 35.23 .330 |  | 35.17 .210 | 9146 | 35.24 .040 | 9188 | 35.27 .220 |
| 9000-19 | 35.32.100 | 9043 | 35.23.340 |  | 35.17 .220 |  | 35.24 .170 |  | 35.27 .230 |
|  | 35.32.110 | 9044 | 35.23.370 | 9106 | 35.17 .140 | 9147 | 35.24 .380 |  | 35.27 .310 |
|  | 35.32.120 | 9055 | R 1951 |  | 35.17 .150 | 9148 | 35.24.240 |  | 35.27 .340 |
|  | 35.32.130 |  | c 211 § |  | 35.17 .160 | 9149 | Repealer | 9189 | 35.27 .250 |
| 9000-20 | 35.32.160 |  | but see | $9107$ | 35.17 .170 |  | Constr. | 9190 | 35.27 .240 |
|  | 35.32.170 |  | 35.23.352 | 9108 | 35.17 .420 |  | n35.24.010 | 9191 | 35.27 .130 |
| 9000-21 | 35.32 .200 | 9050 |  | 9109 | 35.17 .270 | 9150 | ${ }^{\text {Sev. }}$ | 9192 | 35.27 .520 |
| 9000-22 | 35.32.020 | 9057 | S-_see |  | 35.17 .280 |  | n35.24.010 |  | 35.27 .530 |
|  | 35.32.210 | 9058 | Title 35 |  | 35.17 .290 | 9151 | Obsolete |  | 35.27 .540 |
| 9000-22a | 35.22 .360 | 9059 |  |  | 35.17 .300 | 9152 | Obsolete | 9193 | 35.27 .210 |
| 9000-23 | 35.32 .090 | 9060 | 35.23 .300 | 9110 | 35.17 .230 | 9153 9154 | 35.24.340 | 9194 9195 | 35.27 .150 |
| 9000-24 | 35.32.210 |  | 35.23 .310 |  | 35.17 .260 | 9154 | Val. | 9195 | 35.27 .030 |
| 9001 | 35.85 .010 | 9061 | 35.23 .300 |  | 35.17 .270 | 9154-1 | 35.89 .010 | 9196 | 35.27 .040 |
| 9002 | 35.85 .020 |  | 35.23 .310 |  | 35.17 .280 | 9154-2 | 35.89 .010 | 91979198 | 35.27 .05035.27 .060 |
| 9003 | 35.85.030 | 9062 | 35.23 .270 |  | 35.17 .290 |  | 35.89 .020 |  |  |
| 9004 | 35.85 .040 | 9063 | 35.23 .290 |  | 35.17 .300 | 9154-3 | 35.89 .030 | 9198-10 | 35.18 .230 |
| 9005 | 35.85.080 | 9064 | 35.23.280 |  | 35.17 .310 | 9154-4 | 35.89.040 | 9198-11 | 35.18 .240 |
| 9005-1 | 35.85.050 | 9065 | 35.23 .210 |  | 35.17 .320 | 9154-5 | 35.89 .050 |  | 35.18 .250 |
| 9005-2 | 35.85.060 | 9066 | 35.23 .240 |  | 35.17 .330 | 9154-6 | 35.89 .070 | 9198-12 | 35.18 .260 |
| 9005-3 | 35.85.070 | 9067 | 35.23 .150 |  | 35.17 .340 | 9154-7 | 35.89 .080 | 9198-13 | 35.18 .020 |
| 9005-4 | 35.85.080 | 9068 | 35.23.430 |  | 35.17 .350 | 9154-8 | 35.89 .060 |  | 35.18 .270 |
| 9005-5 | 35.36.010 | 9069 | S--see |  | 35.17 .360 | 9154-9 | 35.89 .090 | 9198-14 | 35.18 .240 |
| 9006-6 | 35.36.060 |  | Title 35 | 9111 | 35.17 .230 | $\begin{aligned} & 9154-10 \\ & 9155 \end{aligned}$ | 35.89 .100 | $\begin{aligned} & 9198-15 \\ & 9198-16 \end{aligned}$ | $\begin{aligned} & 35.18 .020 \\ & 35.18 .170 \end{aligned}$ |
|  | 35.36.070 | 9070 | 35.23 .390 |  | 35.17 .240 |  | 35.70 .020 |  |  |
| 9005-7 | 35.36.050 |  | 35.23 .410 |  | 35.17 .250 | 9156 | 35.70 .030 | 9198-17 | 35.18 .010 |
| 9005-8 | 35.36.020 |  | 35.23.420 | 9112 | 35.17 .430 |  | 35.70 .040 |  | 35.18 .190 |
| 9005-9 | 35.36.030 | 9071 | $S$ by |  | 35.17 .440 | 9157 | 35.70 .050 |  | 35.18 .200 |
| 9005-10 | 35.36.040 |  | 35.21 .090 |  | 35.17 .450 | 9158 | 35.70 .060 |  | 35.18 .210 |
| 9006 | 35.23 .010 | 9072 | 35.23 .450 |  | 35.17 .460 | 9159 | 35.70 .070 |  | 35.18 .270 |
| 9007 | 35.23.020 | 9073 | 35.23 .500 | 9113 | 35.17 .270 |  | 35.70 .080 |  | 35.18 .280 |
| 9007A | 35.23 .120 | 9074 | 35.23 .540 | 9114 | 35.24 .010 | 9160 | 35.70 .080 | 9198-18 | 35.18 .150 |
| 9008 | 35.23.040 |  | 35.23 .550 | 9115 | 35.24 .020 |  | 35.70 .090 |  | 35.18 .160 |
| 9009 | 35.23.040 | 9075 | 35.23 .260 | 9116 | 35.24 .020 | 9161 | 35.70 .010 |  | 35.18 .220 |
| 9010 | 35.23 .050 |  | 35.23 .330 |  | 35.24 .050 | 9162 | 35.70 .100 | 9198-19 | 35.18 .030 |
| 9011 | 35.23 .060 | 9076 | 35.23 .590 | 9116-1 | 35.24 .050 | 9163 | 35.27 .010 |  | 35.18 .160 35 |
| 9012 | 35.23 .070 | 9077 | 35.23 .600 | 9118 | 35.24 .080 | 9164 | 35.27 .070 | 9198-20 | 35.18 .180 |
| 9013 | 35.23.180 | 9078 | 35.23 .610 | 9119 | 35.24 .100 | 9165 | 35.27 .070 | 9198-21 | 35.18.010 |
|  | 35.23.240 | 9079 | 35.23 .620 | 9120 | 35.24 .090 |  | 35.27 .090 |  | 35.18 .040 |
| 9014 | 35.23.030 | 9080 | 35.23 .630 | 9121 | 35.24 .060 |  | 35.27.130 |  | 35.18 .050 |
| 9015 | 35.23 .190 | 9081 | 35.23 .640 | 9122 | 35.24.030 | 9165-1 | $S$ by | 9198-22 | 35.18.070 |
|  | 35.23.240 | 9082 | 35.23 .650 | 9123 | 35.24 .180 |  | 35.27 .070 | 9198-23 | 35.18 .120 |
| 9016 | 35.23 .190 | 9083 | 35.23.660 |  | 35.24 .190 |  | 35.27 .090 |  | 35.18 .130 |
| 9017 | 35.23.220 | 9084 | 35.23.670 | 9124 | 35.24 .200 |  | 35.27 .130 |  | 35.18 .140 |
| 9018 | 35.23.230 | 9085 | R 1927 c 18 |  | 35.24 .210 | 9165-1a | 35.27 .070 | 9198-24 | 35.18.060 |
| 9019 | 35.23.530 | 9086 | 35.23.320 | 9125 | 35.24 .210 | 9166 | 35.27 .120 | 9198-25 | 35.18 .080 |
| 9020 | $S$ in | 9087 |  |  | 35.24 .220 | 9167 | 35.27 .140 | 9198-26 | 35.18.010 |
|  | Ch. 29.82 | 9088 | $S-$ see |  | 35.24 .250 | 9168 | 35.27 .130 |  | 35.18 .040 |
| 9021 | 35.23 .080 | 9089 | Title 35 | 9126 | 35.24 .070 | 9169 | 35.27 .100 |  | 35.18 .060 |
|  | 35.23.260 | 9090 | 35.17.370 |  | 35.24 .200 | 9170 | 35.27 .080 |  | 35.18.090 |
|  | 35.23 .300 | 9091 | 35.17 .380 | 9127 | 35.24 .290 | 9171 | 35.27 .270 |  | 35.18 .100 |
| 9022 | 35.23.080 |  | 35.17 .390 | 9128 | 35.24 .300 | 9172 | 35.27 .280 | $9198-27$$9198-28$ | 35.18.060 |
|  | 35.23.250 | 9092 | 35.17 .020 | 9129 | 35.24 .410 | 9173 | 35.27 .110 |  | 35.18 .090 |
| 9023 | 35.23 .200 |  | 35.17 .400 |  | 35.24 .420 |  | 35.27 .280 |  | 35.18 .110 |
| 9024 | 35.23 .110 | 9093 | 35.17 .030 |  | 35.24.430 | 9174 | 35.27 .270 |  | 35.18 .150 |
| 9025 | 35.23 .090 |  | 35.17 .410 | 9130 | S by |  | 35.27 .330 | 9198-29 | 35.18 .220 |
|  | 35.23.220 | 9094 | 35.17 .020 |  | 84.52 .050 | 9175 | 35.27.370 | 9198-30 | 35.18 .030 |
| 9025-1 | 35.23.100 | 9095 | 35.17 .100 |  | 84.52.052 | 9175-1 | Val. | 9198-31 | 35.18.290 |

Parallel Tables: Rem. Rev. Stat.——RCW


Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 35.45 .060 | 9429 | 35.73.010 | 9488-4 | 80.44.010 | 9545 | 35.37.100 | 9578-30 | 41.24.160 |
| 9408 | 35.44.020 | 9430 | 35.73 .060 | 9488-5 | Obsolete | 9546 | 35.37.110 | 9578-31 | 41.24 .170 |
| 9409 | 35.44.160 |  | 35.73.070 | 9488-6 | 80.44.020 | 9547 | 35.37.120 | 9578-32 | 41.24 .180 |
| 9410 | 35.21 .190 | 9431 | 35.73 .080 | 9488-7 | 80.44.030 | 9548 | 35.37.030 | 9578-33 | 41.24 .190 |
| 9411 | 35.43.040 | 9432 | 35.55.010 |  | 80.44.040 | 9549 | 35.37.030 | 9578-34 | 41.24 .200 |
|  | 35.43 .110 | 9433 | 35.55 .020 | 9488-8 | 80.44 .050 | 9550 | 35.40.010 | 9578-35 | 41.24 .210 |
| 9412 | 35.43 .190 |  | 35.55 .030 |  | 80.44.060 | 9551 | 35.40.020 | 9578-36 | 41.24 .220 |
| 9413 | 35.43.030 | 9434 | 35.55.040 | 9488-9 | 80.44.070 | 9552 | Obsolete | 9578-37 | 41.24 .230 |
| 9414 | 35.50 .020 | 9435 | 35.55 .050 | 9488-10 | 80.44 .080 | 9553 | Obsolete | 9578-38 | 41.24 .240 |
| 9415 | 35.49.090 | 9436 | 35.55 .060 | 9488-11 | 80.44.090 | 9554 | Obsolete | 9578-39 | Obsolete |
| 9416 | 35.49 .130 | 9437 | 35.55 .070 | 9489 | 80.40 .070 | 9555 | Obsolete | 9578-40 | 41.16 .010 |
| 9417 | 35.43 .060 | 9438 | 35.55 .080 | 9490 | 80.40.080 | 9556 | 35.40 .030 | 9578-41 | 41.16 .020 |
| 9418 | 35.49.100 | 9439 | 35.55 .090 |  | 80.40.090 | 9557 | 35.40.040 | 9578-42 | 41.16 .030 |
| 9419 | 35.43.070 | 9440 | 35.55 .110 | 9491 | 80.40.100 | 9558 | 35.40.050 | 9578-43 | 41.16 .040 |
| 9420 | 35.43.030 | 9441 | 35.55 .120 | 9492 | Val. | 9558-1 | 41.08 .010 | 9578-44 | 41.16 .050 |
| 9421 | 35.43.010 |  | 35.55 .130 |  | n80.40.010 | 9558-2 | 41.08 .020 | 9578-45 | 41.16 .060 |
| 9422 | 35.43 .020 | 9442 | 35.55 .140 | 9492-1 | 80.40.110 | 9558-3 | 41.08.030 | 9578-46 | 41.16 .070 |
| 9423 | Saving | 9443 | 35.55 .100 | 9492-2 | 80.40 .120 | 9558-4 | 41.08.050 | 9578-47 | 41.16.080 |
| 9424 | 35.43.030 |  | 35.55 .110 | 9492-3 | 80.40 .130 | 9558-5 | 41.08 .040 |  | 41.16 .090 |
| 9425 | 35.45.130 | 9444 | 35.55 .160 | 9492-4 | 80.40 .140 | 9558-6 | 41.08 .060 |  | 41.16 .100 |
| 9425-1 | 35.43 .200 | 9445 | 35.55 .170 |  | 80.40 .150 | 9558-7 | 41.08 .070 |  | 41.16.110 |
| 9425-2 | 35.43.210 | 9446 | 35.55.150 | 9492-5 | 80.40.160 | 9558-8 | 41.08 .080 |  | 41.16.120 |
| 9425-3 | 35.43 .220 | 9447 | 35.55.180 | 9493 | Obsolete | 9558-9 | 41.08 .090 |  | 41.16 .130 |
| 9425-4 | 35.43 .230 | 9448 | 35.55 .190 | 9493-1 | Obsolete | 9558-10 | 41.08 .190 |  | 41.16 .140 |
| 9425-10 | 56.04.020 | 9449 | 35.56 .010 | 9494 | Obsolete | 9558-11 | 41.08.100 |  | 41.16 .150 |
| 9425-11 | 56.04.030 | 9450 | 35.56 .020 | 9495 | 80.40.220 | 9558-12 | 41.08.110 |  | 41.16.160 |
| 9425-12 | 56.04.040 |  | 35.56 .030 | 9496 | 80.40.230 | 9558-13 | 41.08.120 |  | 41.16.170 |
| 9425-13 | 56.04.050 |  | 35.56 .040 | 9497 | 80.40.240 | 9558-14 | 41.08.130 |  | 41.16.180 |
| 9425-14 | 56.04.070 | 9451 | 35.56 .050 | 9498 | 80.40.250 | 9558-15 | 41.08.140 |  | 41.16 .190 |
| 9425-15 | 56.04 .060 | 9452 | 35.56 .060 | 9499 | 80.40.260 | 9558-16 | 41.08.150 | 9578-48 | 41.16.200 |
| 9425-16 | 56.12.020 | 9453 | 35.56.070 | 9500 | Superf. | 9558-17 | 41.08.160 | 9578-49 | 41.16.210 |
| 9425-17 | 56.12.030 | 9454 | 35.56 .080 | 9501 | Repealer | 9558-18 | 41.08.170 | 9578-50 | 41.16 .220 |
| 9425-18 | 56.12.010 | 9455 | 35.56 .090 |  | Saving | 9558-19 | 41.08.180 | 9578-51 | 41.16.230 |
| 9425-19 | 56.08.010 | 9456 | 35.56 .100 | $9502$ | $S$ by | 9558-20 | Obsolete | 9579 | 41.20 .010 |
| 9425-20 | 56.08.020 | 9457 | 35.56.120 |  | 80.40.170 | 9558-21 | Obsolete | 9580 | 41.20 .020 |
| 9425-21 | 56.08.030 | 9458 | 35.56.130 |  | 80.40.210 | 9558-22 | 41.08.200 | 9581 | 41.20 .130 |
| 9425-22 | 56.08.040 |  | 35.56.140 | $9502-1$ | 80.40 .170 | 9558-23 | 41.08.210 | 9582 | 41.20 .050 |
| 9425-23 | 56.16.010 | 9459 | 35.56.150 | 9502-2 | 80.40 .180 | 9558-24 | 41.08.220 | 9583 | 41.20 .060 |
| 9425-24 | 56.08.050 | 9460 | 35.56 .110 | 95-2-2A | 80.40 .190 | 9558-25 | Sev. | 9584 | 41.20 .070 |
| 9425-25 | 56.16.020 | 9461 | 35.56.170 | 9502-3 | 80.40.200 |  | n41.08.010 | 9585 | 41.20 .080 |
| 9425-26 | 56.16.030 | 9462 | 35.56 .180 | 9502-4 | 80.40.210 | 9558a-1 | 41.12.010 | 9586 | 41.20 .090 |
| 9425-27 | 56.16.040 | 9463 | 35.56.160 | 9503 | Val. | 9558a-2 | 41.12.020 | 9587 | 41.20 .100 |
| 9425-28 | 56.16.060 | 9464 | 35.56.280 |  | n80.40.010 | 9558a-3 | 41.12 .030 | 9588 | 41.20 .110 |
| 9425-29 | 56.16.070 | 9465 | 35.56 .200 | 9504 | Val. | 9558a-4 | 41.12.050 | 9589 | 41.20 .030 |
| 9425-30 | 56.16.080 |  | 35.56 .210 | 9504-1 | 35.21 .120 | 9558a-5 | 41.12.040 | 9590 | 41.20 .040 |
| 9425-31 | 56.16.090 |  | 35.56 .220 |  | 35.21 .130 | 9558a-6 | 41.12.060 | 9591 | 41.20 .120 |
| 9425-32 | 56.16.100 |  | 35.56 .230 |  | 35.21 .140 | 9558a-7 | 41.12.070 | 9592 | 41.20 .140 |
| 9425-33 | 56.16.110 | 9466 | 35.56 .240 |  | 35.21 .150 | 9558a-8 | 41.12.080 | 9592-1 | Obsolete |
| 9425-34 | R 1951 |  | 35.56.250 | 9505 |  | 9558a-9 | 41.12 .090 | 9592-2 | n41.20.050 |
|  | c 129 § 4 |  | 35.56 .260 | 9506 |  | 9558a-10 | 41.12.190 | 9592-101 | 41.28 .020 |
| 9425-35 | 56.20.010 | 9467 | 35.56.190 | 9507 | $S$ by | 9558a-11 | 41.12.100 | 9592-102 | 41.28 .010 |
| 9425-36 | 56.20 .020 | 9468 | 35.56 .270 | 9508 ¢ | 80.48.010, | 9558a-12 | 41.12.110 | 9592-103 | 41.28 .020 |
| 9425-37 | 56.20 .030 | 9469 | 35.56 .050 | 9509 | 80.48.020, | 9558a-13 | 41.12 .120 | 9592-104 | 41.28 .030 |
| 9425-38 | 56.20 .040 | 9470 | 35.56 .290 | 9510 | \& 80.48.030 | 9558a-14 | 41.12 .130 | 9592-105 | 41.28 .040 |
| 9425-39 | 56.20 .050 | 9471 | 35.21 .290 | 9511 |  | 9558a-15 | 41.12.140 | 9592-106 | 41.28 .050 |
| 9425-40 | 56.20.060 | 9472 | 35.21 .300 | 9511-1 | 80.44.100 | 9558a-16 | 41.12.150 | 9592-107 | 41.28.060 |
| 9425-41 | 56.20 .080 | 9473 | 35.88 .010 | 9511-2 | 80.44.110 | 9558a-17 | 41.12 .160 | 9592-108 | 41.28 .070 |
| 9425-42 | 56.20 .070 |  | 35.88 .020 | 9511-3 | 80.44.120 | 9558a-18 | 41.12 .170 | 9592-109 | 41.28 .080 |
| 9425-43 | 56.24.010 | 9474 | 35.88 .030 | 9512 | 80.48.010 | 9558a-19 | 41.12.180 | 9592-110 | 41.28 .090 |
| 9425-44 | 56.24.020 |  | 35.88.040 | 9513 | 80.48.020 | 9558a-20 | Obsolete | 9592-111 | 41.28.100 |
| 9425-45 | 56.24.030 | 9475 | 35.88.050 | 9514 | 80.48.030 | 9558a-21 | Obsolete | 9592-112 | 41.28.110 |
| 9425-46 | 56.24 .040 | 9476 | 35.88.060 | 9526 | 35.23 .560 | 9558a-22 | 41.12.200 | 9592-113 | 41.28.120 |
| 9425-47 | 56.24 .050 | 9477 | 35.88.070 | 9527 | 35.23 .570 | 9558a-23 | 41.12 .210 | 9592-114 | 41.28 .130 |
| 9425-48 | 56.24.060 | 9478 | 35.31 .010 | 9528 | 35.23.580 | 9558a-24 | 41.12.220 | 9592-115 | 41.28.140 |
| 9425-49 | 56.04.080 | 9479 | 35.31 .020 | 9529 ( | R 1911 | 9558a-25 | Sev. | 9592-116 | 41.28 .150 |
| 9425-50 | R 1951 | 9480 | 35.31 .030 | $9530\}$ | c 98 § 71 |  | n41.12.010 | 9592-117 | 41.28.160 |
|  | 2nd ex.s. | 9481 | 35.31 .040 | 9531 |  | 9558a-26 | Repealer | 9592-118 | 41.28 .170 |
|  | c 26 § 5 | 9482 | 35.31 .050 | 9532 | 35.30 .040 | 9563-1 | 35.84.050 | 9592-119 | 41.28 .180 |
| 9425-51 | 56.16.050 | 9483 | 35.31 .050 | 9533 | 35.30 .050 | 9578-15 | 41.24.010 | 9592-120 | 41.28.190 |
| 9425-52 | R 1951 | 9484 | 35.31 .060 | 9534 | 35.30.060 | 9578-16 | 41.24 .020 | 9592-121 | 41.28.200 |
|  | c $129 \S 4$ | 9485 | 35.31 .070 | 9536 | Obsolete | 9578-17 | 41.24 .030 | 9592-122 | 41.28 .210 |
| 9425-53 | 56.08.070 | 9486 | 35.31 .050 | 9537 | Constr. | 9578-18 | 41.24 .040 | 9592-123 | 41.28.220 |
| 9425-54 | 56.16.130 |  | 35.31 .060 |  | n35.30.040 | 9578-19 | 41.24 .050 | 9592-124 | 41.28.230 |
| 9425-55 | 56.16.140 | 9487 | Superf. | 9538 | 35.37 .040 | 9578-20 | 41.24.060 | 9592-125 | Sev. |
| 9425-56 | 56.04.090 | 9488 | 80.40 .010 | 9539 | 35.37 .050 | 9578-21 | 41.24 .070 |  | n41.28.010 |
| 9425-57 | 56.08.060 |  | 80.40 .020 | 9540 | 35.37 .060 | 9578-22 | 41.24 .080 | 9592-126 | Repealer |
| 9425-58 | Sev. |  | 80.40 .030 | 9541 | 35.37 .060 | 9578-23 | 41.24 .090 | 9592-127 | Eff. date |
|  | n56.04.020 |  | 80.40.040 | 9542 | 35.37 .050 | 9578-24 | 41.24.100 | 9592-128 | 41.28.240 |
| 9426 | 35.73.010 |  | 80.40 .050 |  | 35.37.070 | 9578-25 | 41.24.110 | 9592-129 | 41.28 .250 |
| 9427 | 35.73.020 |  | 80.40.060 | 9543 | 35.37.080 | 9578-26 | 41.24.120 | 9592-130 | 41.44.010 |
|  | 35.73 .030 | 9488-1 | Obsolete |  | 35.37 .090 | 9578-27 | 41.24 .130 | 9592-131 | 41.44.020 |
| 9428 | 35.73 .040 | 9488-2 | Obsolete | 9544 | 35.37.040 | 9578-28 | 41.24.140 | 9592-132 | 41.44 .030 |
|  | 35.73.050 | 9488-3 | Obsolete |  | 35.37.090 | 9578-29 | 41.24.150 | 9592-133 | 41.44.040 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 9592-133a | 41.44.260 | 9663A-3 | 86.16.020 | 9663B-62 | 86.04.520 | 9663E-61 | 86.08.290 | 9663E-139 | 86.08.460 |
| 9592-134 | 41.44.050 | 9663A-4 | 86.16.100 | 9663B-63 | 86.04.460 | $9663 \mathrm{E}-62$ | 86.08.290 | 9663E-140 | 86.08.470 |
| 9592-135 | 41.44.060 | 9663A-5 | 86.16.030 | 9663B-64 | 86.04.440 | 9663E-63 | 86.08.290 | 9663E-141 | 86.08.470 |
| 9592-136 | 41.44.070 | 9663A-6 | 86.16.020 | 9663B-65 | 86.04.470 | $9663 \mathrm{E}-64$ | 86.08.300 | $9663 \mathrm{E}-142$ | 86.08.475 |
| 9592-137 | 41.44.080 | 9663A-7 | 86.16.090 | 9663B-66 | 86.04.550 | 9663E-65 | 86.08.300 | 9663E-143 | 86.08.475 |
| 9592-138 | 41.44.090 | 9663A-8 | 86.16.030 | 9663B-67 | 86.04.450 | $9663 \mathrm{E}-66$ | 86.08.310 | 9663E-144 | 86.08.480 |
| 9592-139 | 41.44.100 | 9663A-9 | 86.16.020 | 9663B-68 | 86.04.480 | $9663 \mathrm{E}-67$ | 86.08.210 | 9663E-145 | 86.08.485 |
| 9592-140 | 41.44.110 | 9663A-10 | 86.16.080 | 9663B-69 | 86.04.490 | $9663 \mathrm{E}-68$ | 86.08.260 | 9663E-146 | 86.08.485 |
| 9592-141 | 41.44.120 | 9663A-11 | 86.16.040 | 9663B-70 | 86.04.540 | $9663 \mathrm{E}-69$ | 86.08.320 | 9663E-147 | 86.08.485 |
| 9592-142 | 41.44.130 | 9663A-12 | 86.16.050 | 9663B-71 | 86.04.530 | 9663E-70 | 86.08.320 | 9663E-148 | 86.08.500 |
| 9592-143 | 41.44.140 | 9663A-13 | 86.16.060 | 9663B-72 | 86.04.500 | $9663 \mathrm{E}-71$ | 86.08.330 | 9663E-149 | 86.08.500 |
| 9592-144 | 41.44.150 | 9663A-14 | 86.16.060 | 9663B-73 | 86.04.510 | $9663 \mathrm{E}-72$ | 86.08.330 | 9663E-150 | 86.08.490 |
| 9592-145 | 41.44.160 | 9663A-15 | 86.16.060 | 9663B-74 | 86.04.570 | $9663 \mathrm{E}-73$ | 86.08.340 | 9663E-151 | 86.08.490 |
| 9592-146 | 41.44.170 | 9663A-16 | 86.16.070 | 9663B-75 | 86.04.580 | $9663 \mathrm{E}-74$ | 86.08.340 | 9663E-152 | 86.08.490 |
| 9592-147 | 41.44.180 | 9663A-17 | 86.16.110 | 9663B-76 | Constr. | $9663 \mathrm{E}-75$ | 86.08.340 | 9663E-153 | 86.08.495 |
| 9592-148 | 41.44.190 | 9663A-18 | Constr. |  |  | $9663 \mathrm{E}-76$ | 86.08.350 | 9663E-154 | 86.08.495 |
| 9592-149 | 41.44.200 |  | n86.16.010 |  | n86.04.010 | $9663 \mathrm{E}-77$ | 86.08.360 | 9663E-155 | 86.08.490 |
| 9592-150 | 41.44.210 | 9663A-19 | Constr. | 9663B-77 | n86.04.560 | $9663 \mathrm{E}-78$ | 86.08.370 | 9663E-156 | 86.08.510 |
| 9592-151 | 41.44.220 | 9663A-20 | Sev. | 9663B-78 | Constr. | $9663 \mathrm{E}-79$ | 86.08.370 | 9663E-157 | 86.08.520 |
| 9592-152 | 41.44.230 | 9663B-1 | 86.04.020 |  | n86.04.010 | $9663 \mathrm{E}-80$ | 86.08.380 | 9663E-158 | 86.08.510 |
| 9592-153 | 41.44.240 | 9663B-2 | 86.04.010 | 9663B-79 | Sev. | $9663 \mathrm{E}-81$ | 86.08.380 | 9663E-159 | 86.08.530 |
| 9592-154 | 41.44.250 | 9663B-3 | 86.04.030 |  | n86.04.010 | $9663 \mathrm{E}-82$ | 86.08.390 | 9663E-160 | 86.08.550 |
| 9592-155 | Sev. | 9663B-4 | 86.04.030 | 9663E-1 | 86.08.005 | $9663 \mathrm{E}-83$ | 86.08.390 | 9663E-161 | 86.08.520 |
|  | n41.44.010 | 9663B-5 | 86.04.040 | 9663E-2 | 86.08.005 | $9663 \mathrm{E}-84$ | 86.08.390 | 9663E-162 | 86.08.540 |
| 9592-160 | 35.23.460 | 9663B-6 | 86.04.040 | 9663E-3 | 86.08.001 | $9663 \mathrm{E}-85$ | 86.08.400 | $9663 \mathrm{E}-163$ | 86.08.540 |
| 9601 | Obsolete | 9663B-7 | 86.04.050 | 9663E-4 | 86.08.005 | $9663 \mathrm{E}-86$ | 86.08.410 | 9663E-164 | 86.08.560 |
| 9602 | Obsolete | 9663B-8 | 86.04.050 | 9663E-5 | 86.08.010 | 9663E-87 | 86.08.175 | 9663E-165 | 86.08.540 |
| 9603 | 79.16.430 | 9663B-9 | 86.04.050 | $966 \mathrm{eE}-6$ | 86.08.010 | $9663 \mathrm{E}-88$ | 86.08.190 |  | 86.08.560 |
| 9604 | 79.16.440 | 9663B-10 | 86.04.060 | 9663E-7 | 86.08.010 | $9663 \mathrm{E}-89$ | 86.08.205 |  | 86.08.570 |
| 9605 | 79.16.450 | 9663B-11 | 86.04.070 | 9663E-8 | 86.08.020 | $9663 \mathrm{E}-90$ | 86.08.175 | 9663E-166 | 86.08.580 |
| 9606 | 79.16.460 | 9663B-12 | 86.04.070 | 9663E-9 | 86.08.020 | $9663 \mathrm{E}-91$ | 86.08.200 | 9663E-167 | 86.08.590 |
| 9607 | 79.16.470 | 9663B-13 | 86.04.070 | 9663E-10 | 86.08.020 | 9663E-92 | 86.08.205 | 9663E-168 | 86.08.600 |
| 9608 | 79.16.480 | 9663B-14 | 86.04.080 | 9663E-11 | 86.08.025 | 9663E-93 | 86.08.205 | 9663E-169 | 86.08.610 |
| 9609 | 79.16.490 | 9663B-15 | 86.04.080 | 9663E-12 | 86.08.025 | 9663E-94 | 86.08.205 | 9663E-170 | 86.08.620 |
| 9610 | 79.16.500 | 9663B-16 | 86.04.090 | 9663E-13 | 86.08.025 |  | 86.08.210 | 9663E-171 | 86.08.630 |
| 9611 | 79.16.510 | 9663B-17 | 86.04.090 | 9663E-14 | 86.08.030 | 9663E-95 | 86.08.175 | $9663 \mathrm{E}-172$ | 86.08.640 |
| 9612 | 79.16.520 | 9663B-18 | 86.04.080 | 9663E-15 | 86.08.030 |  | 86.08.195 | 9663E-173 | 86.08.640 |
| 9613 | 88.24.010 | 9663B-19 | 86.04.100 | 9663E-16 | 86.08.030 | 9663E-96 | 86.08.215 | 9663E-174 | 86.08.650 |
| 9614 | 88.24.020 | 9663B-20 | 86.04.100 | 9663E-17 | 86.08.035 | 9663E-97 | 86.08.185 | 9663E-175 | 86.08.660 |
| 9615 | 88.24.030 | 9663B-21 | 86.04.110 | $9663 \mathrm{E}-18$ | 86.08.035 | 9663E-98 | 86.08.205 | 9663E-176 | 86.08.660 |
| 9616 | 88.24 .040 | 9663B-22 | 86.04.120 | 9663E-19 | 86.08.045 | 9663E-99 | 86.08.190 | 9663E-177 | 86.08.660 |
| 9617 | 88.24.050 | 9663B-23 | 86.04.130 |  | 86.08.055 | 9663E-100 | 86.08.190 | 9663E-178 | 86.08.670 |
| 9618 | 88.24.060 | 9663B-24 | 86.04.130 | 9663E-20 | 86.08.045 | 9663E-101 | 86.08.195 | 9663E-179 | 86.08.675 |
| 9619 | 88.24.070 | 9663B-25 | 86.04.140 | 9663E-21 | 86.08.045 | 9663E-102 | 86.08.220 | 9663E-180 | 86.08.680 |
| 9625 | 86.12.010 | 9663B-26 | 86.04.150 | 9663E-22 | 86.08.055 | $9663 \mathrm{E}-103$ | 86.08.220 | 9663E-181 | 86.08.685 |
| 9626 | 86.12.020 | 9663B-27 | 86.04.160 | $9663 \mathrm{E}-23$ | 86.08.055 | 9663E-104 | Superf. | 9663E-182 | 86.08.695 |
| 9627 | 86.12.030 | 9663B-28 | 86.04.170 | 9663E-24 | 86.08.050 | 9663E-105 | 86.08.225 | 9663E-183 | 86.08.700 |
| 9628 | 86.12.010 | 9663B-29 | 86.04.180 | 9663E-25 | 86.08.050 | 9663E-106 | 86.08.225 | 9663E-184 | 86.08.690 |
| 9651 | 86.12 .040 | 9663B-30 | 86.04.180 | 9663E-26 | 86.08.045 | $9663 \mathrm{E}-107$ | 86.08.230 | 9663E-185 | 86.08.710 |
| 9652 | 86.12.050 | 9663B-31 | 86.04.180 | 9663E-27 | 86.08.070 | $9663 \mathrm{E}-108$ | 86.08.240 | 9663E-185 | 86.08.720 |
|  | 86.12 .060 | 9663B-32 | 86.04.190 | 9663E-28 | 86.08.070 | 9663E-109 | 86.08.250 | 9663E-187 | 86.08.720 |
| 9653 | 86.12.100 | 9663B-33 | 86.04.200 | 9663E-29 | 86.08.070 | $9663 \mathrm{E}-110$ | 86.08.250 | 9663E-188 | 86.08.710 |
| 9654 | 86.12.060 | 9663B-34 | 86.04.200 | 9663E-30 | 86.08.070 | 9663E-111 | 86.08.120 | 9663E-189 | 86.08.710 |
|  | 86.12.070 | 9663B-35 | 86.04.210 | $9663 \mathrm{E}-31$ | 86.08.075 | $9663 \mathrm{E}-112$ | 86.08.120 | 9663E-190 | 86.08 .730 |
| 9655 | 86.12.060 | 9663B-36 | 86.04.220 | 9663E-32 | 86.08.065 | 9663E-113 | 86.08.115 | 9663E-191 | 86.08.740 |
|  | 86.12.120 | 9663B-37 | 86.04.430 | 9663E-33 | 86.08.065 | 9663E-114 | 86.08.115 |  | 86.08.820 |
|  | 86.12.130 | 9663B-38 | 86.04.420 | 9663E-34 | 86.08.080 | 9663E-115 | 86.08.125 | 9663E-192 | 86.08.730 |
|  | 86.12.140 | 9663B-39 | 86.04.390 | 9663E-35 | 86.08.080 | $9663 \mathrm{E}-116$ | 86.08.130 | 9663E-193 | 86.08.730 |
| 9656 | 86.12 .150 | 9663B-40 | 86.04.230 | 9663E-36 | 86.08.080 | $9663 \mathrm{E}-117$ | 86.08.130 | 9663E-194 | 86.08.740 |
|  | 86.12.160 | 9663B-41 | 86.04.210 | 9663E-37 | 86.08.080 | 9663E-118 | 86.08.130 |  | 86.08.750 |
| 9657 | 86.12.190 | 9663B-42 | 86.04.270 | 9663E-38 | 86.08.080 | $9663 \mathrm{E}-119$ | 86.08.130 | 9663E-195 | 86.08.750 |
| 9658 | 86.12.170 | 9663B-43 | 86.04.240 | 9663E-39 | 86.08.095 | $9663 \mathrm{E}-120$ | 86.08.135 | 9663E-196 | 86.08.740 |
| 9659 | 86.12.110 | 9663B-44 | 86.04.260 | 9663E-40 | 86.08.080 | $9663 \mathrm{E}-121$ | 86.08.140 | 9663E-197 | 86.08.780 |
| 9660 | 86.12.080 | 9663B-45 | 86.04.250 | 9663E-41 | 86.08.085 | $9663 \mathrm{E}-122$ | 86.08.100 | 9663E-198 | 86.08.790 |
| 9661 | Constr. | 9663B-46 | 86.04.250 | $9663 \mathrm{E}-42$ | 86.08.085 | $9663 \mathrm{E}-123$ | 86.08.145 | 9663E-199 | 86.08.790 |
|  | n86.12.080 | 9663B-47 | 86.04.280 | 9663E-43 | 86.08.090 | $9663 \mathrm{E}-124$ | 86.08.150 |  | 86.08.800 |
| 9662 | 86.12 .090 | 9663B-48 | 86.04.290 | 9663E-44 | 86.08.090 | $9663 \mathrm{E}-125$ | 86.08.085 | 9663E-200 | 86.08.800 |
| 9662-1 | 86.24.010 | 9663B-49 | 86.04.410 | 9663E-45 | 86.08.095 |  | 86.08.1 50 | 9663E-201 | 86.08.790 |
| 9662-2 | 86.24.020 | 9663B-50 | 86.04.400 | $9663 \mathrm{E}-45$ | 86.08.095 |  | 86.08.155 | 9663E-202 | 86.08.760 |
| 9662-3 | Superf. | 9663B-51 | 86.04.300 | $9663 \mathrm{E}-47$ | 86.08.095 | 9663E-126 | 86.08.160 | 9663E-203 | 86.08.810 |
| 9662-4 | 86.24.030 | 9663B-52 | 86.04.310 | $9663 \mathrm{E}-48$ | 86.08.110 | $9663 \mathrm{E}-127$ | 86.08.165 | 9663E-204 | 86.08.810 |
| 9662-5 | Temporary | 9663B-53 | 86.04.330 | $9663 \mathrm{E}-49$ | 86.08.110 | $9663 \mathrm{E}-128$ | 86.08.450 | 9663E-205 | 86.08.770 |
| 9662-6 | 86.24.040 | 9663B-54 | 86.04.340 | 9663E-50 | 86.08.260 | 9663E-129 | 86.08.420 | 9663E-206 | 86.08.800 |
| 9663 | 86.12.180 | 9663B-55 | 86.04.350 | $9663 \mathrm{E}-51$ | 86.08.260 | 9663E-130 | 86.08.420 | 9663E-207 | 86.08.820 |
| 9663-1- |  | 9663B-56 | 86.04.360 | 9663E-52 | 86.08.260 |  | 86.08.430 | 9663E-208 | 86.08.830 |
| 9663-21 | R 1951 |  | 86.04.370 | 9663E-53 | 86.08.790 | $9663 \mathrm{E}-131$ | 86.08.420 | 9663E-209 | 86.08.830 |
|  | c $240 \S 1$ | 9663B-57 | 86.04.370 | 9663E-54 | 86.08.260 | 9663E-132 | 86.08.440 | 9663E-210 | Constr. |
|  | but see | 9663B-58 | 86.04.350 | 9663E-55 | 86.08.260 | $9663 \mathrm{E}-133$ | 86.08.430 |  | n86.08.001 |
|  | Ch. 86.26 |  | 86.04.370 | $9663 \mathrm{E}-56$ | 86.08.270 | 9663E-134 | 86.08.430 | 9663E-211 | Constr. |
| 9663-22 | Temporary | 9663B-59 | 86.04.380 | $9663 \mathrm{E}-57$ | 86.08.270 | $9663 \mathrm{E}-135$ | 86.08.440 |  | n86.08.001 |
| 9663-23 | 37.08.220 | 9663B-60 | 86.04.590 | $9663 \mathrm{E}-58$ | 86.08.270 | $9663 \mathrm{E}-136$ | 86.08.450 | 9663E-212 | Constr. |
| 9663A-1 | 86.16.010 | 9663B-61 | 86.04.320 | $9663 \mathrm{E}-59$ | 86.08.280 | $9663 \mathrm{E}-137$ | 86.08.460 |  | n86.08.001 |
| 9663A-2 | 86.16.120 |  | 86.04.460 | 9663E-60 | 86.08.280 | 9663E-138 | 86.08.460 | 9663E-213 | Sev. |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 9663F-1 | n86.08.001 | 9692 | n53.12.160 | 9718-1 | Obsolete | 9775 | Val. | 9842 | 91.08.650 |
|  | R 1951 |  | 53.08.010 | 9718-2 | Obsolete |  | n91.04.010 | 9843 | 88.04.010 |
|  | c 240 § 1 |  | 53.08.020 | 9718-3 | Obsolete | 9776 | Constr. | 9844 | 88.04.040 |
| 9663F-2 part | but see |  | 53.08.030 | 9718-4 | Obsolete |  | Val . | 9845 | 88.04.050 |
|  | Ch. 86.26 |  | 53.08.040 | 9718-5 | Obsolete |  | n91.04.010 | 9846 | 88.04.060 |
|  | 43.21 .150 |  | 53.08.050 | 9718-5a | Obsolete | 9776-1 | 91.04.580 | 9847 | 88.04.110 |
|  | 43.21 .160 |  | 53.08.060 | 9718-6 | Obsolete | 9776-2 | 91.04.590 | 9848 | 88.04.120 |
|  | 86.28.020 |  | 53.08.070 | 9718-7 | Obsolete | 9776-3 | 91.04.600 | 9849 | 88.04.130 |
|  | R 1951 |  | 53.08.080 | 9718-8 | Obsolete | 9776-4 | 91.04.610 | 9850 | 88.04.090 |
| $\begin{gathered} 9663 F-3-7 \\ 9663 F-7 \end{gathered}$ | $\text { c } 240 \S 1$ |  | 53.08 .090 | 9718-8a | Obsolete | 9776-5 | 91.04.620 | 9851 | 88.04.100 |
|  |  |  | 53.36.020 | 9718-8b | Obsolete | 9776-6 | 91.04.630 | 9851-1 | 88.12 .010 |
|  | R 1951 |  | 53.36.030 | 9718-10 | 53.48 .100 | 9776-7 | 91.04.640 | 9851-2 | 88.12 .020 |
|  | c $240 \S 1$ | 9692-1 | 53.36.070 | 9718-11 | 53.48.110 | 9776-8 | 91.04.650 | 9851-3 | 88.12 .030 |
|  | but see | 9692-2 | 53.36.080 | 9719 | 53.32.010 | 9776-9 | 91.04.660 | 9851-4 | 88.12.040 |
|  | Ch. 86.26 | 9692-3 | 53.08 .100 | 9720 | 53.32.020 | 9776-10 | 91.04.670 | 9851-5 | 88.12 .050 |
| 9664 | 36.64.060 | 9692A | 53.08 .160 |  | 53.32.030 | 9777 | 91.08 .010 | 9851-6 | 88.12 .060 |
| 9665 | 36.64.060 | 9691A-1 | 53.44.060 |  | 53.32.040 | 9778 | 91.08.020 | 9852 | 88.04.140 |
| 9666 | 88.32.230 | 9692A-2 | 5 by | 9721 | 53.32.050 | 9779 | 91.08 .030 | 9853 | 88.04 .190 |
| 9667 | 88.32.230 | 9692A-3 | 53.44.010- | 9722 | Obsolete |  | 91.08.040 | 9854 | 88.04.220 |
| 9668 | Obsolete | 9692A-4 | 53.44 .040 | 9723 | 53.32.060 |  | 91.08 .050 | 9855 | 88.04.150 |
| 9669 | 88.32.010 | 9692A-5 | 53.44.050 | 9724 | 91.04.010 | 9780 | 91.08 .060 | 9856 | 88.04.080 |
| 9679 | 88.32.020 | 9692A-6 | 53.44.050 |  | 91.04.160 | 9781 | 91.08 .070 | 9857 | 88.04.180 |
| 9671 | 88.32 .040 | 9692A-7 | 53.44.050 | 9725 | 91.04.020 | 9782 | 91.08 .080 | 9858 | 88.04.230 |
|  | 88.32.050 | 9693 | 53.08.120 | 9725-a | 91.04.090 | 9783 | 91.08.090 | 9859 | 88.04.200 |
| 9672 | 88.32.060 |  | 53.08 .130 | 9725-b | 91.04.100 | 9784 | 91.08 .100 | 9860 | 88.04 .210 |
| 9673 | 88.32.070 |  | 53.12.250 | 9725-c | 91.04.110 | 9785 | 91.08.110 | 9861 | 88.04.160 |
| 9674 | 88.32.080 |  | 53.36.010 | 9725-d | 91.04.120 | 9786 | 91.08.120 | 9862 | 88.04.170 |
| 9675 | 88.32 .090 | 9694 | 53.20.010 | 9725-e | 91.04.130 | 9787 | 91.08.130 | 9863 | 88.04.240 |
| 9676 | 88.32 .100 | 9695 | 53.20.020 | 9725-f | 91.04.140 | 9788 | 91.08.140 | 9864 | 88.04.250 |
|  | 88.32.110 | 9696 | 53.20 .030 | 9725-g | 91.04.150 | 9789 | 91.08.150 | 9865 | 88.04.260 |
| 9677 | 88.32.130 | 9697 | 53.20.050 | 9726 | 91.04.030 | 9790 | 91.08.160 | 9866 | 88.04.270 |
| 9678 | 88.32.140 |  | 53.20.060 |  | 91.04.040 | 9791 | 91.08.170 | 9867 | 88.04.280 |
|  | $88.32 .150$ |  | 53.20 .070 |  | 91.04 .050 | 9792 | 91.08.180 |  | 88.04.290 |
| 9679 | 88.32.160 |  | 53.20 .080 | 9727 | 91.04.060 | 9793 | 91.08.190 | 9868 | 88.04.070 |
| 9680 | 88.32.120 | 9698 | 53.20 .040 | 9728 | 91.04.070 | 9794 | 91.08.200 | 9869 | 88.04.020 |
|  | 88.32.170 | 9699 | 53.36 .040 | 9729 | 91.04.060 | 9795 | 91.08.210 | 9870 | 88.04.030 |
| 9681 | 88.32.180 | 9699-1 | 53.36.060 |  | 91.04.080 | 9796 | 91.08.220 | 9871-1 | 88.16.010 |
| 9682 | 88.32 .190 | 9700 | 53.36.050 | 9731 | 91.04.170 | 9797 | 91.08.230 | 9871-2 | 88.16.020 |
| 9683 | 88.32.200 | 9701 | Superf. | 9732 | 91.04.200 | 9798 | 91.08.240 | 9871-3 | 88.16 .050 |
| 9684 | 88.32.210 | 9702 | 53.04.050 | 9733 | 79.16.380 | 9799 | 91.08.250 | 9871-4 | 88.16 .070 |
| 9685 | 88.32 .220 | 9703 | 53.12.030 |  | 79.16.390 | 9800 | 91.08.260 | 9871-5 | 88.16.080 |
| 9686 | 88.32.030 | 9704 | 53.08.150 | 9734 | 79.16.400 | 9801 | 91.08.270 | 9871-6 | 88.16.120 |
| 9687 | Obsolete | 9705 | 53.08.110 | 9735 | 91.04.210 | 9802 | 91.08.280 | 9871-7 | 88.16.110 |
| 9687-1 |  | 9706 | Val. |  | 91.04.220 | 9803 | 91.08.290 | 9871-8 | 88.16.090 |
| 9687-11 | Obsolete |  | n53.04.050 | 9736 | 91.04.160 | 9804 | 91.08.300 | 9871-9 | 88.16.030 |
| 9688 | 53.04.010 | 9707 | 53.04.080 | 9737 | 91.04.230 | 9805 | 91.08.310 | 9871-9a | Temporary |
| 9689 | 53.04.020 |  | 53.04.090 | 9738 | 91.04.240 | 9806 | 91.08.320 | 9871-10 | 88.16 .150 |
|  | 53.04 .030 | 9708 | 53.04.100 | 9739 | 91.04.250 | 9807 | 91.08.330 | 9871-11 | 88.16.130 |
|  | 53.04 .040 | 9708-1 | 53.16.010 | 9740 | 91.04.260 | 9808 | 91.08.340 | 9871-12 | 88.16.060 |
| 9689-1 | 53.04.110 | 9708-2 | 53.16.010 | 9741 | 91.04.270 | 9809 | 91.08.350 | 9871-13 | 88.16.100 |
| 9690 | 53.04 .060 | 9708-3 | 53.16.020 | 9742 | 91.04.290 | 9810 | 91.08.360 | 9871-14 | 88.16.040 |
|  | 53.04.070 | 9708-4 | 53.16.030 | 9743 | 91.04.300 | 9811 | 91.08.370 | 9871-15 | 88.16.140 |
|  | 53.12 .010 | 9709 | Obsolete | 9744 | 91.04.310 | 9812 | 91.08.380 | 9871-16 | Sev. |
|  | 53.12 .020 | 9709-1 | 53.24 .010 | 9745 | 91.04 .320 | 9813 | 91.08 .390 |  | Short t. |
|  | 53.12 .040 | 9709-2 | 53.24 .020 | 9746 | 91.04.370 | 9814 | 91.08.400 |  | n88.16.010 |
|  | 53.12 .050 | 9709-3 | 53.24 .030 | 9747 | 91.04.330 | 9815 | 91.08 .410 | 9891 | 88.20.010 |
|  | 53.12 .060 | 9709-4 | 53.24 .040 | 9748 | 91.04 .340 | 9816 | 91.08 .420 | 9892 | 88.20.020 |
|  | 53.12 .120 | 9709-5 | 53.24 .060 | 9749 | 91.04.350 | 9817 | 91.08 .430 | 9893 | 88.20 .030 |
|  | 53.12 .130 | 9709-6 | 53.24 .070 | 9750 | 91.04.360 | 9818 | 91.08.440 | 9894 | 88.20 .040 |
|  | 53.12 .140 | 9709-7 | 53.24.080 | 9751 | 91.04.380 | 9819 | 91.08.450 | 9895 | 88.20.050 |
|  | 53.12 .150 | 9709-8 | 53.24 .050 | 9752 | 91.04.390 | 9820 | 91.08.460 | 9896 | 88.20.060 |
| 9691 | 53.12 .060 | 9709-9 | 53.28 .010 | 9753 | 91.04.410 | 9821 | 91.08 .470 | 9897 | 88.28.050 |
|  | 53.12 .070 | 9709-10 | 53.28.020 | 9754 | 91.04.420 | 9822 | 91.08.480 | 9898 | 88.28.060 |
|  | 53.12.080 | 9709-11 | 53.28 .030 | 9755 | 91.04.400 | 9823 | 91.08.470 | 9899 | 42.28 .010 |
|  | 53.12 .090 | 9709-12 | 53.28.040 | 9756 | 91.04.440 | 9824 | 91.08.490 | 9900 | 42.28.020 |
|  | 53.12 .100 | 9709-13 | 53.28 .050 | 9757 | 91.04.450 | 9825 | 91.08.500 | 9901 | 42.28 .030 |
|  | 53.12 .110 |  | 53.28.060 | 9758 | 91.04.460 | 9826 | 91.08.510 | 9902 | 42.28 .040 |
| 9691-1 | 53.12 .210 | 9709-14 | 53.28 .070 | 9759 | 91.04 .470 | 9827 | 91.08 .520 | 9903 | 42.28 .050 |
| 9691-2 | 53.12 .220 | 9710 | 53.08.140 | 9760 | 91.04.160 | 9828 | 91.08.530 | 9904 | 42.28 .060 |
|  | 53.12 .230 | 9711-1 | 53.40.010 | 9761 | 91.04.480 | 9829 | 91.08.540 | 9905 | 42.28 .070 |
|  | 53.12 .240 | 9711-2 | 53.40.020 | 9762 | 91.04 .490 | 9830 | 91.08 .550 | 9906 | 42.28 .080 |
| 9691-4 | Val. |  | 53.40.030 | 9763 | 91.04.480 | 9831 | 91.08.560 | 9907 | 42.28 .090 |
|  | n53.12.210 | 9711-3 | 53.40.050 | 9764 | 91.04.500 | 9832 | 91.08.570 | 9908 | 42.28 .100 |
| 9691 A-1 | 53.12.160 | 9711-4 | 53.40 .040 | 9765 | 91.04.510 | 9833 | 91.08.570 | 9909 | 42.28.110 |
| 9691A-2 |  | 9711-5 | 53.40.060 | 9766 | 91.04.520 | 9834 | 91.08.580 | 9910 | 42.28.120 |
| $9691 \mathrm{~A}-7$ |  | 9711-5a | 53.40.070 | 9767 | 91.04.530 | 9835 | 91.08 .590 | 9911 | 42.28.130 |
|  | $\text { c } 68 \S 4$ |  | 53.40 .080 | 9768 | 91.04.540 | 9836 | 91.08.600 | 9912 | 7.48.130 |
|  | but see | 9711-6 | 53.40 .090 | 9769 | 91.04.280 | 9837 | 91.08 .610 | 9913 | 7.48 .140 |
|  | 53.12 .172 |  | 53.40.100 | 9770 | 91.04.180 | 9838 | 91.08.620 | 9914 | 7.48.120 |
| $9691 \mathrm{~A}-8$ | 53.12 .180 |  | 53.40 .120 | 9771 | 91.04.430 | 9839 | 91.08.630 | 9915 | 7.48.150 |
| 9691A-9 | 53.12 .200 | 9711-7 | 53.40 .130 | 9772 | 91.04 .550 | 9840 | Constr. | 9916 | 7.48 .160 |
| 9691 A-10 | 53.12 .190 | 9711-8 | 53.40 .110 | 9773 | 91.04.190 |  | n91.08.010 | 9917 | 7.48 .170 |
| 9691 A-11 | Constr. | 9711-9 | 53.40.140 | 9774 | 91.04.560 | 9841 | 91.08.640 | 9918 | 7.48 .180 |

Parallel Tables: Rem. Rev. Stat. — - RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 9919 | 7.48.190 | 9975-16 | 25.08.160 | 9992-106 | 74.12.130 | 9998-47 |  | 9998-201 | 50.16 .040 |
| 9920 | 7.48.200 | 9975-17 | 25.08.170 | 9992-107a | 74.12 .210 |  | Ch. 74.08 | 9998-202 | 50.16 .050 |
| 9921 | 7.48.210 | 9975-18 | 25.08.180 | 9992-107b | 74.12 .220 | 9998-49 | 74.08 .210 | 9998-205 | 50.16.060 |
| 9922 | 7.48.220 | 9975-19 | 25.08.190 | 9992-107 | S-_see | 9998-50 | 74.08.220 | 9998-206 | 50.20.010 |
| 9923 | 7.48.230 | 9975-20 | 25.08.200 |  | Title 74 | 9998-51 | Approp. | 9998-207 | 50.20.020 |
| 9924 | 7.48.240 | 9975-21 | 25.08.210 | 9992-109 | 74.12 .040 | 9998-52 | 74.08 .230 | 9998-208 | 50.20 .030 |
| 9925 | 7.48.250 | 9975-22 | 25.08.220 | 9992-110 | 74.12 .070 | 9998-53 | 74.08.240 | 9998-209 | 50.20.040 |
| 9926 | 7.48.260 | 9975-23 | 25.08.230 | 9992-111 | 74.12 .090 | 9998-54 | Sev. | 9998-210 | R 1949 |
| 9927 | 7.48.270 | 9975-24 | 25.08.240 | 9992-112 | 74.12.080 | 9998-55 | Repealer |  | c $214 \S 11$ |
| 9928 | 7.48.280 | 9975-25 | 25.08.250 |  | 74.12.100 | 9998-56 | Em. | 9998-211 | 50.20.050 |
| 9929 | 42.04.020 | 9975-26 | 25.08.260 | 9992-113 | 74.12.110 | 9998-56a | Obsolete | 9998-212 | 50.20.060 |
| 9930 | 42.08.060 | 9975-27 | 25.08.270 | 9992-114 | 14.12.230 | 9998-57 | 74.40 .010 | 9998-213 | 50.20.070 |
| 9931 | 42.08.070 | 9975-28 | 25.08.280 | 9992-115 | 74.12.120 | 9998-58 | 74.40.020 | 9998-214 | 50.20.080 |
| 9932 | 42.08.080 | 9975-29 | 25.08.290 | 9992-116 | Repealer | 9998-59 | 74.40 .030 | 9998-215 | 50.20.090 |
| 9933 | 42.08.090 | 9975-30 | 25.08.300 | 9992-117 | Sev. | 9998-60 | 74.40.040 | 9998-216 | 50.20 .100 |
| 9934 | 36.16.050 | 9975-40 | 25.04.010 | 9992-118 | Eff. date | 9998-61 | 74.40.050 | 9998-217 | 50.20.110 |
|  | 36.16.060 | 9975-41 | 25.04.020 | 9998-1 |  | 9998-117 | Sev. | 9998-218 | 50.20.120 |
|  | 42.08.100 | 9975-42 | 25.04.030 | 9998-1 a |  |  | n74.12.010 | 9998-219 | 50.20 .130 |
| 9935 | 42.08.110 | 9975-43 | 25.04.040 | 9998-2- | S—_see | 9998-130 |  | 9998-220 | 50.20.140 |
| 9936 | 42.08.120 | 9975-44 | 25.04.050 | 9998-7 | Ch. 74.08 | 9998-136 R | 1945 c 35 | 9998-221 | 50.20.150 |
| 9937 | 42.08.130 | 9975-45 | 25.04.060 | 9998-7a |  | 9998-140 | Short t. | 9998-222 | 50.20.160 |
| 9938 | 42.08.140 | 9975-46 | 25.04.070 | 9998-7b | Sev. |  | n50.04.020 | 9998-223 | 50.20 .170 |
| 9939 | 42.08.150 | 9975-47 | 25.04.080 | 9998-81 |  | 9998-141 | 50.01.010 | 9998-224 | 50.20 .180 |
| 9940 | 42.08.160 | 9975-48 | 25.04.090 |  | S_-see | 9998-142 | 50.04.020 | 9998-225 | 50.20.190 |
| 9941 | 42.08.170 | 9975-49 | 25.04.100 | 9998-9 | Ch. 74.08 | 9998-143 | 50.04.030 | 9998-226 | 50.20.200 |
| 9942 | 19.72.010 | 9975-50 | 25.04.110 | 9998-10 | 74.08.280 | 9998-144 | 50.04.040 | 9998-227 | 50.24.010 |
| 9943 | 19.72.110 | 9975-51 | 25.04.120 | 9998-11 | S- | 9998-145 | 50.04.050 | 9998-228 | 50.24 .020 |
|  | 19.72.120 | 9975-52 | 25.04.130 |  | Ch. 74.08 | 9998-146 | 50.04.060 | 9998-229 | 50.24.030 |
| 9944 | 19.72.130 | 9975-53 | 25.04.140 | 9998-12 | 74.08.290 | 9998-147 | 50.04.070 | 9998-230 | 50.24.040 |
| 9945 | R 1937 | 9975-54 | 25.04.150 | 9998-13 | 74.08.300 | 9998-148 | 50.04.080 | 9998-231 | 50.24.050 |
|  | c 145 § 4 | 9975-55 | 25.04.160 | 9998-14 | 74.08.310 | 9998-149 | 50.04.090 | 9998-232 | 50.24 .060 |
| 9947 | 42.24.050 | 9975-56 | 25.04.170 | 9998-15 | 74.08.320 | 9998-150 | 50.04.100 | 9998-233 | 50.24.070 |
| 9948 | 42.24.060 | 9975-57 | 25.04.180 | 9998-16\| | S--see | 9998-151 | 50.04.110 | 9998-234 | 50.24.080 |
| 9948-1 | 43.03.110 | 9975-58 | 25.04.190 | 9988 | Ch. 74.08 | 9998-152 | 50.04.130 | 9998-235 | 50.24 .090 |
| 9949 | 42.12 .020 | 9975-59 | 25.04.200 | 9998-17) |  | 9998-153 | 50.04.120 | 9998-236 | 50.24 .100 |
| 9950 | 42.12 .010 | 9975-60 | 25.04.210 | 9998-20 | 74.08.330 | 9998-154 | 50.04.140 | 9998-237 | 50.24 .110 |
| 9951 | 42.12.030 | 9975-61 | 25.04.220 | 9998-21 | 74.08.340 | 9998-155 | 50.04.150 | 9998-238 | 50.24.120 |
| 9952 | 43.09.200 | 9975-62 | 25.04.230 | 9998-22 | 74.08.350 | 9998-156 | 50.04.160 | 9998-239 | 50.24.130 |
| 9953 | 43.09.210 | 9975-63 | 25.04.240 | 9998-23 | 74.08.360 | 9998-157 | 50.04.170 | 9998-240 | 50.24.140 |
| 9954 | 43.09.220 | 9975-64 | 25.04.250 | 9998-24 | 74.08.370 | 9998-158 | 50.04.180 | 9998-241 | 50.24 .150 |
| 9955 | 43.09.230 | 9975-65 | 25.04.260 | 9998-25 | 74.08.370 | 9998-159 | 50.04.190 | 9998-242 | 50.24.160 |
| 9956 | 43.09.240 | 9975-66 | 25.04.270 | 9998-26 | 74.08.380 | 9998-160 | 50.04.200 | 9998-243 | 50.24.170 |
| 9957 | 43.09.250 | 9975-67 | 25.04.280 | 9998-27 | Constr. | 9998-161 | 50.04.210 | 9998-244 | 50.24.180 |
| 9958 | 43.09.260 | 9975-68 | 25.04.290 | 9998-28 | Approp. | 9998-162 | 50.04.220 | 9998-245 | 50.24.190 |
| 9959 | 42.24.040 | 9975-69 | 25.04.300 | 9998-29 | Repealer | 9998-162a | 50.04.230 |  | 50.24 .200 |
| 9960 | 43.09.270 | 9975-70 | 25.04.310 | 9998-31 | Obsolete | 9998-163 | 50.04.240 | 9998-246 | R 1949 |
| 9961 | 43.09.280 | 9975-71 | 25.04.320 | 9998-32 | ${ }_{\text {Sev. }}$ | 9998-164 | 50.04.250 |  | c $235 \S 1$ |
| 9962 | 36.22.140 | 9975-72 | 25.04.330 |  | n74.08.280 | 9998-165 | 50.04.260 | 9998-246a | 50.28 .010 |
| 9963 | 1.16.030 | 9975-73 | 25.04.340 | 9998-33 | Eff. date | 9998-166 | 50.04.270 |  | 50.28.020 |
| 9963-1 | 36.16.100 | 9975-74 | 25.04.350 | 9998-33b | Preamble | 9998-167 | 50.04.280 | 9998-246a(g) | 50.28.030 |
|  | 42.04.060 | 9975-75 | 25.04.360 | 9998-33c | 74.08.010 | 9998-168 | 50.04.290 | 9998-246b | 50.28.040 |
| 9963-5 | 41.04.010 | 9975-76 | 25.04.370 | 9998-33d | 74.08 .030 | 9998-169 | 50.04.300 | 9998-246c | 50.28.050 |
| 9963-10 | 41.04.020 | 9975-77 | 25.04.380 | 9998-33e | 74.08.040 | 9998-170 | 50.04.310 |  | 50.28.060 |
| 9963-11 | 41.04.030 | 9975-78 | 25.04 .390 | 9998-33f | 74.08 .050 | 9998-171 | 50.04 .320 | 9998-247 | R 1949 |
| 9964 | R 1951 | 9975-79 | 25.04.400 | 9998-33g | 74.08.060 | 9998-172 | 50.04.330 |  | c 235 § 1 |
|  | c $94 \S 1$ | 9975-80 | 25.04 .410 | 9998-33h | 74.08 .070 | 9998-173 | 50.04.340 | 9998-248- | c 2351 |
| 9965 | 81.88 .020 | 9975-81 | 25.04.420 | 9998-33i | 74.08 .080 | 9998-174 | 50.04.350 | 9998-253 | R 1949 |
| 9965-1 | 81.88 .030 | 9975-82 | 25.04.430 | 9998-33j | 74.08 .090 | 9998-175 | 50.04.360 |  | c 214 § 22 |
| 9966 | 25.12.010 | 9976 | 19.80.010 | 9998-33k | 74.08 .100 | 9998-176 | 50.08.010 | 9998-255 | 50.32.010 |
| 9967 | 25.12.020 | 9977 | Obsolete | 9998-331 | 74.08.110 | 9998-177 | 50.08.020 | 9998-256 | 50.32.020 |
| 9968 | 25.12.030 | 9978 | 19.80.030 | 9998-33m | 74.08.120 | 9998-178 | 50.12 .010 | 9998-257 | 50.32.030 |
| 9969 | 25.12 .040 | 9979 | 19.80 .020 | 9998-33n | 74.08 .130 | -9998-179 | 50.12 .020 | 9998-258 | 50.32.040 |
| 9970 | 25.12.050 | 9980 | 19.80 .040 | 9998-330 | 74.08.140 | 9998-180 | 50.12 .030 | 9998-259 | 50.32.050 |
| 9971 | 25.12.060 |  | 19.80.050 |  | 74.08 .150 | 9998-181 | 50.12.040 | 9998-260 | 50.32.060 |
| 9972 | 25.12.070 | 9986 | 36.39 .020 |  | 74.08.160 | 9998-182 | 50.12 .050 | 9998-261 | 50.32.070 |
| 9973 | 25.12.080 | 9991a | 18.53.160 |  | 74.08 .170 | 9998-183 | 50.12.060 | 9998-262 | 50.32.080 |
| 9974 | 25.12.090 | 9992 | 9.91 .040 |  | 74.08.180 | 9998-184 | 50.12 .070 | 9998-263 | 50.32.090 |
| 9975 | 25.12.100 | 9992-1- |  |  | 74.08 .190 | 9998-185 | 50.12.080 | 9998-264 | 50.32.100 |
| 9975-1 | 25.08.010 | 9992-15 | Obsolete |  | 74.08.200 | 9998-186 | 50.12.090 | 9998-265 | 50.32.110 |
| 9975-2 | 25.08.020 | 9992-15a | Obsolete | 9998-33p | 74.08.250 | 9998-187 | 50.12 .100 | 9998-266 | 50.32.120 |
| 9975-3 | 25.08.030 | 9992-15b | Obsolete | 9998-33q | 74.08.260 | 9998-188 | 50.12 .110 | 9998-267 | 50.32.130 |
| 9975-4 | 25.08.040 | 9992-15c | Obsolete | 9998-33r | Codification | 9998-189 | 50.12 .120 | 9998-268 | 50.32.140 |
| 9975-5 | 25.08.050 | 9992-16 |  | 9998-33s | 74.08.270 | 9998-190 | 50.12.130 | 9998-269 | 50.32.150 |
| 9975-6 | 25.08.060 | 9992-40 | Obsolete | 9998-34 | Short t. | 9998-191 | 50.12.140 | 9998-270 | 50.32.160 |
| 9975-7 | 25.08.070 | 9992-40 1/2 | Obsolete | 9998-35 | Preamble | 9998-192 | 50.12 .150 | 9998-271 | 50.32.170 |
| 9975-8 | 25.08.080 | 9992-41- |  | 9998-36 | S $\longrightarrow$ see | 9998-193 | 50.12.160 | 9998-272 | 50.32.180 |
| 9975-9 | 25.08.090 | 9992-55 | S- see |  | Ch. 74.08 | 9998-194 | 50.12.170 | 9998-273 | 50.32.190 |
| 9975-10 | 25.08.100 |  | Ch. 74.08 | 9998-37) |  | 9998-195 | 50.12 .180 | 9998-274 | R 1949 |
| 9975-11 | 25.08 .110 | 9992-101 | 74.12 .010 | 9998-38 | R 1949 c 6 | 9998-196 | 50.12 .190 |  | c $235 \S 6$ |
| 9975-12 | 25.08.120 | 9992-102 | 74.12 .020 | 9998-39 |  | 9998-197 | 50.12.200 | 9998-319 | 50.36.010 |
| 9975-13 | 25.08.130 | 9992-103 | 74.12 .050 | 9998-44 | S-_see | 9998-198 | 50.16.010 | 9998-320 | 50.36.020 |
| 9975-14 | 25.08.140 | 9992-104 | 74.12 .030 |  | ${ }_{\text {R Ch. }} 74.08$ | 9998-199 | 50.16.020 | 9998-321 | 50.40.010 |
| 9975-15 | 25.08.150 | 9992-105 | 74.12.020 | 9998-45 | R 1949 c 6 | 9998-200 | 50.16.030 | 9998-322 | 50.40.020 |

[Parallel Tables - -p 46]

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 50.40.030 |  | 74.08.110 | 10030-38 | Sev. |  | 18.57 .070 | 10115 | Obsolete |
| 9999 | S0.40.030 | 10007-125a | 74.04.280 |  | n18.29.010 |  | 18.57 .090 | 10116 | 18.36.110 |
| 10007 | $S-$ see | 10007-126a | 74.04.290 | 10031-1 | 18.32.010 | 10057 | 18.57 .080 | 10117 | 18.36.130 |
|  | Ch. 74.16 | 10007-127a | 74.04.300 | 10031-2 | 43.68.010 |  | 18.57 .090 | 10118 | 18.36.030 |
| 10007-1 | 74.16.170 | 10007-128a | 74.04.310 | 10031-3 | 43.68.020 | 10058 | 18.57.050 | 10119 | 18.36.150 |
| 10007-2 | 74.16.180 | 10007-1 29a | 74.04.320 | 10031-4 | 18.32.090 |  | 18.57.120 | 10120 | 18.36.030 |
| 10007-2a | 74.16.190 | 10007-130a | R 1951 |  | 18.32.100 | 10059 | Obsolete |  | 18.36.140 |
| 10007-3 | S by |  | c 1181 |  | 18.32.110 | 10060 | 18.57.100 | 10121 | 18.36.050 |
| 10007-3 | 74.16.190 | 10007-131a | R 1951 |  | 18.32.120 | 10061 | 18.57.110 |  | 18.36.070 |
| 10007-4 | 74.16.010 |  | c 1181 | 10031-5 | 18.32.040 | 10062 | 18.57.180 |  | 18.36.090 |
| 10007-5 | 74.16.020 | 10007-132a | R 1951 |  | 18.32.130 |  | 18.57.190 | 10122 | 18.36.020 |
| 10007-6 | 74.16.030 |  | c 11 § 1 |  | 18.32.140 |  | 18.57.200 | 10123 | 18.36.010 |
| 10007-7 | 74.16.040 | 10007-133a | R 1951 |  | 18.32.150 |  | 18.57.210 | 10124 | 18.36.120 |
| 10007-8 | 74.16.050 |  | c 11 § 1 | 10031-6 | 18.32.020 |  | 18.57.220 | 10125 | 18.36.250 |
| 10007-9 | 74.16.060 | 10007-134A | R 1951 |  | 18.32.030 |  | 18.57.230 | 10125-1 | 18.36.170 |
| 10007-10 | 74.16.070 |  | c 11 §1 | 10031-6a | 18.32.020 |  | 18.57 .240 |  | 18.36.180 |
| 10007-11 | $S$ by | 10007-135a | Repealer | 10031-7 | 18.32.190 | 10063 | 18.57.170 |  | 18.36.190 |
|  | 74.08.250 | 10007-136a | Constr. | 10031-8 | 18.32.230 | 10064 | 18.57.240 | 10125-2 | 18.36.200 |
|  | 74.16.280 |  | n74.04.010 | 10031-9 | 18.32.240 | 10065 | Obsolete | 10125-3 | 18.36.210 |
| 10007-12 | 74.16.090 | 10007-137a | Sev. |  | 18.32.250 | 10066 | 18.57.030 | 10125-4 | 18.36.220 |
| 10007-13 | 74.16.100 |  | n74.04.010 |  | 18.32.260 | 10067 | 18.57.160 | 10125-5 | 18.36.230 |
| 10007-14 | 74.16.110 | 10007-138 | 74.04.330 |  | 18.32.270 | 10068 | Obsolete | 10125-6 | 18.36.240 |
| 10007-14a | R 1951 | 10007-138a | R 1949 |  | 18.32.280 | 10069 | 18.57.010 | 10125-7 | Constr. |
|  | $1 s t$ ex.s. |  | c $6 \S 20$ | 10031-10 | 18.32.200 |  | 18.57.040 |  | n18.36.170 |
|  | c $5 \S 2$ | 10007-138b | S by | 10031-11 | 18.32.050 |  | 18.57 .130 | 10126 | 18.64 .020 |
| 10007-15 | 74.16.130 |  | 74.08.070 |  | 18.32.060 | 10070 | 18.57.150 |  | 18.67.010 |
| 10007-16 | 74.16.140 | 10007-201 | 74.36.010 |  | 18.32.170 | 10071 | 18.57.040 | 10126-1 | 18.64 .070 |
| 10007-17 | 74.16.150 | 10007-202 | 74.36.020 | 10031-12 | 18.32.300 | 10072 | 18.57.140 | 10126-2 | 18.64 .060 |
| 10007-18 | 74.16.160 | 10007-203 | 74.36.030 | 10031-13 | 18.32.210 | 10073 | Superf. | 10126-3 | 18.64 .010 |
| 10007-19 | Sev. | 10007-204 | 74.36 .040 | 10031-14 | 18.32.220 | 10074 | 18.22.010 |  | 18.64.080 |
|  | n74.16.010 | 10007-205 | 74.36.050 | 10031-15 | 18.32.220 | 10075 | 18.22.020 |  | 18.64 .090 |
| 10007-20 | Repealer | 10007-206 | 74.36.060 | 10031-16 | 18.32.390 |  | 18.22.090 | 10126-4 | 18.64 .070 |
| 10007-21 | Eff. date | 10007-207 | 74.36.070 | 10031-17 | 18.32.160 |  | 18.22.110 | 10126-5 | 18.64 .090 |
| 10007-21a | Purpose | 10007-208 | 74.36.080 | 10031-18 | 18.32.350 | 10076 | Obsolete |  | 18.64.130 |
|  | n74.16.200 | 10007-209 | 74.36.090 |  | 18.32.360 | 10077 | 18.22.050 | 10126-6 | Obsolete |
| 10007-21b | Constr. | 10007-210 | 74.36.100 | 10031-19 | 18.32.310 |  | 18.22.070 | 10126-7 | 18.64.100 |
|  | n74.16.200 | 10007-211 | 74.36.110 | 10031-20 | 18.32.290 | 10077-1 | Obsolete | 10126-8 | $S$ by |
| 10007-21c | 74.16.200 | 10007-212 | 74.36.120 | 10031-21 | 18.32.070 | 10078 | 18.22.130 |  | 18.64 .040 |
| 10007-21d | 74.16.210 | 10007-213 | 74.36.130 | 10031-22 | 18.32.080 | 10079 | 18.22.040 | 10126-9 | 18.64.110 |
| 10007-21e | 74.16.220 | 10007-214 | 74.36.140 |  | 18.32.370 | 10080 | 18.22.060 | 10126-10 | Obsolete |
| 10007-21f | 74.16.230 | 10007-215 | 74.36.150 | 10031-23 | 18.32.380 | 10081 | 18.22.070 | 10126-11 | Superf. |
| 10007-21g | 74.16.240 | 10008 | 18.71.010 | 10031-24 | 18.32.180 | 10082 | 18.22.060 | 10126-12 | Sev. |
| 10007-21h | 74.16.250 |  | 18.71.050 | 10031-25 | 18.32.030 |  | 18.22.120 |  | n18.64.010 |
| 10007-21i | 74.16.260 | 10009 | 18.71.070 | 10031-26 | 18.32.320 | 10083 | 18.22.210 | 10131 | 18.64.120 |
|  | 74.16.270 | 10010-1 | 18.71.040 | 10031-27 | 18.32.330 | 10084 | 18.22.090 | 10132 | 43.69 .010 |
| 10007-21j | 74.16.280 |  | 18.71 .080 | 10031-28 | 18.32.340 | 10085 | 18.22.100 | 10132-1 | 43.69 .020 |
| 10007-21k | 74.16.290 | 10011 | 18.71.060 | 10031-29 | Sev. | 10086 | 18.22.140 | 10132-2 | 43.69 .030 |
| 10007-101a | 74.04.010 | 10014 | 18.71.120 |  | n18.32.010 |  | 18.22.150 | 10133 | Obsolete |
| 10007-102a | 74.04 .020 |  | 18.71.130 | 10031-30 | Repealer | 10087 | 18.22.160 | 10134 | Obsolete |
| 10007-103a | 74.04.030 |  | 18.71.140 | 10040-1 | 18.92.010 |  | 18.22.180 | 10135 | 18.64.040 |
| 10007-104a | 74.04 .070 |  | 18.71.150 | 10040-2 | 18.92.050 | 10088 | 18.22.170 | 10136 | 18.64.140 |
|  | 74.04.080 |  | 18.71.160 | 10040-3 | 18.92.020 | 10089 | 18.22.200 |  | 18.64.150 |
| 10007-105a | 74.04 .040 |  | 18.71.170 | 10040-4 | 18.92.030 | 10090 | 18.22.190 | 10137 | Obsolete |
| 10007-106a | 74.04 .050 |  | 18.71.180 | 10040-5 | 18.92.040 | 10091 | 18.22.030 | 10138 | 18.64.010 |
| 10007-106b | 74.04.060 | 10015 | 18.71.110 | 10040-6 | 18.92.050 | 10092 | Sev. |  | 18.64.030 |
| 10007-107a | 74.04 .090 | 10016 | 18.71.180 |  | 18.92.070 |  | n18.22.010 |  | 18.64.250 |
| 10007-108a | 74.04.100 | 10017 | $S$ by |  | 18.92.080 | 10093 | Obsolete |  | 18.67 .030 |
|  | 74.04.110 |  | 43.24.120 | 10040-7 | 18.92.100 | 10094 | 18.22.220 |  | 18.67.040 |
|  | 74.04.120 | 10018 | 18.71.020 | 10040-8 | 18.92.110 | 10095 | 18.22.150 |  | 18.67.130 |
| 10007-109a | 74.04.130 | 10019 | Obsolete | 10040-9 | 18.92.030 | 10096 | 18.22.120 | 10139 | 18.67.100 |
| 10007-110a | 74.04.150 | 10020 | Obsolete | 10040-10 | 18.92.090 | 10097 | 18.22.080 |  | 18.67.120 |
|  | 74.04.160 | 10021 | Obsolete | 10040-11 | 18.92.120 | 10098 | Obsolete | 10140 | 18.67 .050 |
| 10007-110b | Temporary | 10022 | 18.71.100 | 10040-12 | 18.92.130 | 10099 | 18.25.010 |  | 18.67 .060 |
| 10007-111 | 74.04.140 | 10023 | 18.71 .090 | 10040-13 | 18.92.160 | 10100 | 18.25.020 |  | 18.67 .070 |
| 10007-111a | 74.04.170 | 10024 | 18.71 .030 |  | 18.92.170 | 10101 | 18.25.030 | 10141 | 18.60.010 |
| 10007-112a | 74.04.180 | 10025 | Superf. | 10040-14 | 18.92.180 | 10102 | Obsolete |  | 18.60.020 |
| 10007-113a | 74.04.190 | 10026 | 68.08.060 |  | 18.92.190 | 10103 | 18.25.050 |  | 18.60.030 |
| 10007-114a | 74.04.200 | 10027 | 68.08.070 |  | 18.92.200 | 10104 | 18.25.060 | 10142 | 18.64.260 |
| 10007-115a | 74.04.210 | 10028 | 68.08.080 | 10040-15 | 18.92.210 | 10105 | 18.25.070 | 10143 | 18.64.160 |
| 10007-116a | 74.04.220 | 10029 | 68.08.090 | 10040-16 | 18.92.140 | 10106 | Obsolete |  | 18.64.170 |
| 10007-117a | R 1949 | 10030-26 | 18.29.010 | 10040-17 | 18.92.140 | 10107 | 18.25.080 |  | 18.64.180 |
|  | c 6 § 20 | 10030-27 | 18.29.050 | 10040-18 | 18.92.150 | 10108 | 18.25.040 |  | 18.64.190 |
| 10007-117b | S by | 10030-28 | 18.29.020 | 10040-19 | 18.92.090 | 10109 | 18.25 .090 | 10144 | 18.64.200 |
|  | 74.08.070 | 10030-29 | 18.29.030 |  | 18.92.140 | 10110 | 18.25.100 |  | 18.64.210 |
| 10007-117d |  | 10030-30 | Obsolete | 10040-20 | 18.92.060 | 10111 | Repealer |  | 18.64.220 |
| 10007-117f | 74.08.080 | 10030-31 | 18.29.060 | 10040-21 | 18.92.010 | 10112 | Obsolete |  | 18.64.230 |
|  | R 1949 | 10030-32 | 18.29.070 | 10040-22 | 18.92.220 | 10113 | 18.36.040 |  | 18.64.240 |
|  | c $6 § 20$ | 10030-33 | 18.29.040 | 10040-23 | 18.92.230 |  | 18.36.050 | 10145 | 18.67.020 |
| 10007-118a | 74.04.240 | 10030-34 | 18.29.080 | 10040-24 | 18.92.240 |  | 18.36.080 | 10145-1 | 18.64.050 |
| 10007-119a | 74.04.250 | 10030-35 | 18.29.090 | 10040-25 | Sev. |  | 18.36.090 | 10145-2 | 18.64.050 |
| 10007-120a | 74.04.260 | 10030-36 | 18.29.100 |  | n18.92.010 |  | 18.36.160 | 10145-3 | Sev. |
| 10007-121a | 74.04.270 | 10030-37 | Constr. | 10056 | 18.57 .020 | 10114 | 18.36.060 | 10145-4 | 18.67.140 |
| 10007-124a | $S$ by |  | n18.29.010 |  | 18.57.060 |  | 18.36.100 | 10146 | 18.64.250 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 10146-1 | 18.81.010 | 10173-29 | 18.78.030 | 10221 | Obsolete | 10251 | 9.96.020 | 10322-20 | 39.12.020 |
| 10146-2 | 18.81.020 | 10173-30 | 18.78.040 | 10222 | 72.08.100 | 10252 | 9.96.030 | 10322-21 | 39.12 .030 |
| 10146-3 | 18.81 .030 | 10173-31 | 18.78.050 |  | 72.08.110 | 10253 | 5.44.090 | 10322-22 | 39.12 .010 |
| 10146-4 | 18.81.040 | 10173-32 | 18.78.060 | 10223-1 | $S$ by | 10254 | S-Lsee | 10322-23 | 39.12 .040 |
| 10146-5 | 18.81 .020 | 10173-33 | 18.78.070 |  | 9.95.090 |  | Ch. 9.95 | 10322-24 | 39.12 .050 |
| 10146-6 | 18.81 .060 | 10173-34 | Obsolete |  | 72.08.220 | 10255 |  | 10322-25 | 39.12 .060 |
| 10146-7 | 18.81 .080 | 10173-35 | 18.78.080 | 10223-2 | 72.08.120 | 10257-10266 | Obsolete | 10322-30 | 42.24.030 |
| 10146-8 | 18.81.050 | 10173-36 | 18.78.090 | 10223-3 | 72.08.250 | 10268-10279 | Obsolete | 10322-40 | 39.32.070 |
| 10146-9 | 18.81.070 | 10173-37 | 18.78.100 | 10223-4 | Approp. | 10279-1 | 72.08.220 | 10322-45 | 39.28.040 |
| 10146-10 | 18.81.070 | 10173-38 | 18.78.110 | 10223-5 | 72.08.260 | 10279-2 | 72.08.230 | 10322-50 | 39.32.070 |
| 10146-11 | Sev. | 10173-39 | 18.78.120 | 10225 | 72.08.130 | 10279-3 | 72.08.240 | 10322-51 | 39.32.080 |
|  | n18.81.010 | 10173-40 | 18.78.130 | 10226 | 72.08.140 | 10279-4 | Temporary | 10322-60 | 39.32.010 |
| 10147 | 18.53 .010 | 10173-41 | 18.78.140 | 10227 | 72.08.150 | 10279-5 | Temporary | 10322-61 | 39.32.020 |
| 10148 | 18.53.020 | 10173-42 | 18.78.150 | 10228 | 72.08.160 | 10279-6 | Temporary | 10322-62 | 39.32.030 |
| 10149 | Obsolete | 10173-43 | 18.78.160 | 10230 | 72.08.030 | 10279-7 | ${ }_{\text {Efr }} \mathrm{Sev}$. | 10322-63 | 39.32.030 |
| 10150 | 18.53.060 | 10173-44 | 18.78 .170 | 10231 | 72.08 .170 | 10279-8 | Eff. date | 10322-64 | 39.32.040 |
|  | 18.53.080 | 10174 | 18.50.020 | 10234 | 72.08 .180 | 10280-1 | 72.12 .010 | 10322-65 | 39.32.050 |
| 10151 | 18.53.090 | 10175 | 18.50.040 | 10235 | 72.08.190 | 10280-2 | 72.12 .020 | 10322-66 | 39.32.060 |
| 10152 | 18.53.140 | 10176 | 18.50.050 | 10236 | 72.08.200 | 10280-3 | 72.12 .030 | 10322A-1- |  |
| 10153 | 18.53.030 | 10177 | 18.50.060 | 10236-1 | 72.08.210 | 10280-4 | 72.12 .040 | 10322A-7 | Temporary |
| 10154 | 18.53.070 | 10178 | 18.50.070 | 10240 | R 1929 c 59 | 10280-5 | 72.12 .050 | 10322A-8 | 39.28.010 |
| 10155 | Obsolete | 10179 | 18.50.080 | 10242-1 | 72.48 .010 | 10280-7 | $S$ by | 10322A-9 | 39.28.020 |
| 10156 | 18.53.100 | 10180 | 18.50.100 | 10242-2 | 72.48 .020 |  | 72.08.220 | 10322A-10 | 39.28.030 |
| 10157 | 18.53.110 |  | 18.50.110 | 10242-3 | 72.48 .030 | 10280-8 | 72.12 .070 | 10322A-11 | Sev. |
|  | 18.53.120 | 10181 | 18.50.010 | 10242-4 | 72.48 .040 | 10280-9 | 72.12.080 | 10322B-1 |  |
|  | 18.53.130 |  | 18.50.030 | 10242-5 | 72.48 .050 | 10280-13 | 72.12 .090 | 10322B-3 | Obsolete |
| 10158 | 18.53.050 |  | 18.50.090 | 10242-6 | 72.48.060 | 10280-14 | 72.12 .100 | 10322C-1 | 4.16 .030 |
| 10159 | 18.53.040 | 10182 | 18.50.120 | 10242-7 | 72.48.070 |  | 72.12 .110 | 10323 | 43.78 .010 |
| 10160 | Obsolete | 10183 | Constr. | 10242-8 | Obsolete | 10299 | 72.16 .010 | 10324 | 43.78 .020 |
| 10161 | Sev. |  | n18.50.010 | 10242-9 | 72.48.080 | 10300 | 72.16.020 | 10325 | 43.78 .030 |
|  | n18.53.010 | 10184 | Superf. | 10242-10 | 72.48.090 | 10301 | $S$ by | 10326 | 43.78 .040 |
| 10162 | Short t. | 10185 | 18.50.030 | 10242-11 | 72.48.100 |  | 72.16.030 | 10327 | 43.78.050 |
|  | n18.53.010 | 10185-1 | 43.74 .010 | 10242-12 | Sev. | 10302 | 72.16 .040 | 10327-1 | Obsolete |
| 10163 | 18.53.150 | 10185-2 | 43.74 .020 |  | n72.48.010 | 10303 | 72.16 .050 | 10327-2 | 43.78.070 |
| 10163-1 | 18.74.010 | 10185-3 | 43.74 .030 | 10249-1 | 43.67 .010 | 10304 | 72.16 .040 | 10327-3 | Sev. |
| 10163-2 | 18.74 .020 | 10185-4 | 43.74 .040 | 10249-1a | 43.67 .010 | 10305 | 72.16 .080 |  | n43.78.020 |
| 10163-3 | 18.74.030 | 10185-5 | 43.74.050 | 10249-2 | 9.95 .010 | 10306 | Obsolete | 10328 | 43.78.060 |
| 10163-4 | 18.74.040 | 10185-6 | 43.74 .060 |  | 9.95.020 | 10307 | 72.16 .070 | 10328-1 | Obsolete |
| 10163-5 | 18.74 .050 | 10185-7 | 43.74 .070 |  | 9.95.030 | 10308 | 72.16 .090 | 10328-2 | Obsolete |
| 10163-6 | 18.74.060 | 10185-8 | 43.74.080 |  | 9.95.040 | 10309 | 13.12 .010 | 10329 | 43.78.080 |
| 10163-7 | 18.74.070 | 10185-10 | Temporary |  | 9.95.050 | 10310 | 13.12 .020 | 10330 | 43.78.090 |
| 10163-8 | 18.74 .080 | 10185-11 | Temporary |  | 9.95 .060 | 10311 | 13.12 .030 | 10331 | S by |
| 10163-9 | 18.74 .090 | 10185-12 | Temporary |  | 9.95 .070 | 10312 | 13.12 .090 |  | 43.78 .080 |
| 10163-10 | 18.74 .100 | 10185-13 | Temporary |  | 9.95 .080 | 10313 | 13.12.040 | 10333 | 43.78 .100 |
| 10163-11 | 18.74.110 | 10185-14 | 19.68.010 |  | 9.95 .090 |  | 13.12 .050 | 10333-1 | 43.78 .110 |
| 10163-12 | 18.74.120 | 10185-15 | 19.68.020 |  | 9.95 .100 | 10314 | 13.12.050 | 10334 | 43.78 .120 |
| 10164- |  | 10185-16 | 19.68.030 | 10249-2a | 9.95 .190 | 10315 | 13.12 .100 | 10335 | 43.78 .130 |
| 10166 |  | 10185-17 | 19.68.040 | 10249-3 | 9.95 .170 | 10316 | 13.12 .060 | 10336 | 43.78 .140 |
| 10166-1 |  | 10186 | $S$ by | 10249-4 | 9.95 .100 | 10317 | 13.12.110 | 10337 | 43.78 .150 |
| 10168 | R 1949 c 202 |  | 36.16.070 |  | 9.95 .110 | 10318 | 13.12.070 | 10338 | 43.78 .160 |
| 10169 |  | 10187 | 36.63.190 |  | 9.95 .120 | 10319 | 13.12 .080 | 10339 | Short t. |
| 10170- |  | 10188 | 36.63.120 |  | 9.95 .130 | 10319-1 | 72.04.130 | 10341 | Superf. |
| 10173 |  | 10189 | 9.92.130 |  | 9.95 .140 | 10319-5 | R 1951 | 10342 | ${ }_{43} 5$ by |
| 10173-1 | 18.88.010 | 10190 | 9.92.140 |  | 9.95 .150 |  | c 52 § 3 |  | 43.53 .100 |
| 10173-2 | 18.88.020 | 10191 | 36.63.060 |  | 9.95.160 |  | but see | 10344 | 22.24.010 |
| 10173-2a | 18.88.040 | 10191-1 | 9.92.150 |  | 9.95 .190 |  | 72.08.342 |  | 80.04.010 |
| 10173-3 | 18.88.030 | 10192 | 36.63.080 | 10249-5 | 9.95 .180 | 10320 | 60.28.010 |  | 81.04 .010 |
| 10173-4 | 18.88.050 | 10193 | 36.63 .090 | 10249-5a | 9.95.200 | 10320-1 | 49.52 .090 | 10344-1 | 80.04.290 |
| 10173-5 | 18.88.060 | 10194 | 36.63.070 | 10249-5b | 9.95 .210 | 10321 | 60.28 .020 |  | 81.04 .290 |
| 10173-6 | 18.88.070 | 10195 | 36.63.020 | 10249-5c | 9.95.220 | 10322 | 60.28.030 | 10345 | 81.28 .010 |
| 10173-7 | 18.88.080 | 10196 | 36.63.050 | 10249-5d | 9.95 .230 | 10322-1 | 39.04.010 | 10346 | 81.28 .020 |
| 10173-8 | 18.88 .090 | 10197 | 36.63.200 | 10249-5e | 9.95.240 | 10322-2 | 39.04.020 | 10347 | 81.56 .010 |
| 10173-8a | 18.88.100 | 10198 | 36.63.100 | 10249-5f | 9.95.250 |  | 39.04.030 | 10348 | 81.56 .020 |
| 10173-9 | 18.88.110 | 10199 | 36.63.110 | 10249-5g | Sev. | 10322-3 | 39.04.040 | 10349 | 81.52 .020 |
| 10173-10 | 18.88.120 | 10200 | 36.63.040 |  | n9.95.200 | 10322-4 | 39.04.050 | 10350 | 81.28 .040 |
| 10173-11 | 18.88.130 | 10201 | 36.63.140 | 10249-7 | 9.95.260 | 10322-5 | 39.04.060 | 10351 | 81.28 .050 |
| 10173-12 | 18.88.140 | 10202 | 36.63.130 | 10249-8 | 43.67 .020 | 10322-6 | 39.04.070 | 10352 | 81.28.060 |
| 10173-13 | 18.88.150 | 10203 | 36.63.030 |  | 43.67 .030 | 10322-7 | 39.04.080 | 10353 | 81.28 .070 |
| 10173-14 | 18.88.160 | 10204 | 35.21 .330 |  | 43.67.040 | 10322-8 | 39.04.090 | 10354 | 80.36 .130 |
| 10173-15 | 18.88.170 | 10205 | 36.63.010 | 10249-9 | Repealer | 10322-9 | 39.04.100 |  | 81.28.080 |
| 10173-16 | 18.88.180 | 10206 | 36.63.150 | 10249-11 | 9.95.270 | 10322-10 | 39.04.110 |  | 81.28 .090 |
| 10173-17 | 18.88.190 | 10207 | 36.63.160 | 10249-12 | Sev. | 10322-10a | 39.16.010 |  | 81.28 .100 |
| 10173-18 | 18.88.200 | 10208 | 36.63 .170 |  | n9.95.270 | 10322-10b | 39.16.020 |  | 81.28 .110 |
| 10173-19 | 18.88.210 | 10209 | 36.63.180 | 10249-13 | Short t. | 10322-10c | 39.16.030 |  | 81.28.120 |
| 10173-20 | 18.88.220 | 10210 | 72.08.010 |  | n9.95.270 | 10322-10d | 39.16.040 |  | 81.28 .130 |
| 10173-21 | 18.88.230 | 10211 | 72.08.020 | 10249-21 | 72.08.270 | 10322-11 | Unconst'l |  | 81.28.150 |
| 10173-22 | 18.88.240 | 10212 | 72.08 .030 | 10249-22 | 72.08.280 | 10322-12 | Unconst'l |  | 81.28 .160 |
| 10173-23 | 18.88.250 | 10213 | 72.08 .040 | 10249-23 | 72.08.290 | 10322-13 | Unconst'l |  | 81.28 .170 |
| 10173-24 | 18.88.260 | 10216 | 72.08.050 | 10249-24 | 72.08.300 | 10322-14 | 39.24.010 | 10354-1 | 81.28.140 |
| 10173-25 | 18.88.270 | 10217 | 72.08.060 | 10249-25 | 72.08.310 | 10322-15 | 36.32.240 | 10355 | 81.44 .150 |
| 10173-26 | 18.88.280 | 10218 | 72.08.070 | 10249-26 | 72.08.320 | 10322-16 | 36.32.250 | 10356 | 81.28.180 |
| 10173-27 | 18.78 .010 | 10219 | 72.08.080 | 10249-27 | 72.08.330 | 10322-17 | 36.32.260 | 10357 | 81.28 .190 |
| 10173-28 | 18.78.020 | 10220 | 72.08.090 | 10250 | 9.96.010 | 10322-18 | 36.32.270 | 10358 | 81.28 .200 |

[^19]Parallel Tables: Rem. Rev. Stat.——RCW


Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 10565 | 64.08.050 | 10634 | 65.12.090 | 10717 | 65.12.720 | 10737-2a | Obsolete | 10758-85 | 73.12.050 |
| 10566 | 64.08.060 | 10635 | 65.12 .070 | 10718 | 65.12 .730 | 10737-2b | Obsolete | 10758-86 | 73.12.060 |
| 10567 | 64.08.070 | 10636 | 65.12 .080 | 10719 | 65.12 .740 | 10737-3 | Obsolete | 10758-87 | Approp. |
| 10568 | Val. | 10637 | 65.12.085 | 10720 | 65.12.750 | 10737-4 | 28.76.150 | 10758-90 |  |
| 10569 | Val. | 10638 | 65.12 .100 | 10721 | 65.12 .760 | 10737-5 | 28.76.160 | 10758-99 | 9 Unconst'l |
| 10570 | Val. | 10639 | 65.12.110 | 10722 | 65.12.770 | 10737-6 | 28.76.170 | 10758-100 | 43.61 .010 |
| 10571 | 64.04.070 | 10640 | 65.12.120 | 10723 | 65.12.780 | 10737-7 | Obsolete | 10758-101 | 43.61 .020 |
| 10572 | 26.16.050 | 10641 | 65.12.130 | 10724 | 65.12 .790 | 10737-7a | Obsolete | 10758-102 | 43.61 .040 |
| 10573 | 26.16.070 | 10642 | 65.12.135 | 10725 | 65.12 .800 | 10738 | 73.08.030 | 10758-103 | 43.61 .050 |
| 10574 | 26.16.080 | 10643 | 65.12.140 | 10726 | Constr. | 10739 | 73.08.040 | 10758-104 | 43.61 .060 |
| 10575 | 26.16.090 | 10644 | 65.12.125 |  | n65.12.005 | 10740 | 73.08.050 | 10758-105 | 43.61 .030 |
| 10576 | Val. | 10645 | 65.12 .145 | 10726a | 58.20.010 | 10741 | 73.08.060 | 10758-106 | 43.61 .070 |
|  | n26.16.050 | 10646 | 65.12.150 | 10726b | 58.20.020 | 10742 | 73.08.020 | 10758-110 | 73.04.100 |
| 10577 | 64.04.080 | 10647 | 65.12.155 | 10726c | 58.20 .030 | 10743 | 73.04.080 | 10758-115 | 73.04.090 |
| 10578 | 26.16.100 | 10648 | 65.12.160 | 10726d | 58.20.040 | 10743-1 |  | 10759 | Short t. |
| 10579 | 26.16.110 | 10649 | 65.12.165 | 10726e | 58.20.050 | 10743-8 | Obsolete |  | n43.17.010 |
| 10580 | Obsolete | 10650 | 65.12 .170 | 10726f | 58.20 .060 | 10743-8a | Obsolete | 10760 | 43.17 .010 |
| 10581 | 64.16.010 | 10651 | 65.12 .175 | 107268 | 58.20 .070 | 10743-8b | Obsolete | 10760-1 | $S-$ see |
| 10582 | 64.16.030 | 10652 | 65.12 .180 | 10726h | 58.20.080 | 10743-8c | Obsolete |  | Ch. 43.53 |
| 10582a | 64.16.040 | 10653 | 65.12.190 | 10726i | 58.20.090 | 10743-9 |  | 10760-2 | 43.17.010 |
| 10582 b | 64.16.050 | 10654 | 65.12.195 | 10726m | 41.04.040 | 10743-11 | Obsolete |  | 43.17 .020 |
| 10582-2c | 64.16.060 | 10655 | 65.12.200 | 10726n | 41.04.050 | 10743-13 |  | 10761 | 43.17.020 |
| 10583 | 64.16.070 | 10656 | 75.12.210 | 107260 | 41.04.060 | 10743-17 | Obsolete | 10762 | 43.17 .070 |
| 10584 | 64.16.080 | 10657 | 65.12.220 | 10726-1 | Short t. | 10743-17a | Obsolete | 10763 | $S$ by |
| 10585 | 64.16.090 | 10658 | 65.12 .225 |  | n89.08.010 | 10743-18 | Obsolete |  | 40.48.080 |
| 10586 | 64.16.020 | 10659 | 65.12 .230 | 10726-2 | 89.08.010 | 10744 |  | 10764 | 43.33 .010 |
| 10587 | 64.16 .100 | 10660 | 65.12 .235 | 10726-3 | 89.08.020 | 10747 | Obsolete |  | 43.33 .020 |
| 10588 | 64.16.110 | 10661 | 65.12 .240 | 10726-4 | 89.08.030 | 10747a | 73.32.020 | 10766 | 43.34.010 |
| 10589 | 64.16.120 | 10662 | 65.12.245 |  | 89.08.040 | 10747b | 73.32.030 | 10766-1 | Temporary |
| 10590 | 64.16.130 | 10663 | 65.12 .250 |  | 89.08.050 | 10747c | 73.32.040 | 10767 | S by |
| 10591 | Sev. | 10664 | 65.12.255 |  | 89.08.060 | 10747d | 73.32.050 |  | 40.08.020 |
| 10592 | 64.16.140 | 10665 | 65.12.260 |  | 89.08.070 | 10747e | 73.32.060 | 10767-1 | 40.08.020 |
| 10593 | 64.20.010 | 10666 | 65.12 .265 | 10726-5 | 89.08.090 | 10747f | 73.32.070 | 10767-1a | 27.52.010 |
| 10594 | 64.20.020 | 10667 | 65.12 .270 |  | 89.08.100 | 10747g | 73.32.080 | 10767-2 | 27.52 .020 |
| 10595 | 64.20 .030 | 10668 | 65.12 .275 |  | 89.08.110 |  | 73.32 .090 | 10768 | 43.51 .020 |
| 10596-1 | 65.08.060 | 10669 | 65.12.280 |  | 89.08.120 |  | 73.32.100 | 10768-1 | 43.51 .010 |
| 10596-2 | 65.08.070 | 10670 | 65.12.290 |  | 89.08.130 |  | 73.32.110 | 10768-2 | 43.51 .030 |
| 10596-3 | 65.08.080 | 10671 | 65.12 .300 |  | 89.08.140 | 10747h | 73.32.120 | 10768-3 | 43.51 .050 |
| 10596-4 | 65.08.090 | 10672 | 65.12 .310 |  | 89.08.150 | 10747i | 73.32.130 | 10768-4 | 43.51 .060 |
| 10596-5 | 65.08.100 | 10673 | 65.12 .320 |  | 89.08.160 |  | 73.32.140 | 10768-4a | Local |
| 10596-6 | 65.08.110 | 10674 | 65.12.330 |  | 89.08.170 | 10747j | 73.32.150 | 10768-4b | Local |
| 10596-7 | 65.08.120 | 10675 | 65.12 .340 |  | 89.08.180 | 10747 k | 73.32.160 | 10768-4c | Local |
| 10596-8 | 65.08.130 | 10676 | 65.12 .350 | 10726-5(a) | 89.08.080 | 107471 | 73.32.170 | 10768-4d | 43.51.220 |
| 10596-9 | 65.04.120 | 10677 | 65.12 .360 | 10726-6 | 89.08.190 | 10747m | Constr. | 10769 | 29.33.030 |
| 10596-10 | 65.04.010 | 10678 | 65.12 .370 | 10726-7 | 89.08.200 |  | n73.32.020 |  | 29.33.040 |
| 10597 | 65.08.010 | 10679 | 65.12.375 |  | 89.08.210 | 10753 | 73.16.010 |  | 43.35.010 |
| 10598 | 65.08.020 | 10680 | 65.12 .380 | 10726-8 | 89.08.220 | 10754 | 73.16.020 | 10770 | 43.36 .010 |
| 10599 | 65.08.030 | 10681 | 65.12 .390 | 10726-9 | 89.08.230 | 10755 | 73.04.050 |  | 43.36.020 |
| 10600 | 65.04.020 | 10682 | 65.12 .400 |  | 89.08.240 |  | 73.04.060 | 10771-1 | R 1943 |
| 10601 | 65.04 .030 | 10683 | 65.12 .410 |  | 89.08.250 | 10756 | 73.04.050 |  | c 207 § 4 |
| 10602 | 65.04.040 | 10684 | 65.12 .420 |  | 89.08.260 | 10757 | 73.24.010 | 10771-2 | 27.04.020 |
| 10603 | 65.04.050 | 10685 | 65.12 .430 | 10726-10 | 89.08.270 | 10758 | 73.24 .040 | 10771-3 | 27.04.030 |
| 10604 | 65.04.060 | 10686 | 65.12 .435 | 10726-11 | 89.08.280 | 10758-1 | 73.24 .020 | 10771-4 | 27.04.040 |
| 10605 | 65.04.070 | 10687 | 65.12.440 | 10726-12 |  | 10758-2 | 73.24.030 | 10772 | 43.17.080 |
| 10606 | 65.04.080 | 10688 | 65.12.445 | (a) | 89.08.290 | 10758-3 | 73.16.030 | 10773 | 43.17.090 |
| 10607 | 65.04.090 | 10689 | 65.12 .450 | (b) | 89.08.300 | 10758-4 | 73.16.040 | 10774 | 43.17 .100 |
| 10608 | 65.04.100 | 10690 | 65.12 .460 | (c) | 89.08.310 | 10758-5 | 73.16.050 | 10775 | Obsolete |
| 10609 | 65.04.110 | 10691 | 65.12 .470 |  | 89.08.320 | 10758-6 | 73.16.060 | 10776 | 43.17.030 |
| 10610 | 65.04.130 | 10692 | 65.12 .480 | (d) | 89.08.330 | 10758-7 | 73.16.070 | 10776-1 | 43.03.040 |
| 10611 | 65.04.140 | 10693 | 65.12.490 | 10726-13 | 89.08.220 | 10758-9 | Sev. | 10777 | 43.17 .060 |
| 10612 | 5.44 .070 | 10694 | 65.12 .500 | 10726-14 | 89.08.340 |  | n73.16.030 | 10778 | 43.17.050 |
| 10613 | 65.08.050 | 10695 | 65.12.510 | 10726-15 | 89.08.350 | 10758-10 | 73.04.030 | 10779 | S by |
| 10614 | 61.16.020 | 10696 | 65.12 .520 |  | 89.08.360 | 10758-11 | 73.04.040 |  | 43.53 .010 |
| 10615 | 61.16 .030 | 10697 | 65.12 .530 |  | 89.08.370 | 10758-12 | 73.20. ${ }^{\text {by }}$ | 10779-1 | 43.53.070 |
| 10616 | 61.16.010 | 10698 | 65.12 .540 |  | 89.08.380 |  | 73.20.010- | 10779-2 | $\begin{array}{r} S — \text { see } C h . \\ 43.53 \end{array}$ |
| 10617 | Val. | 10699 | 65.12.550 | 10726-16 | Sev. |  | 73.20 .040 | 10780 |  |
|  | n61.16.010 | 10700 | 65.12 .560 |  | n89.08.010 | 10758-13 | Obsolete | 10781 |  |
| 10618 | 59.04.010 | 10701 | 65.12 .570 | 10726-17 | 89.08.390 | 10758-13a | 73.20.010 |  |  |
| 10619 | 59.04.020 | 10702 | 65.12.580 | 10727 | 72.36.010 |  | 73.20.020 | 10783- |  |
| 10620 | 59.04.030 | 10703 | 65.12 .590 | 10728 | 72.36.020 |  | 73.20 .030 | 10785) |  |
| 10621 | 59.04.050 | 10704 | 65.12 .600 | 10729 | 72.36.030 |  | 73.20.040 | 10785-1 | 43.18 .020 |
| 10622 | 65.12 .005 | 10705 | 65.12 .610 | 10730 | 72.36.040 | 10758-13b | 73.04.120 | 10785-2 | 43.18.010 |
| 10623 | 65.12 .010 | 10706 | 65.12 .620 | 10731 | 72.36.050 | 10758-60 | 73.04.070 | 10785-3 | 43.18 .030 |
| 10624 | 65.12.015 | 10707 | 65.12 .630 | 10732 | 72.36.080 | 10758-70 | 73.20 .050 | 10785-4 | 43.18 .010 |
| 10625 | 65.12.020 | 10708 | 65.12.635 | 10733 | 72.36.070 | 10758-71 | 73.20.060 | 10785-5 | 43.18.050 |
| 10626 | 65.12 .025 | 10709 | 65.12 .640 | 10734 | Obsolete | 10758-72 | 73.20 .070 | 10785-6 | $S$ by 50.08 .010 |
| 10627 | 65.12.030 | 10710 | 65.12.650 | 10735 | 72.36 .060 | 10758-73 | 73.20.080 | 10785-7 S |  |
| 10628 | 65.12.035 | 10711 | 65.12 .660 | 10736 | Obsolete | 10758-80 | 73.12.010 | 10785-8 | Obsolete |
| 10629 | 65.12 .040 | 10712 | 65.12 .670 | 10736-1 | 72.36.090 | 10758-81 | 43.19.220 | 10785-9 | 43.18 .070 |
| 10630 | 65.12 .050 | 10713 | 65.12 .680 | 10736-2 | 72.36.100 | 10758-82 | 43.19 .230 | 10785-10 | 43.18 .080 |
| 10631 | 65.12.055 | 10714 | 65.12 .690 | 10737 | 73.08.010 |  | 73.12.020 | 10785-11 | 43.18.040 |
| 10632 | 65.12.060 | 10715 | 65.12 .700 | 10737-1 | Superf. | 10758-83 | 73.12.030 | 10785-12 | Obsolete |
| 10633 | 65.12.065 | 10716 | 65.12 .710 | 10737-2 | Obsolete | 10758-84 | 73.12.040 | 10785-13 | Obsolete |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. <br> Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 10785-14 | Repealer | 10822 | 43.21 .100 | .10880 |  | 10927-11 | 43.86.110 | 10964pp-1 | 90.48.050 |
| 10785-15 | 43.18.080 | 10823 | Obsolete | 10885 | Obsolete | 10927-12 | 43.86.120 | 10964q | 90.48 .110 |
| 10785-16 | 43.18.080 | 10824 | 43.21 .120 | 10886 | 43.17.110 | 10927-13 | 43.86.130 | 10964r | 90.48.120 |
| 10786-1 |  | 10825 | 43.21 .030 | 10887 |  | 10927-14 | Sev . | 10964s | 90.48.130 |
| 10786-8 | S-_see | 10826 | 76.04.200 | 10890 | Obsolete |  | n43.86.010 | 10964t | 90.48.140 |
|  | Title 74 | 10827 | 43.21 .050 | 10890-1 | 43.03.080 | 10930-1 | $S$ - see | 10964u | 90.48 .150 |
| 10786-9 | Temporary | 10828 | 43.21 .110 | 10890-2 | 43.03.090 |  | Ch. 43.21 | 10964-1 | 1.20 .010 |
| 10786-10 | 43.19 .010 | 10829 | Obsolete | 10890-3 | 43.03.100 | 10930-2 | 43.21 .180 | 10964-2 | $S-$ see |
| 10786-10a | 43.41 .010 | 10830 | 43.21 .130 | 10891 | 43.01 .040 | 10930-3 | 43.21 .190 |  | Ch. 43.21 |
| 10786-10b | 43.41 .020 | 10831 | 43.21 .210 | 10892 | 43.17 .050 | 10930-4 | 43.21 .200 | 10964-3 | 43.21 .180 |
| 10786-10c | 43.17.010 | 10831-1 | 76.44.010 | 10893 | Obsolete | 10933 | 43.07.050 | 10964-4 | S-_see |
| 10786-11 | 43.19 .020 | 10831-2 | 76.44.020 | 10894 | Repealer | 10934 | 43.07.060 |  | Ch. 43.21 |
| 10786-12 | 43.19 .100 | 10831-3 | 76.44.030 | 10895 | ${ }_{\text {Sev. }}$ | 10935 | 43.07.070 | 10964-5 | Obsolete |
| 10786-13 | 43.41 .010 | 10831-4 | 76.44.040 |  | n43.17.010 | 10936 | 43.07 .080 | 10964-6 | Approp. |
| 10786-14 | 43.19 .130 | 10831-5 | 76.44.050 | 10896 | 43.03.030 | 10937 | 43.07 .090 | 10964-7 | Sev. |
| 10786-15 | 43.19.180 | 10831-6 | 76.44.060 | 10897 | Obsolete | 10938 | 43.07.100 | 10964-8a | 43.21 .010 |
| 10786-16 | 43.19 .040 | 10832 | 43.22.010 | 10898 | Obsolete | 10939 | 43.07.110 | 10964-8b | 43.21 .180 |
| 10786-17 | 43.19.110 | 10833 | 43.22.020 | 10898a | 72.04.140 | 10939-1 |  | 10964-8c | 43.21 .170 |
| 10786-18 | 43.41 .020 | 10834 | 43.22 .040 | 10898-1 | 43.90.020 | 10939-4 | $S-$ see | 10964-8d | Saving |
| 10786-19 | Obsolete | 10835 | 43.22 .260 | 10898-2 | 43.90.030 |  | Title 43 |  | n43.21.010 |
| 10786-20 | 43.19.190 | 10836 | 43.22.030 | 10898-3 | 43.90.010 | 10939-5 |  | 10964-8e | Obsolete |
| 10786-21 | Eff. date | 10836(4) | 51.16.180 | 10898-4 | 43.90.040 | 10939-8 | Obsolete | 10964-8f | Obsolete |
| 10786-22 | Saving | 10837 | 43.22 .320 | 10898-5 | Obsolete | 10940 | 43.51 .070 | 10964-8g | Approp. |
|  | n43.18.010 | 10837-1 | 51.52.010 | 10898-6 | 43.90.050 | 10941 | $S-$ see | 10964-11 | 43.93 .010 |
| 10786-23 | Obsolete | 10837-2 | 51.52.020 | 10898-7 | 43.90.060 |  | Ch. 43.51 | 10964-12 | 43.93 .020 |
| 10786-24 | Sev. |  | 51.52.030 | 10898-8 | 43.90.070 | 10942 | 43.51 .040 | 10964-13 | 43.93 .030 |
|  | n43.17.010 | 10837-3 | 51.52.040 | 10898-9 | 43.90.080 | 10942-1 | 43.51 .080 | 10964-14 | 43.93 .040 |
| 10787 |  | 10838 | 43.22 .050 | 10898-10 | 43.90.090 | 10942-2 | Local | 10964-15 | 43.93 .050 |
| 10789 | $S-$ see | 10839 | 43.22.270 | 10898-11 | 43.90.100 | 10943 | 43.51 .090 | 10964-16 | 43.93 .060 |
|  | Title 43 | 10840 | 43.22 .280 | 10898-15 | 77.36.010 | 10944 | 43.51 .100 | 10964-17 | 43.93 .070 |
| 10790 | 43.19.150 | 10841 | 43.23.010 | 10898-16 | 77.36.020 | 10945 | 43.51 .110 | 10964-18 | 43.93 .080 |
| 10791 |  | 10842 | 43.23.020 | 10898-17 | 77.36.030 | 10946 | 43.51 .120 | 10964-20 | 40.12 .010 |
| 10793 | $S-$ see | 10843 | 43.23 .040 | 10898-18 | 77.36.040 | 10946-1 | 43.51 .130 | 10964-21 | 40.12 .020 |
|  | Title 43 | 10844 | 43.23 .060 | 10898-19 | 77.36.050 | 10946-2 | 43.51 .140 | 10964-22 | 40.12.040 |
| 10794 | 43.19 .140 | 10845 | 43.23 .080 | 10898-20 | 77.36.060 | 10946-3 | 43.51 .150 | 10964-23 | 40.12.050 |
|  | 43.19.250 | 10846 | 43.23 .100 | 10898-21 | 77.36.070 | 10946-4 | 43.51 .160 | 10964-24 | 40.12.060 |
| 10795 | 43.19.190 | 10847 | 43.23.120 | 10898-22 | 77.36.080 | 10947 | 43.51 .170 | 10964-25 | 40.12.030 |
|  | 43.19.200 |  | 43.23.130 | 10898-23 | 77.36.090 | 10948 | 43.51.180 | 10964-26 | 40.12 .070 |
| 10795-1 | 43.19.210 | 10847-1 | 43.23.030 | 10898-24 | 77.36.100 | 10949 | Obsolete | 10964-27 | 40.12 .080 |
| 10796 | S--see | 10848 | 43.23 .030 | 10898-25 | 77.36.110 | 10950 | Saving | 10964-28 | 40.12 .090 |
|  | Ch. 43.19 | 10849 | 43.23 .050 | 10898-26 | 77.36.120 |  | n43.51.040 | 10964-29 | 40.12 .100 |
| 10797 | 43.19.140 | 10850 | 43.23.070 | 10898-27 | 77.36.130 | 10951 | Sev. | 10964-30 | 43.01 .090 |
| 10798 | 43.19 .140 | 10850-1 | Temporary | 10898-28 | 77.36.140 |  | n43.51.040 | 10964-31 | 43.01 .090 |
| 10799 | 43.19 .170 | 10851 | 43.23 .090 | 10898-29 | 77.36.150 | 10951a | 43.51 .210 | 10964-32 | Sev. |
| 10800 | 43.19 .190 | 10852 | 43.23 .110 | 10898-30 | 77.36.160 | 10951-1 |  |  | n43.01.090 |
| 10801 | 43.19.160 | 10853 | 43.24.010 | 10898-35 | 77.12.340 | 10951-4 | Obsolete | 10964-40 | 43.91 .010 |
| 10802 | 43.19.140 | 10854 | 43.24 .020 | 10898-36 | 77.12.350 | 10952 | 43.19.140 | 10964-41 | 43.91 .020 |
| 10802-1 | S-see | 10855 | 43.24 .040 | 10899 | 43.19.140 | 10953 | $S-$ see | 10964-42 | 43.91 .030 |
|  | Ch. 43.19 | 10856 | 43.24.030 |  | 43.19.250 |  | Ch. 40.08 | 10964-43 | 43.91 .040 |
|  | Title 74 | 10857 | 43.24.060 | 10900 | Obsolete | 10954 | 40.08.010 | 10964-44 | 43.91 .050 |
| 10802-2 | 74.12 .140 | 10858 | 43.24.070 | 10901 | Obsolete | 10955 | 40.08.020 | 10964-45 | 43.91 .060 |
|  | 74.12.150 | 10859 | 43.24.080 | 10902 | 72.04.020 | 10956 | 40.08.030 | 10964-46 | 43.91 .070 |
|  | 74.12 .160 | 10860 | 43.24.100 | 10903 | 72.04.040 | 10957 | 40.08.040 | 10964-47 | 43.91 .080 |
| 10802-3 | 74.12 .170 | 10861 | 43.24.110 | 10904 | 72.04.050 | 10958 | 40.08.020 | 10964-70 |  |
| 10802-4 | 74.12.180 | 10862 | 43.24.020 | 10905 | 72.04.060 | 10959 | 40.08.050 | 10964-79 | Temporary |
| 10802-5 | 74.12.190 | 10863 | 43.24.050 | 10906 | 72.04.070 | 10959-1 | 2.52 .010 | 10964-79a |  |
| 10802-6 | 74.12 .200 | 10864 | 43.24 .120 | 10907 | 72.04.080 | 10959-2 | 2.52 .020 | 10964-79e | Temporary |
| 10804 | Obsolete | 10864-1 | 43.24.130 | 10908 | 72.04.090 | 10959-3 | 2.52 .030 | 10964-81 | 14.04.020 |
| 10805 | 43.41.020 | 10865 | $S-$ see | 10909 | 72.04.100 | 10959-4 | 2.52 .040 | 10964-82 | 14.04.010 |
| 10806 | $S \text { see }$ |  | Ch. 43.25 | 10910 | 72.04.110 | 10959-5 | 2.52 .050 | 10964-83 | 14.04.030 |
|  | Ch. 43.09 | 10866 | $S$ by |  | $S$-see | 10959-6 | 2.52 .060 | 10964-84 | 14.04.040 |
| 10807 | 43.09.190 |  | 43.25.020 | 10911 | 43.09.090, | 10959-7 | 2.52 .070 | 10964-85 | 14.04.050 |
| 10808 |  | 10867 |  | 10912 | Ch. 43.41, | 10959-8 | 2.52.080 | 10964-86 | 14.04.060 |
|  | $\text { Ch. } 43.55$ | 10867 $\}$ | S-_see | 10912 | 72.04.070 | 10960-- |  | 10964-87 | 14.04.070 |
| 10809 | $S-$ see | 10867-1 | Ch. 43.25 | 10913 | Obsolete | 10964 | R 1951 | 10964-88 | 14.04 .080 |
|  | 43.19 .020 | 10868 | $S-$ see | 10914 | Obsolete |  | c 17 §11 | 10964-89 | 14.04 .090 |
| 10810 | 43.09.190 |  | Title 75 | 10915 | 43.19.250 | 10964a | 90.48.010 | 10964-90 | 14.04.100 |
| 10811 |  | 10869 | Repealer | 10916 | Obsolete | 10964b | 90.48.020 | 10964-91 | 14.04.110 |
|  | Ch. 43.55 | 10870 | $S-$ see | 10917 | 72.04.150 | 10964c | 43.54 .010 | 10964-92 | 14.04.120 |
| 10812 | Obsolete |  | Ch. 75.08 | 10918 | Repealer | 10964d | 43.54 .020 | 10964-93 | 14.04.130 |
| 10813 | 43.09.190 | 10871 |  | 10919 | 72.04.010 | 10964 e | 43.54 .030 | 10964-94 | 14.04.140 |
| 10814 | 43.20 .020 | 10872 | $S$-_see | 10927 | 1.16.020 | 10964 f | 43.54 .040 | 10964-95 | 14.04.150 |
|  | 43.20 .030 |  | 43.25 .030 | 10927-1 | 43.86 .140 | 10964 g | 43.54 .050 | 10964-96 | 14.04.160 |
| 10814-1 | 43.20 .110 | 10874 | 43.25.010 | 10927-2 | 43.86.010 | 10964h | 43.54 .060 | 10964-97 | 14.04.170 |
| 10814-2 | 43.20 .120 | 10875 | $S-$ see Ch. | 10927-2a | 43.86.020 | 10964i | 43.54 .070 | 10964-98 | 14.04.180 |
| 10815 | 43.20 .040 | 10875-1- | 43.25, | 10927-3 | 43.86.030 | 10964j | 90.48.030 | 10964-99 | 14.04.190 |
| 10816 | 43.20 .050 | 10875-6) | Title 75 | 10927-4 | 43.86.040 | 10964k | 90.48.030 | 10964-100 | 14.04.200 |
| 10817 | 43.20.010 | 10876 | 43.17 .040 | 10927-5 | 43.86.050 | 109641 | 90.48.060 | 10964-101 | 14.04.210 |
| 10818 | R 1951 | 10877 | 43.12.010 | 10927-6 | 43.86.060 | 10964m | 90.48.070 | 10964-102 | 14.04.220 |
|  | c 1081 | 10878 | $S$ by | 10927-7 | 43.86.070 | 10964n | 90.48 .080 | 10964-103 | 14.04.230 |
| 10819 | 43.21 .010 |  | 11.08.050 | 10927-8 | 43.86.080 | 109640 | 90.48.090 | 10964-104 | 14.04.240 |
| 10820 | 43.21 .020 |  | 83.36.010 | 10927-9 | 43.86 .090 | 10964p | 90.48.100 | 10964-105 | 14.04.250 |
| 10821 | 43.21 .040 | 10879 | 43.09.350 | 10927-10 | 43.86.100 | 10964pp | 90.48.040 | 10964-106 | 14.04.260 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 10964-107 | 14.04.270 | 11013 | 43.09.140 |  | 2.08.060 | 11072-38 | 41.40.370 | 11111-4 | 84.36.100 |
| 10964-108 | 14.04.280 | 11014 | 43.09.150 | 11045-1f | 2.08.061 | 11072-39 | 41.40 .380 | 11111-7 | 84.36.110 |
| 10964-109 | 14.04.290 | 11015 | 43.09.070 | 11045-1g | 2.08.063 | 11072-40 | 41.40 .390 | 11111-8 | 84.36.120 |
| 10964-110 | 14.04.300 | 11016 | Obsolete | 11045-1h | 2.08.061 | 11072-41 | 41.40 .400 | 11111-9 | Sev. |
| 10964-111 | 14.04.310 | 11017 | 43.09.170 | 11045-1i | 2.08.063 | 11072-42 | 41.40 .410 |  | n84.36.110 |
| 10964-112 | 14.04.320 | 11018 | 43.09.180 | 11045-2 | 2.08.070 | 11073 | 81.64 .090 | 11111-10 | 84.36.130 |
| 10964-113 | 14.04.330 | 11018-1 | 43.09.290 | 11049 | 2.08.120 | 11074 | 81.64.100 | 11111-12 | 84.36.230 |
| 10964-114 | Short t. | 11018-2 | 43.09.300 | 11050 | 2.08.250 | 11075 | 81.64.110 | 11111-13 | 84.36.190 |
|  | n14.04.010 | 11018-3 | 43.09.310 | 11051 | 2.08.080 | 11076 | 81.64.120 | 11111-14 | Purpose, |
| 10964-115-1 | 43.53 .010 | 11018-4 | 43.09.320 | 11051-1 | 2.16 .010 | 11077 | 81.64 .130 |  | Constr. |
| 10964-115-2 | 43.53 .020 | 11018-5 | 43.09.330 | 11051-2 | 2.16.020 | 11078 | 81.64 .140 |  | n84.36.190 |
|  | 43.53.030 | 11018-6 | 43.09.340 | 11051-3 | 2.16.030 | 11079 | 81.64.140 | 11112 | 84.40.020 |
| 10964-115-3 | 43.53.050 | 11018-7 | 43.41 .010 | 11051-4 | 2.16 .040 | 11080 | 81.64 .150 | 11112-1 | 84.40.020 |
| 10964-115-4 | 43.53 .040 | 11018-8 | 43.87.010 | 11051-5 | 2.16 .050 | 11081 | Superf. | 11112-2 | 84.08.150 |
| 10964-115-5 | 43.53 .100 | 11018-9 | 43.87 .020 | 11051-6 | 2.16 .060 | 11082 | 81.64 .010 | 11113 | 84.36.220 |
| 10964-115-6 | 43.53.060 | 11018-10 | 43.87 .030 | 11051-7 | 2.16.070 |  | 81.64 .020 | 11114 | 84.40.240 |
| 10964-115-7 | 43.53.080 | 11018-11 | 43.87.040 | 11052 | 2.32 .330 |  | 81.64.030 | 11115 | 84.56.200 |
| 10964-115-9 | Constr. | 11018-12 | 43.87 .050 | 11053 | 2.04 .090 | 11083 | 81.64 .040 | 11116 | 84.44.070 |
|  | n43.53.010 | 11019 | 43.08.010 |  | 2.08 .090 | 11084 | 81.64.060 | 11117 | 84.44.030 |
| 10964-115-11 | 43.53 .090 | 11019-1 | 43.08.150 | 11053a | Obsolete | 11085 | 80.32.070 | 11118 | 84.44.080 |
|  | $81.24 .070$ | 11019-2 | 43.08.160 | 11053-1a | Superf. |  | 81.64 .050 | 11119 | 84.40.180 |
| 10964-120 | 1.20 .020 | 11020 | 43.08.120 | 11054 | 2.04 .110 | 11086 | 81.64 .070 | 11120 | 84.44 .010 |
| 10964-200 | 1.20.030 | 11021 | 36.33.110 |  | 2.08.130 | 11087 | 43.55 .010 | 11121 | 84.44.050 |
| 10965 | 42.16.010 | 11022 | 43.08.020 | 11054-1 | 2.12 .010 | 11088 | 43.55 .020 | 11122 | 84.44.020 |
| 10965-1 | 43.03.010 | 11023 | 43.08.050 | 11054-2 | 2.12 .020 | 11089 | 43.55 .030 | 11123 | 84.44.040 |
| 10966 | 42.04.070 | 11024 | 43.08.040 | 11054-3 | 2.12 .030 | 11090 | 43.55.040 | 11124 | 84.36.200 |
| 10967 | 2.08.100 | 11025 | 43.08.030 | 11054-4 | 2.12 .040 | 11091 |  |  | 84.44.060 |
| 10968 | 2.08 .110 | 11026 | 43.08.130 | 11054-5 | 2.12 .050 | [first] |  | 11125 | 84.44.090 |
| 10969 | Obsolete | 11027 | 43.08.140 | 11054-6 | 2.12 .060 | subd 2 | 84.08 .040 | 11126 | 84.40 .190 |
| 10970 | Superf. | 11028 | Superf. | 11054-7 | Obsolete | subd 3 | 84.08 .010 | 11127 | 84.40 .050 |
| 10971 | 2.32 .340 | 11029 | 43.08.170 | 11054-8 | 2.12.070 | subd 4 | 84.08.030 | 11128 | 84.40 .110 |
| 10971-1 | 27.20.020 | 11030 | 43.10.010 | 11054-9 | Approp. | subd 5 | 84.08.060 | 11129 | 84.40 .030 |
| 10972 | 2.32 .350 |  | 43.10 .020 | 11054-10 | Sev. | subd 7 | 84.08.070 |  | 84.40 .220 |
| 10973 | 2.32.360 | 11031 | 43.10.020 |  | n2.12.010 | 11091 |  | 11130 | 84.40 .210 |
| 10973-1 | 43.01.030 | 11032 | 43.10.030 | 11055 | 2.32 .010 | [second] | 83.36.010 |  | 84.36.170 |
| 10975 | 2.32.370 | 11033 | 43.10.100 | 11056 | 2.32 .020 | subd 1,9 | 84.08.010 |  | 84.36.180 |
| 10976 |  | 11034 | 43.10.050 | 11057 | 2.32.030 | subd |  | 11130-4 | 84.36.160 |
| 10976a $\}$ | R 1949 | 11034-1 | 43.10.060 | 11058 | 2.32 .100 | 4,5,6 | 84.08.020 | 11130-5 | 84.36.140 |
| 10976-1 | c 48 § 4 | 11034-2 | Superf. | 11059 | 2.32.110 | subd 7,8, |  | 11130-6 | 84.36.150 |
| 10976-1 PP | 43.03.030 | 11034-3 | 43.10.040 | 11060 | 2.32 .120 | 10,11 | 84.08.050 | 11130-7 | Constr. |
| 10976-2 |  |  | 43.10.060 | 11061 | 2.32 .130 | 11091-1 | Constr. |  | n84.36.140 |
| 10976-3 | R 1949 |  | 43.10 .070 | 11062 | 2.32 .140 | 11092 | 84.08.130 | 11130-8 | Repealer |
| 10977 | c 48 § 4 | 11034-4 | 43.01 .080 | 11063 | 2.32.150 | 11093 | Temporary | 11130-9 | Purpose, |
| 10978 |  | 11034-5 | 43.10 .080 | 11071-1 | 2.32 .160 | 11094 | Temporary |  | Constr. |
| 10979 | 43.03.020 | 11034-6 | 43.01.080 | 11071-2 | 2.32 .170 | 11095 | Temporary |  | n84.36.140 |
| 10980 | 43.01.010 | 11034-7 | Sev. | 11072-1 | 41.40.010 | 11096 | 84.08 .110 | 11130-10 | Sev. |
| 10981 | 43.01.020 |  | n43.10.040 | 11072-2 | 41.40 .020 | 11097 | $5-$ see |  | n84.36.140 |
| 10981-1 | 43.03.050 | 11035 | 2.04.070 | 11072-3 | 41.40 .030 |  | Ch. 84.68 | 11130-11 | Obsolete |
| 10981-2 | 43.03.060 | 11036 | 2.04.070 | 11072-4 | 41.40.040 | 11098 | 84.08 .140 | 11131 | 84.40.070 |
| 10981-3 | 43.03.070 | 11037 | 2.04.070 | 11072-5 | 41.40.050 | 11099 | Saving | 11132 | 84.40.130 |
| 10981-4 | 43.03.070 | 11038 | 2.04 .070 | 11072-6 | 41.40.060 |  | n43.55.010 | 11133 | 84.40.230 |
| 10982 | 43.06.010 | 11039 | 2.04.070 | 11072-7 | $S$ by | 11100 | Obsolete | 11134 | 84.40.250 |
| 10982-1 | 43.06.100 | 11040 | Unconst'1 |  | 41.04.050 | 11101 | 43.09.190 | 11135 | 84.40.030 |
| 10983 | 43.06.020 | 11041 | 2.04.130 | 11072-8 | 41.40.070 | 11102 | 84.08.120 | 11136 | 84.40 .170 |
| 10984 | 43.06.030 | 11042 | 2.04.230 | 11072-9 | 41.40.080 | 11103 | Constr. | 11137 | 84.40.160 |
| 10985 | 43.06.040 | 11043 | 2.04.080 | 11072-10 | 41.40.090 | 11104 | Sev. | 11138 | 36.16.040 |
| 10986 | 43.06.050 | 11044 | 2.04.100 | 11072-11 | 41.40.100 | 11105 | 84.04.100 |  | 36.16.050 |
| 10987 | 43.06.060 | 11045-1 | 2.08.060 | 11072-12 | 41.40 .110 | 11106 | 84.04.120 | 11139 | 36.21 .010 |
| 10988 | 43.06.070 |  | 2.08.061 | 11072-13 | 41.40 .120 | 11106-1 | 84.08 .160 | 11140 | 84.08 .190 |
| 10989 | 43.06.080 |  | 2.08.062 | 11072-14 | 41.40.130 | 11107 | 84.04.030 |  | 84.40 .040 |
| 10990 | 43.06.090 |  | 2.08.063 | 11072-15 | 41.40 .140 | 11108 | 84.04 .090 | 11141 | 84.40.060 |
| 10991 | 43.07.040 |  | 2.08.064 | 11072-16 | 41.40 .150 | 11109 | 84.04 .080 | 11142 | 84.40 .080 |
| 10992 | 43.07.030 |  | 2.08.065 | 11072-17 | 41.40.160 |  | 84.36 .070 | 11143 | 84.40 .140 |
| 10993 | 43.07.120 | 11045-1a | S 1949 | 11072-18 | 41.40 .170 | 11110 | 84.04.050 | 11144 | 84.40.260 |
| 10994 | 43.07.010 |  | c 237 § 3 | 11072-19 | 41.40.180 |  | 84.04.060 | 11145 | 84.40 .090 |
| 10995 | 43.07 .020 |  | but see | 11072-20 | 41.40 .190 |  | 84.04 .070 | 11146 | 84.40 .100 |
| 10995-1 | 9.91 .050 |  | 2.08.061 | 11072-21 | 41.40.200 |  | 84.04 .110 | 11147 | 84.40.200 |
| 10995-2 | 9.91 .050 | 11045-lb | S 1951 | 11072-22 | 41.40.210 |  | 84.04 .130 | 11148 | 84.40.320 |
| 10996 | 43.09.010 |  | c 125 §§ 2,3 | 11072-23 | 41.40 .220 | 11111 | 84.40 .010 | 11149 | 84.40.150 |
| 10997 | 43.09 .020 |  | but see | 11072-24 | 41.40 .230 |  | 84.36.020 | 11150 | 84.40.120 |
| 10998 | 43.09.030 |  | 2.08.060, | 11072-25 | 41.40 .240 |  | 84.36.030 | 11150-1 | 84.08.180 |
| 10999 | 43.09 .040 |  | 2.08 .061 | 11072-26 | 41.40.250 | 11111 |  | 11151 | 84.40.270 |
| 11000 | 43.09 .060 | 11045-1c | S 1951 | 11072-27 | 41.40 .260 | subd |  | 11152 | 84.40.280 |
| 11001 | 43.09 .050 |  | c 125 §§ 2,3 | 11072-28 | 41.40.270 | 1,3,7 | 84.36 .060 | 11153 | 84.40.290 |
| 11002 | 43.09.080 |  | but see | 11072-29 | 41.40.280 | subd 2 | 84.36 .010 | 11154 | 84.40.300 |
| 11003 |  |  | 2.08.060, | 11072-30 | 41.40 .290 | subd 4 | 84.36.040 | 11155 | 84.40.310 |
| 11006 | Obsolete |  | 2.08 .061 | 11072-31 | 41.40 .300 | subd 5 | 84.36 .050 | 11156-1 | 84.12.010 |
| 11007 | 43.09.160 | 11045-1d | 2.08.062 | 11072-32 | 41.40.310 | 11111a | 84.36.030 |  | 84.12.020 |
| 11008 | 43.09.100 |  | 2.08.063 | 11072-33 | 41.40.320 | 11111b | Constr. | 11156-2 | 84.12.020 |
| 11009 | Obsolete |  | 2.08.064 | 11072-34 | 41.40 .330 |  | n84.36.030 | 11156-3 | 84.12.030 |
| 11010 | 43.09.110 | 11045-le | S 1951 | 11072-35 | 41.40 .340 | 11111-1 | 84.36 .070 | 11156-4 | 84.12 .080 |
| 11011 | 43.09.120 |  | c 125 § 2 | 11072-36 | 41.40 .350 | 11111-2 | 84.36 .080 | 11156-5 | 84.12 .090 |
| 11012 | 43.09.130 |  | but see | 11072-37 | 41.40.360 | 11111-3 | 84.36.090 | 11156-6 | 84.12.100 |

[^20]Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 11156-7 | 84.12.040 | 11202-1r | 83.36.020 | 11219-4 | 84.28 .050 | 11239 | 84.52 .070 | $11273-14 \mathrm{e}$ | Temporary |
| 11156-8 | 84.12 .050 | 11202-ls | 83.36.030 |  | 84.28 .070 | 11240 | 84.52 .080 | 11273-15 |  |
| 11156-9 | 84.12 .060 | 11203 | 83.04.030 | 11219-5 | 84.28 .060 | 11241 | 84.52 .090 | 11273-20 | Obsolete |
| 11156-10 | 84.12 .070 | 11203-3 | Obsolete | 11219-6 | 84.28 .080 | 11241-1 | 84.68 .110 | 11274 | 84.64 .010 |
| 11156-11 | 84.12 .120 | 11203-4 | Sev. | 11219-7 | 84.28.090 | 11241-2 | 84.68.120 | 11275 | 84.64 .020 |
| 11156-12 | 84.12 .110 | 11203-5 | Constr. | 11219-8 | Superf. | 11241-3 | 84.68 .130 | 11276 | 84.64 .030 |
| 11156-13 | 84.12 .130 | 11204 | Superseded | 11219-9 | 84.28 .100 | 11241-4 | 84.68.140 | 11277 | 84.64 .040 |
| 11156-14 | 84.12 .140 | 11205 | 83.16.020 | 11219-10 | 84.28 .110 | 11241-5 | 84.68 .150 | 11278 | 84.64 .050 |
| 11156-15 | 84.12.150 | 11206 | 83.16.030 |  | 84.28.120 | 11241-10 | 36.38.010 | 11279 | 84.64 .060 |
| 11156-16 | 84.12.160 | 11207 | 83.44.040 | 11219-11 | 84.28 .130 | 11241-11 | 36.38.030 | 11280 | 84.64.070 |
| 11156-17 | 84.12.180 | 11208 | 83.44.050 | 11219-12 | 84.28 .140 | 11241-12 | 36.38.020 | 11280-1 | Temporary |
| 11156-18 | 84.08.070 | 11209 | 83.44.060 | 11219-13 | 84.28 .150 | 11242 | 84.04 .040 | 11280-2 | Temporary |
| 11156-19 | Sev. | 11210 | 83.44.010 | 11219-14 | 84.28 .160 | 11243 | 84.56 .010 | 11281 | 84.64 .080 |
|  | n84.12.010 | 11210-a | 83.44.080 | 11219-15 | 84.28 .170 | 11244 | 84.56 .020 |  | 84.64 .090 |
| 11156-20 | Repealer, | 11211 | 83.16.040 | 11219-16 | Sev. |  | 84.56.030 |  | 84.64 .100 |
|  | Constr. | 11211 a | 83.16.010 |  | n84.28.010 | 11244-1a | Obsolete |  | 84.64 .110 |
|  | n84.12.010 | 11211 b | 83.16.080 | 11219-21 | 84.32 .010 | 11244-1b | Obsolete | 11282 | 84.64.120 |
| 11172-1 | 84.16.010 | 11211 c | 83.36.060 | 11219-22 | 84.32.020 | 11244-1c | Obsolete | 11283 | 84.64 .150 |
| 11172-2 | 84.16.020 | 11211 d | 83.16.050 | 11219-23 | 84.32.030 | 11244-1d | 84.56.040 | 11284 | 84.64 .130 |
| 11172-3 | 84.16 .030 | 11211 e | Constr. |  | 84.32 .040 | 11245 | 84.56.050 | 11285 | 84.64 .140 |
| 11172-4 | 84.16.060 |  | n83.04.010 | 11219-24 | 84.32 .050 | 11245-1 | Obsolete | 11286 | 84.64 .160 |
| 11172-5 | 84.16.070 | 11211e-1 | Constr. |  | 84.32 .060 | 11246 | 84.56 .060 | 11287 | 84.64 .170 |
| 11172-6 | 84.16.080 |  | n83.04.010 | 11219-25 | 84.32.070 | 11247 | 84.56 .070 | 11288 | 84.64.180 |
| 11172-7 | 84.16.040 | 11211 f | Obsolete | 11219-26 | 84.32.080 |  | 84.56.080 | 11289 | 84.64 .190 |
| 11172-8 | 84.16.050 | 11212 | 83.44.030 | 11219-27 | 84.32 .090 |  | 84.56 .100 | 11290 | 84.64 .200 |
| 11172-9 | 84.16 .090 | 11213 | 83.36.040 | 11219-28 | 84.32 .100 | 11247-1 | 84.56 .210 | 11291 | 84.64 .210 |
| 11172-10 | 84.16.100 | 11214 | 83.44.020 | 11219-29 | 84.32 .110 | 11248 | 84.56 .220 | 11292 | 84.64.220 |
| 11172-11 | 84.16 .110 | 11215 | 83.44.070 | 11219-30 | 84.32 .120 | 11249 | 84.56 .120 | 11293 | 84.64 .230 |
| 11172-12 | 84.16 .120 | 11216 | 83.24 .010 | 11219-31 | Repealer, | 11250 | 84.56.090 | 11294 | 84.64 .270 |
| 11172-13 | 84.16 .130 |  | 83.24 .020 |  | Sev. |  | 84.56 .110 |  | 84.64 .280 |
| 11172-14 | 84.16.140 |  | 83.24 .030 |  | n84.32.010 |  | 84.56 .130 |  | 84.64 .290 |
| 11172-15 | Sev. |  | 83.24 .040 | 11219-32 | Sev. |  | 84.56 .140 | 11295 | 84.64 .300 |
|  | n84.16.010 | 11216-1 | 83.52.020 |  | n84.32.010 | 11251 | 84.56 .150 | 11295a | 84.64 .210 |
| 11188 | 84.20.010 | 11216-2 | Obsolete | 11219-33 | 82.48.010 | 11252 | 84.56.160 | 11295-1 | 84.64 .320 |
| 11188-1 | 84.36 .210 | 11216-3 | Sev. | 11219-34 | 82.48.020 | 11253 | 84.56.170 | 11295-2 | 84.64.450 |
| 11189 | 84.20.020 | 11217 | 83.36.010 | 11219-35 | 82.48 .030 | 11254 | 84.56.230 | 11296 | 84.64 .240 |
| 11190 | 84.20.030 |  | 83.36.050 | 11219-36 | 82.48.040 | 11255 | 84.56.240 | 11297 | 84.64 .250 |
| 11191 | 84.20 .040 | 11218 | 83.20.010 | 11219-37 | 82.48.050 | 11256 | 84.56.250 | 11298 | 84.64 .260 |
| 11192 | 84.20.050 | 11218-1 | R 1949 | 11219-38 | 82.48.060 | 11257 | 84.56.260 | 11298-1 | 84.64 .310 |
| 11201 | 83.04.010 |  | c $140 \S 4$ | 11219-39 | 82.48.070 | 11258 | 84.56.280 | 11301 | 84.24 .010 |
|  | 83.04.020 | 11218-2 | Constr. | 11219-40 | 82.48.080 |  | 84.56.290 | 11302 | 84.24 .020 |
|  | 83.04.060 |  | n83.20.010 | 11219-41 | 82.48 .090 | 11259 | 84.56 .300 | 11303 | 84.24 .030 |
|  | 83.04.070 | 11218-11 | 83.56 .030 | 11219-42 | 82.48 .100 | 11260 | 84.60.010 | 11304 | 84.24 .040 |
|  | 83.44 .090 | 11218-12 | 83.56.040 | 11219-43 | 82.48 .110 | 11261 | 84.56 .310 | 11305 | 84.24 .050 |
| 11201a | 83.04.040 | 11218-13 | 83.56.070 | 11220 | 84.48.010 | 11262 | Obsolete | 11306 | 84.24 .060 |
| 11201-a | 83.04.050 | 11218-14 |  |  | 84.48.020 | 11263 | 84.56 .320 | 11307 | 84.24 .070 |
| 11201-b | 83.40.050 | (a) | 83.56.020 |  | 84.48 .030 | 11263-1 | 84.56 .330 | 11308 | Sev. |
| 11201-c | 83.04.080 | (b) | 83.56.050 |  | 84.48 .040 | 11264 | 84.56 .340 |  | n84.24.010 |
| 11201-2 | 83.16.090 | 11218-15 | 83.56.060 |  | 84.48 .060 |  | 84.56 .350 | 11308-1 | 84.64 .330 |
| 11201-3 | Sev. | 11218-16 | 83.56.080 | 11221 | 84.48.050 | 11264-1 | 84.56.360 | 11308-2 | 84.64 .340 |
|  | n83.16.090 | 11218-17 | 83.56.090 |  | 84.48 .070 | 11264-2 | 84.56 .370 | 11308-3 | 84.64 .350 |
| 11202 | 83.08.010 | 11218-18 | 83.56 .100 | 11222 | 84.48.080 | 11264-3 | 84.56 .380 | 11308-4 | 84.64 .360 |
|  | 83.08.020 | 11218-19 | 83.56.110 |  | 84.48 .090 | 11265 | 84.60.020 | 11308-5 | 84.64 .370 |
|  | 83.08.030 | 11218-20 | 83.56.120 |  | 84.48.100 |  | 84.60 .030 | 11308-6 | 84.64.380 |
|  | 83.08.040 | 11218-21 | 83.56.130 | 11223 | 84.48 .110 | 11265-1 | 84.56.270 | 11308-7 | 84.64 .390 |
|  | 83.08.050 | 11218-22 | 83.56.140 | 11224 | 84.48.120 | 11266 | 84.56.180 | 11308-8 | 84.64 .400 |
|  | 83.08.060 | 11218-23 | 83.56 .150 | 11226 | 84.04.030 | 11267 | 84.56 .190 | 11308-9 | 84.64 .410 |
| 11202a | 83.16.070 | 11218-24 | 83.56.010 |  | 84.04.120 | 11268 | 84.56 .390 | 11308-10 | 84.64.420 |
| 11202b | 83.16.060 | 11218-25 | 83.56.160 | 11227 | 84.04 .020 |  | 84.56 .400 | 11308-11 | 84.64.430 |
|  | 83.40.010 | 11218-26 | 83.56.180 | 11228 | 84.52 .040 | 11269 | 84.24 .080 | 11308-12 | 84.64.440 |
|  | 83.40.020 | 11218-27 | 83.56.200 | 11229 | 35.27 .420 | 11270 | 84.56 .410 | 11312 | 78.16.010 |
|  | 83.40.030 | 11218-29 | 83.56.210 | 11230 | 35.27 .430 | 11271 | 84.56 .420 | 11313 | 78.16.020 |
| 11202-1a | 83.28 .010 | 11218-30 | 83.56.280 | 11231 | 35.27 .440 | 11272 | 84.08.080 | 11314 | 78.16 .030 |
| 11202-1b | 83.28.020 | 11218-31 | 83.56 .290 | 11232 | 35.27 .420 | 11273 | 84.08.170 | 11314-1 | 78.16 .040 |
| 11202-1c | 83.28 .030 | 11218-32 | 83.56.230 |  | 35.27 .450 |  | 84.60.040 | 11314-2 | 78.16 .050 |
| 11202-1d | 83.28.040 | 11218-33 | 83.56.170 |  | 35.27 .460 | 11273-1 | Obsolete | 11314-3 | 78.16.060 |
| 11202-1e | 83.28.050 | 11218-34 | 83.56 .190 |  | 35.27 .470 | 11273-1a | Obsolete | 11314-4 | 78.16 .070 |
| 11202-1f | 83.28.060 | 11218-35 | 83.56.220 |  | 35.27 .480 | 11273-1b | Obsolete | 11314-5 | Constr. |
| 11202-1g | 83.28 .070 | 11218-36 | 83.56 .300 | 11233 | 35.27 .450 | 11273-1c | Obsolete |  | n78.16.010 |
| 11202-1h | 83.32.010 | 11218-37 | 83.56.250 | 11234 | 84.48 .130 | 11273-1d | Obsolete | 11315-1 | 84.68 .010 |
| 11202-1i | 83.32.020 |  | 83.56.260 | 11235 | 84.52 .010 | 11273-2 | Obsolete | 11315-2 | 84.68 .020 |
|  | 83.32.030 | 11218-38 | 83.56.270 | 11236 | 84.52.020 | 11273-2a | Obsolete | 11315-3 | 84.68 .030 |
|  | 83.32.040 | 11218-39 | 83.56.240 | 11237 | $S$ by | 11273-2b | Obsolete | 11315-4 | 84.68 .040 |
| 11202-1j | 83.32.050 | 11218-40 | 83.56.310 |  | 28.63.100- | 11273-3a | Obsolete | 11315-5 | 84.68 .050 |
| 11202-1k | 83.48.010 | 11218-41 | Obsolete |  | 28.63.160 | 11273-4a | Obsolete | 11315-6 | 84.68.060 |
|  | 83.48 .020 | 11218-42 | Short t. | 11238 | 84.52.030 | 11273-5 | Obsolete | 11415-7 | 84.68.070 |
|  | 83.48.030 |  | n83.56.010 |  | $S$ by | 11273-5a | Obsolete | 11315-8 | Sev. |
|  | 83.48.040 | 11219-1 | Purpose | 11238-1c | 84.52.050, | 11273-6- |  |  | n84.68.010 |
| 11202-11 | 83.40.040 |  | n84.28.010 |  | 84.52.052, | 11273-14 | Obsolete | 11315-9 | Constr. |
| 11202-1m | 83.12 .020 | 11219-2 | 84.28 .010 | 11238-d | 84.52 .056 | 11273-14a | Obsolete |  | n84.04.040 |
| 11202-1n | 83.52 .010 | 11219-3 | 84.28 .020 | 11238-1e | 84.52 .050 | 11273-14b | Obsolete | 11315-10 | Sev. |
| 11202-10 | 83.12 .010 |  | 84.28 .030 |  | 84.52 .052 | 11273-14c | Temporary |  | n84.04.040 |
| 11202-1p | 83.12.030 |  | 84.28.040 |  | 84.52 .056 | 11273-14d | Temporary | 11318 | 36.21 .020 |

Parallel Tables: Rem. Rev. Stat.——RCW

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 11319 | Superseded | 11384 | 45.12.160 | 11457 | 45.36.030 | 11554 | 22.12 .070 | 11593 | 57.24.010 |
| 11320 | Superseded | 11385 | 45.12.170 | 11458 | 45.36.010 | 11555 | 22.12.080 |  | 57.24 .020 |
| 11321 | 36.29.100 | 11386 | 45.12.180 | 11459 | 45.36.020 | 11556 | 22.12 .090 |  | 57.24 .030 |
| 11322 | 36.29.110 | 11387 | 45.12 .190 | 11460 | 45.64 .010 | 11557 | 22.12.100 | 11593-1 | 57.24.040 |
| 11323 | Superseded | 11388 | 45.12.200 | 11461 | 45.64 .020 | 11558 | 22.12.110 | 11594 | 57.24 .050 |
| 11324 | Obsolete | 11389 | 45.12.210 | 11462 | 45.64 .030 | 11559 | 22.12.120 | 11595 | 57.20 .100 |
| 11325 | Superseded | 11390 | 45.12.220 | 11463 | 45.64 .040 | 11560 | 22.12.130 | 11596 | 57.20 .110 |
| 11326 | Constr. | 11391 | 45.12.230 | 11464 | 45.64 .050 | 11561 | 22.12.140 | 11597 | 57.20.120 |
|  | n36.21.020 | 11392 | 45.12.240 | 11465 | 45.64 .060 | 11562 | 22.12.150 | 11598 | 57.08.050 |
| 11327 | 36.29.150 | 11393 | 45.16.010 | 11466 | 45.64.070 | 11563 | 22.12.160 | 11599 | 57.20 .130 |
| 11328 | Superseded | 11394 | 45.16.020 | 11467 | 45.64 .080 | 11564 | 22.12.170 | 11600 | 57.20.140 |
| 11329 | 36.21 .030 | 11395 | 45.16.030 | 11468 | 45.68.010 | 11565 | Eff. date | 11601 | 57.04.080 |
| 11330 | 36.29.120 | 11396 | 45.16.040 | 11469 | 45.68.020 | 11566 | 22.16.010 | 11602 | 57.04.100 |
| 11331 | Superseded |  | 45.16.050 | 11470 | 45.68.030 | 11567 | 22.16.020 | 11603 | Sev. |
| 11332 | Superseded | 11397 | 45.16.060 | 11471 | 45.68.040 | 11568 | 22.16.030 | 11604 | Val. |
| 11333 | Superseded | 11398 | 45.16.070 | 11472 | 45.68 .050 | 11569 | 22.16.040 |  | n57.04.020 |
| 11334 | 36.29.130 | 11399 | 45.16.080 | 11473 | 45.72.010 | 11569-1 | 22.20.010 | 11604-1 | 57.28 .010 |
| 11335 | 36.29.140 | 11400 | 45.16.090 | 11474 | 45.48.010 |  | 22.20.030 | 11604-2 | 57.28.020 |
| 11336 | Superseded | 11401 | Duplication | 11475 | 45.48.020 | 11569-2 | 22.20.020 | 11604-3 | 57.28.030 |
| 11337 | Superseded | 11402 | 45.16 .100 | 11476 | 45.48.030 | 11569-3 | 22.20 .050 | 11604-4 | 57.28 .040 |
| 11337-1 | 60.68.010 | 11403 | 45.16.110 | 11477 | 45.48.040 | 11569-4 | 22.20.080 | 11604-5 | 57.28 .050 |
| 11337-2 | 60.68.020 | 11404 | 45.16.120 | 11478 | 45.72.070 | 11569-4A | 22.20.060 | 11604-6 | 57.28 .060 |
| 11337-3 | 60.68.030 | 11405 | 45.20.010 | 11479 | 45.72 .030 | 11569-4B | 22.20.070 | 11604-7 | 57.28 .070 |
| 11337-4 | 60.68.040 | 11406 | 45.20 .020 | 11480 | 45.72 .040 | 11569-5 | 22.20 .090 | 11604-8 | 57.28 .080 |
| 11337-5 | Purpose | 11407 | 45.24 .010 | 11481 | 45.72.050 | 11569-6 | 22.20 .040 | 11604-9 | 57.28 .090 |
|  | n60.68.010 |  | 45.24 .020 | 11482 | 45.72 .060 | 11569-7 | 22.20.100 | 11604-10 | 57.28 .100 |
| 11337-10 | 82.52 .010 | 11408 | 45.24 .060 | 11483 | 45.72.020 | 11569-8 | 22.20.130 | 11604-11 | 57.28.110 |
| 11337-11 | 82.52.020 | 11409 | 45.24 .030 | 11484 | Superf. | 11569-9 | 22.20.120 | 11604-12 | 57.08.060 |
| 11337-15 | 84.72 .010 | 11410 | 45.24 .040 | 11485 |  | 11569-10 | 22.20.110 | 11604-13 | Val. |
| 11337-16 | 84.72 .020 | 11411 | 45.24 .050 | 11530 | Special | 11569-12 | Sev. |  | n57.04.020 |
| 11337-17 | 84.72 .030 | 11412 | 45.28 .010 | 11532 |  |  | n22.20.010 | 11604-14 | Val. |
| 11338 | 80.36.010 | 11413 | 45.28 .020 | 11536 | Special | 11569-15 | 22.08.200 |  | n57.04.020 |
| 11339 | 80.36.020 | 11414 | 45.28 .030 | 11537 | 19.76.040 | 11569-16 | 22.08.210 | 11604-15 | Val . |
| 11340 | 80.36.050 | 11415 | 45.28.040 | 11538 | 19.76 .040 | 11569-17 | 22.08.220 |  | n57.04.020 |
| 11341 | 81.56.040 | 11416 | 45.28 .050 | 11539 | 19.76.010 |  | 22.08.230 | 11604-16 | Sev. |
| 11342 | 80.36.030 | 11417 | 45.28.060 |  | 19.76.020 | 11570 | 90.16.010 | 11604-17 | Val. |
| 11343 | 80.36.220 | 11418 | 45.28 .070 |  | 19.76.030 | 11572 | 90.16.030 |  | n57.04.020 |
| 11344 | 80.36.210 | 11419 | 45.28 .080 | 11540 | 19.76.070 | 11573 | 90.16.040 | 11604-18 | Val. |
| 11345 | 5.52 .010 | 11420 | 45.28 .090 | 11541 | 19.76.050 | 11574 | 90.16.030 |  | n57.04.020 |
| 11346 | 5.52.020 | 11421 | 45.28 .100 | 11542 | 19.76.080 | 11575 | 90.16.020 | 11604-19 | Val. |
| 11347 | 5.52 .030 | 11422 | 45.52.010 | 11543 | 19.76 .090 | 11575-1 | 90.16.050 |  | n57.04.020 |
| 11348 | 5.52 .040 | 11423 | 45.52.020 | 11544 | 19.76 .060 | 11575-2 | 90.16.060 | 11604-20 | 57.32.010 |
| 11349 | 5.52 .050 | 11424 | 45.52 .030 | 11545 | Constr. |  | 90.16.070 | 11604-21 | 57.32.020 |
| 11350 | 5.52 .060 | 11425 | 45.52 .040 |  | n19.76.010 |  | 90.16.080 | 11604-22 | 57.32.030 |
| 11351 | 5.52 .070 | 11426 | 45.52 .050 | 11546 | 19.76 .100 | 11575-3 | 90.16 .090 | 11604-23 | 57.32.040 |
| 11352 | 80.36 .040 | 11427 | 45.52.060 | 11547 | 19.76.110 | 11576 | 90.16.100 | 11604-24 | 57.32.050 |
| 11353 | 80.36.070 | 11428 | 45.52 .070 | 11548 | 19.76.120 | 11577 | 90.16.110 | 11604-25 | 57.32.060 |
| 11354 | 80.36.060 | 11429 | 45.52 .080 | 11548-1 |  | 11578 | 90.16.120 | 11604-26 | 57.32.070 |
| 11355 | 80.36.220 | 11430 | 45.52 .090 | 11548-28 | R 1951 | 11579 | 57.04.020 | 11604-27 | 57.32.080 |
| 11356 | 80.36.050 |  | 45.52 .100 |  | c 226 § 14 | 11580 | 57.04.030 | 11604-28 | 57.32 .090 |
| 11357 | 80.36.070 | 11431 | 45.32.010 |  | but see |  | 57.04 .040 | 11604-29 | 57.32 .100 |
| 11358 | 2.36.120 | 11432 | 45.32.020 |  | Ch. 30.30 | 11581 | 57.04.050 | 11604-30 | 57.32 .110 |
|  | 38.40.070 | 11433 | 45.32 .030 | 11548-30 | 61.20 .010 | 11581-1 | Val. | 11604-31 | 57.32.120 |
| 11358-1 | 80.36.230 | 11434 | 45.32.040 | 11548-31 | 61.20.020 |  | n57.04.050 | 11604-32 | 57.32.130 |
| 11358-2 | 80.36.240 | 11435 | 45.32 .050 | 11548-32 | 61.20 .030 | 11582 | 57.04 .070 | 11605 | Purpose |
| 11360 | 45.04.010 | 11436 | 45.32.060 | 11548-33 | 61.20 .040 | 11583 | 57.04 .060 |  | n54.04.020 |
| 11361 | 45.04.020 | 11437 | 45.32.070 | 11548-34 | 61.20 .050 | 11584 | 57.12.020 | 11606 | 54.04.020 |
| 11362 | 45.04.030 | 11438 | 45.32.080 | 11548-35 | 61.20 .060 |  | 57.12.030 | 11607 | 54.08 .010 |
| 11363 | 45.08.010 | 11439 | 45.40.010 | 11548-36 | 61.20 .070 |  | 57.12 .040 |  | 54.08.020 |
| 11364 | 45.08.020 |  | 45.40.020 | 11548-37 | 61.20 .080 | 11585 | 57.12.010 | 11608 | 54.08 .030 |
|  | 45.08.030 | 11440 | 45.40.030 | 11548-38 | 61.20 .090 | 11586 | 57.08.010 |  | 54.08 .040 |
|  | 45.08 .040 | 11441 |  | 11548-39 | 61.20 .100 | 11586-1 | 57.08.020 |  | 54.12 .010 |
|  | 45.08.050 | 11442 |  | 11548-40 | 61.20 .110 | 11586-2 | 57.08.030 |  | 54.12 .020 |
| 11365 | 45.08 .060 | 11443 | Obsolete | 11548-41 | 61.20 .120 | 11586-3 | 57.08.040 |  | 54.12 .030 |
| 11366 | 45.08.060 | 11443-1 |  | 11548-42 | 61.20 .130 | 11587 | 57.16.050 |  | 54.12 .040 |
| 11367 | 45.08.080 | 11444 |  | 11548-43 | 61.20 .140 | 11588 | 57.16.010 |  | 54.12 .050 |
| 11368 | 45.08.090 | 11445 | R 1945 | 11548-44 | 61.20.150 |  | 57.16.020 |  | 54.12 .060 |
| 11369 | 45.12 .010 |  | c 148 § 4 | 11548-45 | 61.20 .160 |  | 57.16.030 |  | 54.12.070 |
| 11370 | 45.12 .020 | 11446 | 45.56 .010 | 11548-46 | 61.20 .170 |  | 57.16.040 | 11609 | 54.04.060 |
| 11371 | 45.12 .030 |  | 45.56.030 | 11548-47 | 61.20.180 | 11588-1 | 57.20.020 | 11610 |  |
| 11372 | 45.12 .040 | 11447 | 45.56 .020 | 11548-48 | Sev. | 11589 | 57.20.010 | (a) | 54.16.010 |
| 11373 | 45.12 .050 | 11448 | 45.56.040 |  | n61.20.010 | 11589-1 | 57.20.030 | (b) | 54.16.020 |
| 11374 | 45.12 .060 | 11449 | 45.56.050 | 11548-49 | Short t. | (c) | 57.20 .040 | (c) | 54.16.030 |
| 11375 | 45.12 .070 | 11449-1 | 45.12 .100 |  | n61.20.010 | (d)(e) | 57.20.050 | (d) | 54.16.040 |
| 11376 | 45.12 .080 |  | 45.56 .030 | 11548-50 | 61.20.190 | (f) | 57.20.060 | (e) | 54.16.050 |
| 11376-1 | Obsolete | 11450 | 45.60.010 | 11548-60 | 11.04.230 |  | 57.20.070 |  | 54.16.060 |
| 11377 | 45.12 .090 |  | 45.60 .020 | 11548-61 | 11.04 .240 | 11589-2 | 57.20 .080 | (f) | 54.16.070 |
| 11378 | 45.12 .100 | 11451 | 45.60 .030 | 11549 | 22.12 .010 | 11589-3 | 57.20 .090 | (g) | 54.16.080 |
| 11379 | 45.12.110 | 11452 | 45.60 .040 | 11550 | 22.12 .020 | 11590 | 57.16.060 | (h)(i)(i) | 54.16.090 |
| 11380 | 45.12 .120 | 11453 | 45.56 .070 |  | 22.12 .030 |  | 57.16.070 | (j) | 54.16.100 |
| 11381 | 45.12 .130 | 11454 | 45.56 .060 | 11551 | 22.12 .040 |  | 57.16.080 | (k) | 54.16.110 |
| 11382 | 45.12.140 | 11455 | 45.56 .080 | 11552 | 22.12 .050 | 11591 | 57.16.090 | (1) | 54.16 .120 |
| 11383 | 45.12.150 | 11456 | 45.44.010 | 11553 | 22.12.060 | 11592 | 57.16.100 |  | 54.16.130 |

[Parallel Tables--p 54]

| Rem. Rev. Stats. | Rev. Code of Wash. | Rem. Rev. Stats. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: |
|  | 54.16.140 | 11620 | 19.92.020 |
|  | 54.16.150 | 11621 | 19.92.030 |
|  | 54.16.160 | 11622 | 19.92.250 |
|  | 54.16 .170 | 11623 | 19.92.270 |
| (m) | 54.16.180 | 11624 | 19.92.280 |
| (n) | 54.16.190 | 11625 | 19.92.130 |
| 11611 | 54.24.130 | 11626 | 19.92.100 |
|  | 54.24.140 | 11626-1 | 19.92.110 |
|  | 54.24.150 |  | 19.92.120 |
|  | 54.24.160 | 11626-2 | 19.92.110 |
| 11611-1 | 54.24.020 | 11626-3 | 19.92.120 |
| 11611-2 | 54.24 .030 | 11627 | 19.92.210 |
| 11611-3 | 54.24 .050 | 11628 | 19.92.090 |
| 11611-4 | 54.24 .060 | 11629 | 19.92.140 |
| 11611-5 | 54.24.040 | 11630 | 19.92.200 |
| 11611-6 | 54.24 .070 | 11631 | 19.92.220 |
| 11611-7 | 54.24 .080 | 11632 | 19.92.060 |
| 11611-8 | 54.24 .090 | 11633 | 19.92.180 |
| 11611-9 | 54.24.100 | 11634 | 19.92.070 |
| 11611-10 | 54.24 .110 | 11635 | 19.92.230 |
| 11611-11 | 54.24.120 | 11636 | 19.92.160 |
| 11611-12 | Sev. | 11637 | 19.92.190 |
|  | n54.24.020 | 11638 | 19.92.080 |
| 11611-13 | Repealer | 11639 | 19.92.150 |
| 11612 | 54.04 .070 | 11640 | 19.92.260 |
|  | 54.04.080 | 11640-1 | 19.92.170 |
|  | 54.04.090 | 11640-2 | 19.92.170 |
|  | 54.12.080 | 45.01.01, and |  |
|  | 54.12 .090 | fo owing, |  |
|  | 54.24 .010 | see § 45 |  |
| 11613 | 54.24.010 | above, |  |
| 11614 | 54.32.010 | this table. |  |
|  | 54.32.020 |  |  |
|  | 54.32.030 |  |  |
| 11615 | Sev. |  |  |
|  | Constr. |  |  |
|  | n54.04.020 |  |  |
| 11616 | 54.04 .030 |  |  |
| 11616-1 | 54.04 .040 |  |  |
|  | 54.28 .010 |  |  |
| 11616-2 |  |  |  |
| (a) | $54.28 .020$ |  |  |
| (b) | 54.28 .030 |  |  |
| (c) | 54.28 .040 |  |  |
| (d) | 54.28 .050 |  |  |
| (e) | 54.28 .060 |  |  |
| (f) | 54.28 .010 |  |  |
| (g) | 54.28 .080 |  |  |
| 11616-3 | 54.28 .070 |  |  |
| 11616-4 | 54.04 .040 |  |  |
| 11616-5 | 54.12 .080 |  |  |
| 11616-6 | 54.04.050 |  |  |
| 11616-7 | 54.08.050 |  |  |
| 11616-8 | ${ }^{\text {Sev. }}$ |  |  |
|  | n54.04.040 |  |  |
| $\begin{aligned} & 11617 \\ & 11617-1 \end{aligned}$ | 19.92.040 |  |  |
|  | 43.52 .001 |  |  |
|  | 43.52.010 |  |  |
|  | 43.52 .020 |  |  |
| $\begin{aligned} & 11617-2 \\ & 11617-3 \end{aligned}$ | 43.52 .030 |  |  |
|  | 43.52 .040 |  |  |
|  | 43.52 .050 |  |  |
| $\begin{aligned} & 11617-4 \\ & 11617-4 a \end{aligned}$ | 43.52 .060 |  |  |
|  | 43.52.070 |  |  |
|  | 43.52 .080 |  |  |
|  | 43.52.090 |  |  |
|  | 43.52 .100 |  |  |
|  | 43.52.110 |  |  |
|  | 43.52 .120 |  |  |
|  | 43.52.130 |  |  |
|  | 43.52 .140 |  |  |
|  | 43.52 .150 |  |  |
| 11617-5 | 43.52.160 |  |  |
| 11617-6 | 43.52 .170 |  |  |
| 11617-7 | 43.52.180 |  |  |
|  | 43.52.190 |  |  |
| 11617-8 | 43.52.200 |  |  |
| 11617-9 | 43.52.210 |  |  |
| 11617-10 | 43.52.220 |  |  |
| 11617-11 | 43.52 .230 |  |  |
| 11617-12 | 43.52.240 |  |  |
| 11618 | 19.92.010 |  |  |
| 11619 | 19.92.050 |  |  |

# SESSION LAW SECTIONS NOT INCLUDED IN REMINGTON'S REVISED STATUTES, BUT INCLUDED IN THE REVISED CODE OF WASHINGTON 

## 1854 to 1949 Session Laws, inclusive

| Session Law Year | Chapter | Section | Rev. Code of Wash. | Session Law | Chapter | Section | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1854 | p. 329 | 6 | 36.01.050 | 1917 | 4 | 20 | 37.08.170 |
| 1854 | p. 67 | 17 | 29.48.070 | 1917 | 4 | 22 | 37.08.180 |
| 1854 | p. 68 | 21 | 29.51.040 | 1917 | 4 | 23 | 37.08.190 |
| 1854 | p. 376 | 1 | 10.25.120 | 1925ex.s. | 182 | 1 | 28.80.190 |
| 1873 | p. 195 | 67 | 9.83 .070 | 1933 | 159 | 1 | 37.08.230 |
| Code 1881 |  | 548 | 7.28.250 | 1945 | 35 | 187 | 50.40.040 |
| Code 1881 |  | 2056 | 59.04.040 | 1945 | 241 | 1 | 28.77.220 |
| Code 1881 |  | 2403 | 26.16.060 | 1945 | 241 | 2 | 28.77.220 |
| Code 1881 |  | 2517 | 85.28.130 | 1947 | 45 | 1 | 28.77 .310 |
| Code 1881 |  | 2518 | 85.28.140 | 1947 | 45 | 3 | 28.77 .320 |
| Code 1881 |  | 2679 | 29.04.040 | 1947 | 45 | 4 | 28.77.330 |
| Code 1881 |  | 3050 | 42.04.020 | 1947 | 134 |  | 66.08 .160 |
| Code 1881 |  | 3100 | 29.27.110 | 1947 | 246 | 2 | 51.32.170 |
|  |  |  | 29.62.120 | 1947 | 276 | 1 | 85.28 .150 |
| Code 1881 |  | 3146 | 29.85.030 | 1947 | 240 | 2 | 70.82.020 |
| 1890 | p. 522 | 1 | 19.92.240 | 1949 | 5 | 14 | 66.24.460 |
| 1891 | P. 120 | 1 | 90.28.150 | 1949 | 5 | 15 | 66.24.470 |
| 1891 | 120 | 3 | 90.28.160 | 1949 | 229 | 1 | 28.47.130 |
| 1895 | 156 | 3 | 29.24.100 | 1949 | 229 | 2 | 28.47.140 |
| 1897 | 12 | 1 | 15.60.150 | 1949 | 229 | 3 | 28.47.150 |
| 1897 | 12 | 2 | 15.60.150 | 1949 | 229 | 4 | 28.47.160 |
| 1901 | 48 | 1 | 70.20.180 | 1949 | 229 | 5 | 28.47.170 |
| 1901 | 48 | 2 | 70.20.180 | 1949 | 229 | 6 | 28.47 .180 |
| 1901 | 105 | 1 | 79.16.160 | 1949 | 230 | 1 | 72.52.010 |
| 1901 | 105 | 2 | 79.16.160 | 1949 | 230 | 2 | 72.52 .020 |
| 1901 | 110 | 1 | 79.16.170 | 1949 | 230 | 3 | 72.52 .030 |
| 1901 | 110 | 2 | 79.16.170 | 1949 | 230 | 4 | 72.52 .040 |
| 1903 | 173 | 2 | 80.32.060 | 1949 | 230 | 5 | 72.52 .050 |
| 1905 | 115 | 4 | 84.08.090 | 1949 | 230 | 6 | 72.52.060 |
| 1905 | 115 | 5 | 84.08 .100 | 1949 | 238 | 8 | 77.12 .400 |
| 1907 | 55 | $31 / 2$ | 38.20.030 | 1949 | 238 | 9 | 77.12.410 |
| 1909 | 202 | 1 | 9.45.160 |  |  |  |  |
| 1909 | 202 | 2 | 9.45 .170 |  |  |  |  |
| 1913 | 24 | 1 | 28.77.280 |  |  |  |  |
| 1913 | 24 | 2 | 28.77.290 |  |  |  |  |
| 1913 | 24 | 3 | 8.28 .060 |  |  |  |  |
|  |  |  | 28.77.300 |  |  |  |  |
| 1917 | 4 | 2 | 37.08.010 |  |  |  |  |
| 1917 | 4 | 3 | 37.08.020 |  |  |  |  |
| 1917 | 4 | 4 | 37.08.030 |  |  |  |  |
| 1917 | 4 | 5 | 37.08.040 |  |  |  |  |
| 1917 | 4 | 8 | 37.08.050 |  |  |  |  |
| 1917 | 4 | 9 | 37.08.060 |  |  |  |  |
| 1917 | 4 | 10 | 37.08.070 |  |  |  |  |
| 1917 | 4 | 11 | 37.08.080 |  |  |  |  |
| 1917 | 4 | 12 | 37.08.090 |  |  |  |  |
| 1917 | 4 | 13 | 37.08.100 |  |  |  |  |
| 1917 | 4 | 14 | 37.08 .110 |  |  |  |  |
| 1917 | 4 | 15 | 37.08.120 |  |  |  |  |
| 1917 | 4 | 16 | 37.08.130 |  |  |  |  |
| 1917 | 4 | 17 | 37.08.140 |  |  |  |  |
| 1917 | 4 | 18 | 37.08 .150 |  |  |  |  |
| 1917 | 4 | 19 | 37.08.160 |  |  |  |  |

## SESSION LAW SECTIONS COMMENCING WITH THE 1950 EXTRAORDINARY SESSION LAWS

## 1950 EXTRAORDINARY SESSION LAWS



## 1951 REGULAR SESSION LAWS

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 1 | Short t. | 3 | 79.24.220 | 24 | 70.79.260 | 12 | 85.18 .110 |  |  | 73.36 .180 |
|  | 2 | Purpose | 4 | 70.24.230 | 25 | 70.79.220 | 13 | 85.18 .120 |  | 20 | Short t. |
|  | 3 | 74.04.005 | 5 | n79.24.240 | 26 | 70.79.270 | 14 | 85.18.130 |  |  | 73.36.190 |
|  | 4 | 74.08.020 | 6 | n79.24.250 | 27 | 70.79.280 | 15 | 85.18 .140 |  | 21 | 73.36.170 |
|  | 5 | 74.08 .030 | 7 | 79.24.260 | 28 | 70.79.290 | 16 | 85.18 .150 | 54 | 1 | 47.24.050 |
|  | 6 | 74.08.040 | 8 | Approp. | 29 | 70.79.300 | 17 | 85.18.160 |  | 2 | Em. |
|  | 7 | 74.08 .140 |  | n79.24.270 | 30 | 70.79 .310 | 18 | 85.18 .170 | 55 | 1 | Approp. |
|  |  | through | 9 | Em. | 31 | 70.79.320 | 19 | 85.18 .180 |  | 2 | Em. |
|  |  | 74.08.200 | 23 1 | 30.52.030 | 32 | 70.79 .330 | 20 | Sev. | 56 | 1 | 46.04.414 |
|  | 8 | 74.08.250 | 24 1 | Special | 33 | 70.79.340 |  | 85.18 .900 |  | 2 | 46.37.380 |
|  | 9 | 74.08.270 | 2 | Special | 34 | 70.79 .350 | 21 | Em. |  | 3 | 46.60.230 |
| 2 | 1 | Approp. | $25 \quad 1$ | Special | 35 | 70.79 .210 | $46 \quad 1$ | 35.17 .110 | 57 | 1 | 43.21 .010 |
|  | 2 | Em. |  | n Title 79 | 36 | 70.79.360 | 2 | Em. |  | 2 | 43.21 .120 |
| 3 | 1 | Approp. |  | Sub. Index | 37 | Sev. | $47 \quad 1$ | 35.17 .115 |  | 3 | 43.21 .130 |
|  | 2 | Em. | $26 \quad 1$ | 79.08.102 |  | 70.79.900 | $48 \quad 2$ | Em. |  | 4 | 43.21 .140 |
| 4 | 1 | Approp. | 2 | 79.08.104 | 331 | 88.32 .240 | $48 \quad 1$ | 67.08 .140 |  | 5 | 90.03.470 |
|  | 2 | Em. | 3 | 79.08.106 | 2 | 88.32.250 | 2 | 67.08.015 | 58 | 1 | 76.04.010 |
| 5 | 1 | 1.04.013 | $27 \quad 1$ | 28.63.080 | 341 | 36.38.010 | $49 \quad 1$ | 78.48.080 |  | 2 | 76.04.150 |
|  | 2 | 1.04.010 | 2 | Em. | 351 | 35.21 .280 | 2 | Approp. |  | 3 | 76.04.230 |
|  | 3 | 1.04.014 | $28 \quad 1$ | Leg. rev. | 361 | Repealer | 3 | Approp. |  | 4 | 76.04.250 |
|  | 4 | 1.04.015 | 2 | 46.48 .040 | 371 | 82.12.045 | 4 | Obsolete |  | 5 | 76.04.260 |
|  | 5 | 1.04.016 | 3 | 46.48.044 | 2 | Eff. date | 5 | Repealer |  | 6 | 76.04.270 |
|  | 6 | 1.04.020 | 4 | 46.61.435 | $38 \quad 1$ | Special | $50 \quad 1$ | 41.40.010 |  | 7 | 76.04.320 |
|  | 7 | Eff. date | 5 | Leg. rev. | - 2 | Special | 2 | 41.40 .120 |  | 8 | 76.04.360 |
|  |  | Em. | 6 | 46.48 .020 | $39 \quad 1$ | 35.92 .014 | 3 | 41.40 .150 |  | 9 | 76.04.380 |
| 6 | 1 | 33.52 .010 | 7 | 46.48.021 | 2 | 35.92.015 | 4 | 41.40.160 |  | 10 | Repealer |
| 7 | 1 | 73.32.030 | 8 | 46.48.022 | 401 | 37.08.260 | 5 | 41.40 .190 |  | 11 | Sev. |
| 8 | 1 | 47.16.140 | 9 | 46.61 .440 | $41 \quad 1$ | 36.34 .180 | 6 | 41.40 .200 |  |  | n 76.04.010 |
|  | 2 | Em. | 10 | 46.48.024 | $42 \quad 1$ | 81.44 .101 | 7 | 41.40 .230 |  | 12 | Em. |
| 9 | 1 | Repealer | 11 | 46.61.445 | 2 | 81.44 .102 | 8 | $S$ by | 59 | 1 | Special |
| 10 | 1 | Repealer | 12 | 46.61.465 | 3 | 81.44.103 |  | 41.40 .290 |  |  | n Title 79 |
| 11 | 1 | Repealer | 13 | 46.48.027 | 4 | 81.44 .104 | 9 | 41.40 .310 |  |  | Sub. Index |
| 12 | 1 | Approp. | $29 \quad 1$ | 73.16 .010 | $43 \quad 5$ | 81.44.105 | 10 | 41.40 .320 |  | 2 | Special |
|  | 2 | Em. | 2 | 73.16.015 | 431 | 44.28 .010 | 11 | 41.40 .330 |  |  | n Title 79 |
| 13 | 1 | 76.04.222 | 301 | 85.05 .410 | 2 | 44.28 .060 | 12 | 41.40 .361 |  |  | Sub. Index |
|  | 2 | 76.04.223 | 311 | 16.13.010 | 3 | 44.28 .070 | 13 | 41.40 .410 | 60 | 1 | 15.76.011 |
|  | 3 | 76.04.224 | 2 | 16.13.020 | 4 | 44.28 .080 | 14 | 41.40 .420 |  | 2 | 15.76.021 |
|  | 4 | 76.04.225 | 3 | 16.13.030 | 5 | 44.28 .090 | 15 | 41.40 .430 |  | 3 | 15.76.031 |
|  | 5 | 76.04.226 | 4 | 16.13.040 | 6 | 44.28 .100 | 16 | 41.40 .440 |  | 4 | 15.76.041 |
|  | 6 | 76.04.227 | 5 | 16.13.050 | 7 | 44.28 .150 | 17 | 41.40.155 |  | 5 | 15.76.050 |
| 14 | 1 | Approp. | 6 | 16.13.060 | 8 | 44.28 .110 | 18 | Em. |  | 6 | 15.76.070 |
|  | 2 | Em. | 7 | 16.13.070 | 9 | 44.28 .120 | $51 \quad 1$ | 2.32 .070 |  | 7 | 15.76.090 |
| 15 | 1 | Special | 8 | 16.13.080 | 10 | 44.28 .130 | - 2 | 2.36.150 |  | 8 | 15.76.080 |
|  | 2 | Special | 9 | 16.13 .090 | 11 | 44.28 .140 | 3 | 2.40 .010 |  |  | 15.76.060 |
|  | 3 | Special | 10 | 16.28.010 | 12 | 44.28 .020 | 4 | 36.18 .010 |  | 9 | Repealer |
|  | 4 | Special | $32 \quad 1$ | 70.79.010 | 13 | 44.28 .030 | 5 | 36.18 .020 | 61 | 1 | 17.20.010 |
|  | 5 | Em. | 2 | 70.79 .020 | 14 | 44.28 .040 | 6 | 36.18 .040 |  | 2 | 17.20.020 |
| 16 | 1 | 18.15 .020 | 3 | 70.79 .030 | 15 | 44.28.050 | 7 | 42.28 .090 |  | 3 | 17.20.030 |
|  | 2 | 18.15 .040 | 4 | 70.79.040 | 16 | Sev. | 521 | 10.01.060 |  | 4 | 17.20.040 |
|  | 3 | 18.15 .050 | 5 | 70.79.050 |  | 44.28 .900 | 531 | 73.36.010 |  | 5 | 17.20.070 |
|  | 4 | 18.15.080 | 6 | 70.79.060 | 17 | Em. | 2 | 73.36.020 | 62 | 1 | 57.20 .100 |
| 17 | 1 | Repealer | 7 | 70.79 .070 | $44 \quad 1$ | 82.08 .050 | 3 | 73.36.030 | 63 | 1 | 85.16.060 |
| 18 | 1 | 30.20.015 | 8 | 70.79.080 | 2 | 82.08.060 | 4 | 73.36.040 |  | 2 | 85.16.200 |
| 19 | 1 | Repealer | 9 | 70.79.090 | 3 | 82.08.070 | 5 | 73.36.050 |  | 3 | 85.16 .230 |
| 20 | 1 | 15.38.001 | 10 | 70.79.100 | 4 | Temporary | 6 | 73.36.060 |  | 4 | 85.16.115 |
|  | 2 | 15.38.010 | 11 | 70.79.110 | 5 | Repealer | 7 | 73.36.070 | 64 | 1 | 21.08.040 |
|  | 3 | 15.38 .020 | 12 | 70.79.120 | 6 | Ef. date | 8 | 73.36.080 |  | 2 | 21.08.060 |
|  | 4 | 15.38.050 | 13 | 70.79 .130 | $45 \quad 1$ | 85.18 .005 | 9 | 73.36.090 |  | 3 | 21.08.062 |
|  | 5 | 15.38.030 | 14 | 70.79.140 | 2 | 85.18 .010 | 10 | 73.36.100 |  | 4 | 21.08.070 |
|  | 6 | 15.38 .040 | 15 | 70.79.150 | 3 | 85.18 .020 | 11 | 73.36 .110 |  | 5 | 21.08.120 |
|  | 7 | Sev. | 16 | 70.79.160 | 4 | 85.18 .030 | 12 | 73.36.120 |  | 6 | 21.08 .080 |
|  |  | n 15.38 .001 | 17 | 70.79.230 | 5 | 85.18 .040 | 13 | 73.36.130 | 65 | 1 | 35.37 .060 |
| 21 | 1 | 35.22 .350 | 18 | 70.79 .170 | 6 | 85.18 .050 | 14 | 73.36.140 | 66 | 1 | 81.44 .085 |
|  | 2 | Em. | 19 | 70.79.180 | 7 | 85.18 .060 | 15 | 73.36.150 |  | 2 | 81.44 .085 |
| 22 | 1 |  | 20 | 70.79.190 | 8 | 85.18 .070 | 16 | 73.36 .155 |  | 3 | 81.44.085 |
|  |  | $\text { n } 79.24 .200$ | 21 | 70.79.200 | 9 | 85.18 .080 | 17 | 73.36.160 |  | 4 | Eff. date |
|  | 2 | Special | 22 | 70.79.240 | 10 | 85.18 .090 | 18 | 73.36.165 | 67 | 1 | 29.45.120 |
|  |  | n79.24.210 | 23 | 70.79.250 | 11 | 85.18.100 | 19 | Constr. | 68 | 1 | 53.12 .160 |

Parallel Tables: 1951 Regular Session Laws——RCW


Parallel Tables: 1951 Regular Session Laws - - RCW

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |  | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 148 | 1 | Special | 20 | Approp. | 175 1 | 46.64.015 | 31 | 18.45 .380 |  | 19 | 36.88 .190 |
|  | 2 | Special | 21 | Em. | 176 1 | 74.10 .010 | 32 | 18.45.100 |  | 20 | 36.88.200 |
| 149 | 1 | 76.12.110 | 1581 | 87.68 .110 | 2 | 74.10.020 | 33 | 18.45.420 |  | 21 | 36.88.210 |
|  | 2 | Obsolete | 159 1 | 87.03.160 | 3 | 74.10 .030 | 34 | 18.45.430 |  | 22 | 36.88.220 |
| 150 | 1 | Short t. | 160 1 | 16.48.150 | 4 | 74.10 .040 | 35 | 18.45.350 |  | 23 | 36.88.230 |
|  | 2 | 46.70.010 | 160 | 16.48.151 | 5 | 74.10 .050 | 36 | 18.45.290 |  | 24 | 36.88.240 |
|  | 3 | 46.70.020 | 161 1 | 36.33.180 | 6 | 74.10 .060 | 37 | 18.45.390 |  | 25 | 36.88.250 |
|  | 4 | 46.70.030 | 162 1 | 35.21.200 | 7 | 74.10 .070 | 38 | 18.45.480 |  | 26 | 36.88.260 |
|  | 5 | 46.70.040 | 163 1 | Approp. | 8 | 74.10 .080 | 39 | 18.45.370 |  | 27 | 36.88.270 |
|  | 6 | 46.70 .050 | 164 1 | Approp. | 9 | Em. | 40 | 18.45.400 |  | 28 | 36.88.280 |
|  | 7 | 46.70.060 | 164 2 | Em. | $177 \quad 1$ | 8.04 .090 | 41 | 18.45.130 |  | 29 | 36.88.290 |
|  | 8 | 46.70 .070 | 1651 | 74.08.030 | 2 | 8.04 .092 | 42 | 18.45.140 |  | 30 | 36.88.300 |
|  | 9 | 46.70 .080 | - 2 | Eff: date | 3 | 8.04.094 | 43 | 18.45.150 |  | 31 | 36.88.310 |
|  | 10 | 46.70.090 | 166 1 | 4.24 .140 | 4 | 8.04.130 | 44 | 18.45.160 |  | 32 | 36.88.320 |
|  | 11 | 46.70.140 | 166 2 | 4.24 .141 | 178 1 | Short t. | 45 | 18.45.490 |  | 33 | 36.88.330 |
|  | 12 | 46.70.150 | 167 1 | 47.52.001 |  | 38.52.900 | 46 | 18.45.440 |  | 34 | 36.88.340 |
|  | 13 | 46.70.100 | 167 | 47.52 .010 | 2 | 38.52.020 | 47 | 18.45.450 |  | 35 | 36.88.350 |
|  | 14 | 46.70.110 | 3 | 47.52.011 | 3 | 38.52 .010 | 48 | 18.45.460 |  | 36 | 36.88.360 |
|  | 15 | 46.70.120 | 4 | 47.52 .020 | 4 | 38.52.030 | 49 | 18.45.470 |  | 37 | 36.88.370 |
|  | 16 | 46.70.130 | 5 | 47.52.025 | 5 | 38.52.040 | 50 | 18.45.500 | 193 | 1 | 29.62.050 |
|  | 17 | 46.16 .060 | 6 | 47.52.072 | 6 | 38.52.050 | 51 | 18.45.510 |  | 2 | 29.62.060 |
|  | 18 | Repealer | 7 | 47.52 .073 | 7 | 38.52.060 | 52 | 18.45.520 |  | 3 | 29.62.070 |
| $\begin{aligned} & 151 \\ & 152 \end{aligned}$ | 1 | 43.78 .070 | 8 | 47.52.074 | 8 | 38.52.070 | 53 | 18.45.530 | 194 | 1 | 48.27 .020 |
|  | 1 | 72.08.342 | 9 | 47.52 .075 | 9 | 38.52.080 | 54 | 18.45.540 | 195 | 1 | 58.16 .020 |
|  |  | 72.08.343 | 10 | 47.52 .070 | 10 | 38.52 .090 | 55 | Sev. |  | 2 | 58.16 .060 |
|  |  | 72.12.122 | 11 | 47.52 .080 | 11 | 38.52.180 |  | 18.45.900 |  | 3 | 58.16.090 |
|  | 2 | Em. | 12 | 47.52.121 | 12 | 38.52 .100 | 56 | Repealer | 196 | 1 | Purpose |
|  | 3 | Repealer | 13 | Eff. date | 13 | 38.52.110 | 1841 | 41.48 .010 |  |  | 26.21 .900 |
| 153 | 1 | 35.03.010 | 168 1 | 18.46.005 | 14 | 38.52.120 | 2 | 41.48.020 |  | 2 | 26.21 .010 |
|  | 2 | 35.03.020 | 2 | 18.46.010 | 15 | 38.52 .130 | 3 | 41.48 .030 |  | 3 | 26.21 .020 |
|  |  | 35.03.030 | 3 | 18.46.020 | 16 | 38.52.140 | 4 | 41.48 .040 |  | 4 | 26.21 .030 |
|  | 3 | 35.03 .040 | 4 | 18.46.030 | 17 | Saving | 5 | 41.48 .050 |  | 5 | 26.21 .040 |
|  | 4 | 35.03.050 | 5 | 18.46.040 |  | 38.52.920 | 6 | 41.48 .060 |  | 6 | 26.21 .050 |
| 154 | 1 | 35.33.105 | 6 | 18.46.050 | 18 | 38.52 .150 | 7 | 41.48.070 |  | 7 | 26.21 .060 |
|  | 2 | Em. | 7 | 18.46.060 | 19 | 38.52.160 | 8 | Approp. |  | 8 | 26.21 .070 |
| 155 | 1 | Temporary | 8 | 18.46.070 | 20 | 38.52.170 | 9 | 41.48 .080 |  | 9 | 26.21 .080 |
|  | 2 | Temporary | 9 | 18.46.080 | 21 | Exp. Date | 10 | 41.48 .090 |  | 10 | 26.21 .090 |
|  | 3 | Temporary | 10 | 18.46.090 |  | 38.52.910 | 11 | 41.48 .100 |  | 11 | 26.21 .100 |
|  | 4 | Temporary | 11 | 18.46.100 | 22 | Em. | 12 | Eff. date |  | 12 | 26.21 .110 |
|  | 5 | Temporary | 12 | 18.46.110 | 1791 | 35.61 .210 | $185 \quad 1$ | 83.05 .010 |  | 13 | 26.21.120 |
|  | 6 | Temporary | 13 | 18.46.120 | 180 1 | 18.18 .010 | 2 | 83.05.020 |  | 14 | 26.21 .130 |
|  | 7 | Temporary | 14 | 18.46.130 | 2 | 18.18 .050 | 3 | 83.05 .030 |  | 15 | 26.21 .140 |
|  | 8 | Temporary | 15 | 18.46.140 | 3 | 18.18 .060 | 4 | 83.05 .040 |  | 16 | 26.21 .150 |
|  | 9 | Temporary | 16 | Repealer | 4 | 18.18.070 | 5 | 83.05 .050 |  | 17 | 26.21 .160 |
|  | 10 | Temporary | 17 | Sev. | 5 | 18.18 .090 | 6 | 83.05.060 |  | 18 | 26.21 .170 |
|  | 11 | Em. |  | 18.46.900 | 6 | 18.18.120 | 7 | 83.05 .070 | 197 | 1 | 11.64 .002 |
| 156 | 1 | 3.12.021 | 169 1 | 15.70 .010 | 7 | 18.18.140 | 8 | 83.05.080 |  | 2 | 11.64 .008 |
|  | 2 | 3.12 .071 | 2 | 15.70.020 | 8 | 18.18.190 | 9 | 83.05 .090 |  | 3 | 11.64 .016 |
|  | 3 | 3.16 .002 | 3 | 15.70 .030 | 9 | 18.18.210 | 10 | 83.60 .010 |  | 4 | 11.64 .022 |
|  | 4 | 3.16.004 | 4 | 15.70 .040 | 181 | 28.41 .080 | 11 | 83.60.020 |  | 5 | 11.64 .030 |
|  | 5 | 3.16.008 | 5 | 15.70.050 | 2 | 28.41 .090 | 12 | 83.60 .030 |  | 6 | 11.64.040 |
|  |  | 3.16 .050 | 6 | Sev. | $182 \quad 1$ | 9.31 .100 | 13 | 83.60 .040 |  | 7 | Repealer |
|  | 6 | 3.12.041 | 70 | Em. | 2 | Em. | 14 | 83.60 .050 | 198 | 1 | 51.16 .050 |
|  | 7 | 3.12.051 | 9701 | 43.23 .010 | 1831 | 18.45.010 | 15 | 83.60 .060 | 199 | 1 | 47.57 .010 |
|  | 8 | 3.14 .010 | 2 | 43.23 .150 | 2 | 18.45.020 | 16 | 83.60 .070 |  | 2 | 47.57 .020 |
|  | 9 | 3.14 .050 | 713 | 43.23 .160 | 3 | 18.45.030 | 17 | 83.60.080 |  | 3 | 47.57 .030 |
|  | 10 | 3.14 .020 | 171 | 22.08.090 | 4 | 18.45.040 | 1861 | Local |  | 4 | 47.57 .040 |
|  | 11 | 3.14 .030 | 172 1 | 84.28 .020 | 5 | 18.45.050 | 2 | Local |  | 5 | 47.57 .050 |
|  | 12 | 3.14 .040 | 2 | 84.28 .050 | 6 | 18.45.060 | 3 | Em. |  | 6 | 47.57 .060 |
|  | 13 | 3.14 .060 | 3 | 84.28 .060 | 7 | 18.45.070 | 187 1 | 36.32 .390 |  | 7 | 47.57 .070 |
|  | 14 | 3.04.090 | 1731 | 45.76.020 | 8 | 18.45.080 | 2 | Em. |  | 8 | 47.57.080 |
|  | 15 | 3.04.130 | 2 | 45.76.030 | 9 | 18.45.090 | 188 1 | 47.36.150 |  | 9 | 47.57 .090 |
|  | 16 | 3.20 .130 | 3 | 45.76 .040 | 10 | 18.45.110 | 1891 | 87.03 .460 |  | 10 | 47.57 .100 |
|  | 17 | Repealer | 4 | 45.76.050 | 11 | 18.45.120 | 1901 | 48.23.360 |  | 11 | 47.57.110 |
| 157 | 1 | 1.08 .001 | 5 | 45.76.060 | 12 | 18.45.170 | 1911 | 81.36.140 |  | 12 | 47.57 .120 |
|  | 2 | 1.08.003 | 6 | 45.76.070 | 13 | 18.45.180 | 1921 | 36.88.010 |  | 13 | 47.57.130 |
|  | 3 | 1.08.005 | 7 | 45.76.080 | 14 | 18.45.190 | 2 | 36.88.020 |  | 14 | 47.57.140 |
|  | 4 | 1.08 .007 | 8 | 45.76 .090 | 15 | 18.45.200 | 3 | 36.88.030 |  | 15 | 47.57 .150 |
|  | 5 | 1.08.011 | 9 | 45.76.100 | 16 | 18.45.210 | 4 | 36.88.040 |  | 16 | 47.57.180 |
|  | 6 | 1.08.013 | 10 | 45.76.010 | 17 | 18.45.220 | 5 | 36.88.050 |  | 17 | 47.57 .190 |
|  | 7 | 1.08.015 | 1741 | 70.77.010 | 18 | 18.45.410 | 6 | 36.88.060 |  | 18 | 47.57.160 |
|  | 8 | 1.08.017 | 2 | 70.77.020 | 19 | 18.45.230 | 7 | 36.88 .070 |  | 19 | 47.57.170 |
|  | 9 | 1.08.021 | 3 | 70.77.030 | 20 | 18.45.240 | 8 | 36.88.080 |  | 20 | 47.57.200 |
|  | 10 | 1.08 .023 | 4 | 70.77.040 | 21 | 18.45.250 | 9 | 36.88.090 |  | 21 | 47.57 .210 |
|  | 11 | 1.08 .025 | 5 | 70.77.050 | 22 | 18.45.260 | 10 | 36.88.100 |  | 22 | 47.57.220 |
|  | 12 | 1.08 .027 | 6 | 70.77.060 | 23 | 18.45.270 | 11 | 36.88.110 |  | 23 | Constr. |
|  | 13 | 1.08 .031 | 7 | 70.77 .070 | 24 | 18.45 .280 | 12 | 36.88.120 |  |  | Sev. |
|  | 14 | 1.08.037 | 8 | 70.77.080 | 25 | 18.45.300 | 13 | 36.88.130 |  |  | 47.57 .900 |
|  | 15 | 1.08.033 | 9 | 70.77.090 | 26 | 18.45.310 | 14 | 36.88.140 |  | 24 | Em. |
|  | 16 | 1.08 .040 | 10 | 70.77.100 | 27 | 18.45.320 | 15 | 36.88.150 | 200 | 1 | 89.12.050 |
|  | 17 | 1.08.050 | 11 | 70.77.110 | 28 | 18.45.330 | 16 | 36.88.160 |  | 2 | 89.12 .070 |
|  | 18 | 44.20 .050 | 12 | Repealer | 29 | 18.45.340 | 17 | 36.88.170 |  | 3 | 89.12 .100 |
|  | 19 | Repealer | 13 | Em. | 30 | 18.45.360 | 18 | 36.88.180 |  | 4 | 89.12.130 |

Parallel Tables: 1951 Regular Session Laws- - RCW

| Chap. Sec. |  | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |  | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 201 | 1 | 87.08.030 | 19 | 18.85.310 | 227 | 80.08.070 | 2 | 51.16.020 |  | 35 | 43.60.110 |
|  | 2 | Val. | 20 | 18.85.340 | 2 | 81.08.012 | 3 | 51.16 .080 |  | 36 | 43.60.140 |
|  |  | n87.08.030 | 21 | 18.85.161 | 3 | Em. | 4 | 51.16 .110 |  | 37 | 43.60 .030 |
| 202 | 1 | 87.76 .040 | 22 | 18.85.163 | $228 \quad 1$ | Approp. | 5 | Unconst'l | 248 | 1 | 35.13 .220 |
| 203 | 1 | 58.16.040 | 23 | 18.85.251 | 2 | Em. | 6 | 51.36.020 |  | 2 | 35.13 .230 |
| 204 | 1 | 70.32.020 | 24 | 18.85.261 | 229 1 | 48.20 .002 | 7 | 51.44 .070 |  | 3 | 35.13 .240 |
|  |  | 70.32.021 | 25 | 18.85.271 | 2 | 48.20.012 | 237 1 | 87.53 .010 |  | 4 | 35.13 .250 |
|  | 2 | Repealer | 26 | 18.85.281 | 3 | 48.20.022 | 2 | 87.53 .020 |  | 5 | 35.13 .260 |
| 205 | 1 | 87.03.285 | 27 | Sev. ${ }^{\text {den }}$ | 4 | 48.20.032 | 3 | 87.53 .030 |  |  | 35.13 .270 |
|  | 2 | 87.03.290 |  | 18.85.910 | 5 | 48.20 .042 | 4 | 87.53 .040 |  | 6 | 35.13 .020 |
|  | 3 | 87.03.295 | 28 | Repealer | 6 | 48.20.052 | 5 | 87.53 .050 |  | 7 | Eff. date |
|  | 4 | 87.03.300 | 223 1 | Leg. rev. | 7 | 48.20.062 | 6 | 87.53 .060 | 249 | 1 | 1.20 .040 |
|  | 5 | 87.03.305 | 223 | 71.06 .010 | 8 | 48.20 .072 | 7 | 87.53 .070 | 250 | 1 | 29.10.095 |
| 206 | 1 | 73.04.110 | 3 | 71.06.020 | 9 | 48.20 .082 | 8 | 87.53 .080 | 251 | , | 26.36.010 |
| 207 | 1 | 54.04.060 | 4 | 71.06 .030 | 10 | 48.20 .092 | 9 | 87.53 .090 |  | 2 | 26.36.040 |
|  | 2 | 54.04 .070 | 5 | 71.06 .040 | 11 | 48.20.102 | 10 | 87.53 .100 |  | 3 | Repealer |
|  | 3 | 54.04 .080 | 6 | 71.06.050 | 12 | 48.20.112 | 11 | 87.53 .110 | 252 | 1 | 35.92.010 |
|  | 4 | 54.12.080 | 7 | 71.06.060 | 13 | 48.20.122 | 12 | 87.53 .120 | 253 | 1 | 38.08.100 |
|  | 5 | 54.08.060 | 8 | 71.06 .090 | 14 | 48.20 .132 | 13 | 87.53 .130 |  | 2 | Eff. date |
| 208 | 1 | 29.10.120 | 9 | 71.06.110 | 15 | 48.20.142 | 14 | 87.53 .140 | 254 | 1 | 9.81 .010 |
| 209 | 1 | 54.16 .120 | 10 | 71.06.100 | 16 | 48.20.152 | 15 | 87.53 .150 |  | 2 | 9.81 .020 |
|  | 2 | 54.16 .130 | 11 | 71.06.140 | 17 | 48.20.162 | 16 | Repealer |  | 3 | 9.81 .030 |
| 210 | 1 | 2.32 .210 | 12 | 71.06.130 | 18 | 48.20.172 | 2381 | 9.95 .115 |  | 4 | 9.81 .040 |
|  | 2 | 2.32 .220 | 13 | 71.06.120 | 19 | 48.20.182 | 239 1 | 9.95 .055 |  | 5 | 9.81 .050 |
|  | 3 | 2.32 .230 | 14 | 71.06.070 | 20 | 48.20.192 | 2 | 9.95.056 |  | 6 | Vetoed |
| 211 | 1 | 35.23.352 | 15 | 71.06.080 | 21 | 48.20.202 | $240 \quad 1$ | Repealer |  | 7 | Vetoed |
|  | 2 | Repealer | 16 | 71.06.150 | 22 | 48.20.212 | 240 | Purpose |  | 8 | Vetoed |
| 212 | 1 | 87.03.025 | 17 | 71.06.170 | 23 | 48.20.222 |  | 86.26.005 |  | 9 | 9.81 .130 |
| 213 | 1 | 17.08.070 | 18 | 71.06.180 | 24 | 48.20 .232 | 3 | 86.26.010 |  | 10 | Vetoed |
| 214 | 1 | 51.16.170 | 19 | 71.06.190 | 25 | 48.20.242 | 4 | 86.26.020 |  | 11 | 9.81 .060 |
| 215 | 1 | 50.04.070 | 20 | 71.06.200 | 26 | 48.20 .252 | 5 | 86.26 .030 |  | 12 | 9.81 .070 |
|  | 2 | 50.12 .080 | 21 | 71.06.210 | 27 | 48.20.262 | 6 | 86.26.040 |  | 13 | 9.81 .080 |
|  | 3 | 50.12 .110 | 22 | 71.06.230 | 28 | 48.20.272 | 7 | 86.26 .050 |  | 14 | Obsolete |
|  | 4 | 50.20.140 | 23 | 71.06.240 | 29 | 48.20.282 | 8 | 86.26.060 |  | 15 | 9.81 .090 |
|  | 5 | 50.20 .150 | 24 | 71.06.160 | 30 | 48.20.292 | 9 | 86.26.070 |  | 16 | 9.81 .100 |
|  | 6 | 50.20.160 | 25 | 71.06 .250 | 31 | 48.20.302 | 10 | 86.26 .080 |  | 17 | 9.81 .110 |
|  | 7 | 50.20.180 | 26 | 71.06.220 | 32 | 48.20.312 | 11 | 86.26 .090 |  | 18 | Sev. |
|  | 8 | 50.20 .190 | 27 | 71.06.260 | 33 | 48.20 .322 | 12 | 86.26 .100 |  |  | 9.81 .010 |
|  | 9 | S by | 28 | Repealer | 34 | Repealer | 13 | 86.26.110 |  | 19 | 9.81 .120 |
|  |  | 50.24 .160 | $224 \quad 1$ | 58.16 .100 | $230 \quad 1$ | 21.04.040 | 2411 | 46.01 .260 |  | 20 | Short t. |
|  | 10 | 50.32 .020 | 2 | 58.24.010 | 2 | 21.04.070 | 2421 | 11.88.100 |  |  | 9.81 .010 |
|  | 11 | $S$ by | 3 | 58.24 .020 | $231 \quad 1$ | 73.32.180 | 2431 | Temporary |  | 21 | Vetoed |
|  |  | $50.20 .010$ | 4 | 58.24 .030 | 2 | Em. | 2 | Temporary |  | 22 | Eff. date |
|  | 12 | 50.20 .050 | 5 | 58.24 .050 | 2321 | 43.84 .130 | 3 | Temporary | 255 | 1 | 84.52 .050 |
|  | 13 | 50.20 .060 | 6 | 58.24.040 | 2 | 43.84.120 | 4 | Temporary |  |  | 84.52 .052 |
|  | 14 | 50.20 .080 | 7 | Sev. | 3 | Em. | 5 | Em. |  |  | 84.52.056 |
|  | 15 | 50.20.130 |  | n58.24.010 | 2331 | 76.06 .010 | 2441 | 20.08.050 |  | 2 | Vetoed |
|  | 16 | 50.28.010 | 2251 | 51.52 .010 | 2 | 76.06 .020 | 245 1 | 16.48.095 |  | 3 | Vetoed |
|  | 17 | 50.28.050 | 2 | 51.52 .020 | 3 | 76.06 .030 | 2461 | 51.12.015 | 256 | 1 | 36.62.252 |
| 216 | 1 | 89.08.170 | 3 | 51.52 .030 | 4 | 76.06.040 | 247 1 | 47.01 .010 |  | 2 | 36.62.260 |
|  | 2 | 89.08 .180 | 4 | 51.52 .040 | 5 | 76.06.050 | 2 | 47.01 .020 |  | 3 | 36.62.270 |
|  | 3 | 89.08.030 | 5 | 51.52 .050 | 6 | 76.06.060 | 3 | 47.01 .030 |  | 4 | 36.62.280 |
|  | 4 | 89.08.040 | 6 | 51.52.060 | 7 | 76.06.070 | 4 | 47.01 .050 |  | 5 | 18.29.055 |
| 217 | 1 | 35.21 .430 | 7 | 51.52 .070 | 8 | 76.06.100 | 5 | 47.01 .070 |  | 6 | Repealer |
|  | 2 | 35.21 .440 | 8 | 51.52.080 | 9 | 76.06.110 | 6 | 47.01 .080 | 257 | 1 | 28.63.300 |
|  | 3 | 35.21 .450 | 9 | 51.52 .090 | 10 | 76.06.120 | 7 | 47.01 .060 |  | 2 | 28.59.220 |
| 218 | 1 | 30.24.015 | 10 | 51.52.095 | 11 | 76.06.080 | 8 | 47.01 .090 |  | 3 | 29.13 .030 |
|  | 2 | Repealer | 11 | 51.52.100 | 12 | 76.06.090 | 9 | 47.01 .100 |  | 4 | 29.13 .040 |
| 219 | 1 | 46.72.130 | 12 | 51.52.102 | 13 | Em. | 10 | 47.01 .110 |  | 5 | 29.13.045 |
|  | 2 | 46.72.140 | 13 | 51.52 .106 | 2341 | Purpose | 11 | 47.01 .120 |  | 6 | 29.13 .050 |
|  | 3 | 46.72.150 | 14 | 51.52.110 |  | 72.05 .010 | 12 | 47.01.130 |  | 7 | 29.21 .010 |
|  | 4 | Sev. | 15 | 51.52.115 | 2 | 72.05 .020 | 13 | 47.01 .040 | 258 | 1 | 36.39.030 |
| $\begin{aligned} & 220 \\ & 221 \end{aligned}$ | 1 | 84.64 .080 | 16 | 51.52 .120 | 3 | 72.05 .030 | 14 | 47.01 .140 |  | 2 | Vetoed |
|  | 1 | 44.08.060 | 17 | 51.52.130 | 4 | 72.05 .040 | 15 | 47.01 .150 | 259 | 1 | 47.60.140 |
|  | 2 | 44.08.061 | 18 | 51.52 .132 | 5 | 72.05 .050 | 16 | 43.60 .010 |  | 2 | 47.64 .070 |
| 222 | 1 | 18.85.010 | 19 | 51.52.140 | 6 | 72.05 .060 | 17 | 43.60.020 |  | 3 | 47.60.100 |
|  | 2 | 18.85.030 | 20 | 51.52 .150 | 7 | 72.05 .070 | 18 | 43.60.040 |  | 4 | Leg. rev. |
|  | 3 | 18.85.040 | 21 | Sev. | 8 | 72.05 .080 | 19 | 43.60 .050 |  | 5 | 47.60.200 |
|  | 4 | 18.85.050 |  | n51.52.010 | 9 | 72.05 .090 | 20 | 43.60.060 |  | 6 | 47.60.210 |
|  | 5 | 18.85.070 | 2261 | 30.30.120 | 10 | 72.05 .100 | 21 | 43.60 .090 |  | 7 | 47.60.220 |
|  | 6 | 18.85.080 | 2 | 30.30.020 | 11 | 72.05 .110 | 22 | 43.60 .100 |  | 8 | 47.60 .230 |
|  | 7 | 18.85.090 | 3 | 30.30.030 | 12 | 72.05 .120 | 23 | 43.60 .130 |  | 9 | 47.60.240 |
|  | 8 | 18.85 .100 | 4 | 30.30 .040 | 13 | 72.05 .130 | 24 | 43.60.070 |  | 10 | 47.60.250 |
|  | 9 | 18.85.110 | 5 | 30.30.050 | 14 | 72.05 .140 | 25 | 43.60 .190 |  | 11 | 47.60.260 |
|  | 10 | 18.85.120 | 6 | 30.30 .060 | 15 | 72.05 .150 | 26 | 43.60 .200 |  | 12 | 47.60 .270 |
|  | 11 | 18.85.130 | 7 | 30.30.070 | 16 | 72.05 .160 | 27 | 43.60.080 |  | 13 | 47.60 .170 |
|  | 12 | 18.85.140 | 8 | 30.30.080 | 17 | 72.05 .180 | 28 | 43.60.150 |  | 14 | 47.60.180 |
|  | 13 | 18.85.150 | 9 | 30.30.090 | 18 | 72.05 .190 | 29 | 43.60 .160 |  | 15 | 47.60.190 |
|  | 14 | 18.85.170 | 10 | 30.30.010 | 19 | 72.05 .200 | 30 | 43.60 .170 |  | 16 | Temporary |
|  | 15 | 18.85.180 | 11 | 30.30 .100 | $235 \quad 20$ | 72.05.210 | 31 | 43.60.180 |  | 17 | Approp. |
|  | 16 17 | 18.85 .230 18.85 .290 | 12 | 30.30 .110 | $\begin{array}{ll}235 & 1 \\ 236\end{array}$ | 76.04 .370 51.08 .140 | 32 33 | 43.60.210 |  | 18 | Approp. |
|  | 17 | 18.85.290 | 13 | Sev. | 2361 | 51.08 .140 | 33 | 43.60 .220 |  | 19 | Approp. |
|  | 18 | 18.85.300 | 14 | Repealer |  | 51.28 .055 | 34 | 43.60.120 |  | 20 | Sev. |

Parallel Tables: 1951 Regular Session Laws-—RCW



| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: |
| 1 | Approp. |  | 69.33 .900 |
|  | Approp. | 26 | Constr. |
| 2 | Approp. |  | 69.33 .910 |
|  | Approp. | 27 | Short t. |
| 3 | Approp. |  | 69.33 .920 |
|  | Approp. | 28 | Repealer |
|  | Approp. | 29 | Em. |
|  | Approp. | $23 \quad 1$ | Leg. rev. |
|  | Em. | 23 | 84.52 .050 |
| 4 | Temporary | 3 | 84.52 .052 |
|  | Em. | 4 | 84.52 .056 |
| 5 | 28.57.320 | 5 | Em. |
|  | Em. | $24 \quad 1$ | 52.16.020 |
| 61 | Val. | 2 | Leg. rev. |
| 7 | Temporary | 3 | 52.16 .080 |
| 2 | Em. | 4 | 52.16 .090 |
| 81 | Val. | 5 | 52.16.100 |
| 91 | Approp. | 6 | 52.16.110 |
| $10 \quad 1$ | 41.40 .290 | 7 | 52.16 .120 |
| 11 | Approp. | 8 | 52.16 .130 |
| 2 | Em. | 9 | 52.16.140 |
| 12 | Approp. | 10 | 52.16.070 |
|  | Em. | 11 | 52.16.150 |
| 13 | 66.20 .010 | 12 | Repealer |
|  | Em. | 13 | Em. |
| 14 | 36.34.140 | $25 \quad 1$ | 57.16.020 |
| 2 | Em. | 2 | 57.16 .040 |
| $15 \quad 1$ | 87.03.025 | 3 | 57.20 .010 |
| 16 | 28.45.110 | 4 | 57.20 .100 |
| 2 | Em. | 5 | 57.24 .010 |
| $17 \quad 1$ | 74.08.330 | 6 | Repealer |
| 2 | Em. | 7 | Em. |
| $18 \quad 1$ | 76.04.190 | $26 \quad 1$ | 56.16.010 |
| 2 | Em. | 2 | 56.16.030 |
| $19 \quad 1$ | 28A.45.010 | 3 | 56.16.040 |
| 19 | 28A.45.030 | 4 | 56.24.010 |
|  | 28A.45.035 | 5 | Repealer |
|  | 28A.45.090 | 6 | Em. |
| 5 | Em. | $27 \quad 1$ | 35.13 .250 |
| $20 \quad 1$ | Special | 2 | Em. |
| 2 | Approp. | $28 \quad 1$ | 82.04 .295 |
| $21 \quad 1$ | 74.04.255 | 2 | 82.16.025 |
| 2 | Em. | 3 | 82.04.050 |
| 22 | 69.33 .220 | 4 | 82.04.260 |
|  | 69.33 .230 | 5 | 82.08 .150 |
|  | 69.33 .240 | 6-19 | Vetoed |
|  | 69.33.250 | 20 | Sev. |
|  | 69.33.260 | 21 | Em. |
|  | 69.33 .270 |  |  |
|  | 69.33 .280 |  |  |
|  | 69.33.290 |  |  |
|  | 69.33.300 |  |  |
|  | 69.33 .310 |  |  |
|  | 69.33.320 |  |  |
|  | 69.33 .330 |  |  |
|  | 69.33.340 |  |  |
|  | 69.33.350 |  |  |
|  | 69.33.360 |  |  |
|  | 69.33 .370 |  |  |
|  | 69.33 .380 |  |  |
|  | 69.32.060 |  |  |
|  | 69.33 .400 |  |  |
|  | 69.33 .410 |  |  |
|  | 69.33.420 |  |  |
|  | 69.32.010 |  |  |
|  | 69.32.030 |  |  |
|  | 69.33 .430 |  |  |
|  | Sev. |  |  |

1953 REGULAR SESSION LAWS


Parallel Tables: 1953 Regular Session Laws--RCW


Parallel Tables: 1953 Regular Session Laws-—RCW


| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: |
|  | 12 | 43.52 .360 | 39 | 68.05.090 |
|  | 13 | 43.52 .370 | 40 | 68.05.180 |
|  | 14 | 43.52 .380 | 41 | 68.05.190 |
|  | 15 | 43.52 .390 | 42 | 68.05.130 |
|  | 16 | 43.52 .400 | 43 | 68.05.140 |
|  | 17 | 43.52 .410 | 44 | 68.05.150 |
|  | 18 | 43.52 .420 | 45 | 68.05.160 |
|  | 19 | 43.52 .430 | 46 | 68.05.170 |
|  | 20 | 43.52 .260 | 47 | 68.05.200 |
|  | 21 | Approp. | 48 | 68.05.210 |
|  | 22 | Repealer | 49 | 68.05.250 |
|  | 23 | 43.52.440 | 50 | 68.05.220 |
| 282 | 1 | 28A.47.055 | 51 | 68.05.230 |
|  | 2 | 28.41.060 | 52 | 68.05.240 |
|  | 3 | 28.41 .080 | 53 | 68.05.260 |
| 283 | 1 | Special <br> n Title 79 | $54$ | Vetoed <br> Short t |
|  |  | Sub. Index |  | n68.05.010 |
|  | 2 | Special |  |  |
|  |  | n Title 79 |  |  |
|  |  | Sub. Index |  |  |
|  | 3 | Special |  |  |
|  |  | n Title 79 |  |  |
|  |  | Sub. Index |  |  |
|  | 4 | Special |  |  |
|  |  | n Title 79 |  |  |
|  |  | Sub. Index |  |  |
|  | 5 | Em. |  |  |
| 284 |  | 41.40.085 |  |  |
|  | 2 | 41.40.087 |  |  |
|  | 3 | Em. |  |  |
| 285 | 1 | 47.16.180 |  |  |
|  | 2 | 47.20.420 |  |  |
| 286 | 1 | 16.48.095 |  |  |
|  | 2 | 16.48.097 |  |  |
|  | 3 | 16.48.140 |  |  |
| $\begin{aligned} & 287 \\ & 288 \end{aligned}$ | 1 | 43.78.150 |  |  |
|  | 1 | Approp. |  |  |
|  | 2 | Approp. |  |  |
|  | 3 | Em. |  |  |
| 289 | 1 | Approp. |  |  |
|  | 2 | Approp. |  |  |
|  | 3 | Em. |  |  |
| 290 | 1 | 68.36.060 |  |  |
|  | 2 | 68.36.070 |  |  |
|  | 3 | 68.36.090 |  |  |
|  | 4 | 68.40.010 |  |  |
|  | 5 | 68.40.020 |  |  |
|  | 6 | 68.40.030 |  |  |
|  | 7 | 68.40.040 |  |  |
|  | 8 | 68.40.060 |  |  |
|  | 9 | 68.40.070 |  |  |
|  | 10 | 68.40.080 |  |  |
|  | 11 | 68.44.010 |  |  |
|  | 12 | 68.44 .020 |  |  |
|  | 13 | 68.44.030 |  |  |
|  | 14 | Repealer |  |  |
|  | 15 | 68.44.050 |  |  |
|  | 16 | 68.44.070 |  |  |
|  | 17 | 68.44.080 |  |  |
|  | 18 | 68.44.090 |  |  |
|  | 19 | 68.44 .100 |  |  |
|  | 20 | 68.44.110 |  |  |
|  | 21 | 68.44.120 |  |  |
|  | 22 | 68.44.160 |  |  |
|  | 23 | 68.44.170 |  |  |
|  | 24 | 68.40.085 |  |  |
|  | 25 | Codifi- |  |  |
|  |  | cation |  |  |
|  |  | n68.05.010 |  |  |
|  | 26 | 68.05 .010 |  |  |
|  | 27 | 68.05.020 |  |  |
|  | 28 | 68.05.030 |  |  |
|  | 29 | 68.05.270 |  |  |
|  | 30 | 68.05.280 |  |  |
|  | 31 | 68.05.040 |  |  |
|  | 32 | 68.05.050 |  |  |
|  | 33 | 68.05.060 |  |  |
|  | 34 | 68.05.070 |  |  |
|  | 35 | 68.05.080 |  |  |
|  | 36 | 68.05.100 |  |  |
|  | 37 | 68.05.110 |  |  |
|  | 38 | 68.05.120 |  |  |



## 1955 REGULAR SESSION LAWS



[Parallel Tables-—p 72]


Parallel Tables: 1955 Regular Session Laws - - RCW

[Parallel Tables——p 74]

Parallel Tables: 1955 Regular Session Laws-—RCW


[Parallel Tables——p 76]


| Chap. | Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 1 | Approp. |  | 17 | 43.76.160 |
|  | 2 | Em. |  | 18 | 43.76 .170 |
| 2 | 1 | Approp. |  | 19 | 43.76.180 |
|  | 2 | Em. |  | 20 | 43.76 .910 |
| 3 | 1 | 28A.47.420 |  | 21 | 43.76.920 |
|  | 2 | 28A.47.425 |  | 22 | 43.76 .930 |
|  | 3 | 28A.47.430 |  | 23 | 43.76.190 |
|  | 4 | 28A.47.435 |  | 24 | Em. |
|  | 5 | 28A.47.440 | 13 | 1 | 43.76 .500 |
|  | 6 | 28A.47.445 |  | 2 | 43.76.510 |
|  | 7 | 28A.47.450 |  | 3 | 43.76 .520 |
|  | 8 | 28A.47.070 | 14 | 1 | Temporary |
|  | 9 | Sev. | 15 | 1 | Temporary |
|  | 10 | Em. |  | 2 | Approp. |
| 4 | 1 | 41.48 .010 |  | 3 | Em. |
|  | 2 | 41.48 .020 | 16 | 1 | Temporary |
|  | 3 | 41.48 .030 |  | 2 | Approp. |
|  | 4 | 41.48 .040 |  |  |  |
|  | 5 | 41.48.050 |  |  |  |
| 5 | 1 | 79.44.170 |  |  |  |
| 6 | 1 | 43.58 .010 |  |  |  |
|  | 2 | 43.58 .020 |  |  |  |
|  | 3 | Approp. |  |  |  |
| 7 | 1 | 11.76 .200 |  |  |  |
|  | 2 | 11.76 .210 |  |  |  |
|  | 3 | 11.76.247 |  |  |  |
|  | 4 | 11.76.220 |  |  |  |
|  | 5 | 11.76.230 |  |  |  |
|  | 6 | 11.76.240 |  |  |  |
|  | 7 | 11.76.243 |  |  |  |
|  | 8 | 11.76 .245 |  |  |  |
| 8 | 1 | 48.52 .010 |  |  |  |
|  | 2 | 48.52 .020 |  |  |  |
|  | 3 | 48.52 .030 |  |  |  |
|  | 4 | 48.52.040 |  |  |  |
|  | 5 | 48.52 .050 |  |  |  |
|  | 6 | 48.52 .060 |  |  |  |
|  | 7 | 48.52 .070 |  |  |  |
|  | 8 | 48.52 .080 |  |  |  |
|  | 9 | Approp. |  |  |  |
| 9 | 1 | Leg. rev. |  |  |  |
|  | 2 | 36.16.100 |  |  |  |
|  | 3 | 42.04.060 |  |  |  |
|  | 4 | 35.21.175 |  |  |  |
| 10 | 1 | 82.04.296 |  |  |  |
|  | 2 | 82.08 .020 |  |  |  |
|  | 3 | 82.12 .020 |  |  |  |
|  | 4 | 82.04.060 |  |  |  |
|  | 5 | Em. |  |  |  |
| 11 | 1 | 63.28 .150 |  |  |  |
|  | 2 | 63.28 .190 |  |  |  |
|  | 3 | Em. |  |  |  |
| 12 | 1 | 43.76 .900 |  |  |  |
|  | 2 | 43.76.010 |  |  |  |
|  | 3 | 43.76 .020 |  |  |  |
|  | 4 | 43.76 .040 |  |  |  |
|  | 5 | 43.76 .050 |  |  |  |
|  | 6 | 43.76.060 |  |  |  |
|  | 7 | 43.76 .070 |  |  |  |
|  | 8 | 43.76 .080 |  |  |  |
|  | 9 | 43.76.090 |  |  |  |
|  | 10 | 43.76 .100 |  |  |  |
|  | 11 | 43.76 .110 |  |  |  |
|  | 12 | 43.76.120 |  |  |  |
|  | 13 | 43.76 .130 |  |  |  |
|  | 14 | 43.76 .030 |  |  |  |
|  | 15 | 43.76.140 |  |  |  |
|  | 16 | 43.76.150 |  |  |  |


| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 11 | Approp. | 2 | Temporary | 2 | Constr. | 3 | 76.36.050 |  |  | Sub. Index |
| 2 | Temporary | 3 | Temporary |  | n 14.08.120 | 4 | 76.36.060 |  | 2 | Special |
| 3 | Em. | 4 | Temporary | 3 | Val. | 5 | 76.36.070 |  |  | n Title 79 |
| 21 | Approp. | 5 | Temporary | 4 | n14.08.120 | 6 | 76.36.090 |  |  | Sub. Index |
| 2 | Em. | 6 | Temporary | 4 | Em. | 7 | 76.36.130 | 41 42 | 1 | Repealer |
| 31 | 44.04.080 | 7 | Temporary | $15 \quad 1$ | 43.96 .020 | 8 | 76.36.140 | 42 | 2 | 35.81 .010 35.81020 |
| 2 | Em. | 8 | Temporary | 2 | 43.96.030 | 9 | 76.36.150 |  | 2 | 35.81 .020 |
| 41 | Approp. | 9 | Temporary | 3 | 43.96.040 | 10 | 76.36.160 |  | 3 | 35.81 .030 |
| 2 | Em. | 10 | Temporary | 4 | 43.96.050 | $37 \quad 1$ | 49.60.010 |  | 4 | 35.81 .040 |
| $5 \quad 1$ | 44.06 .010 | 11 | Approp. | 5 | Em. | 37 | 49.60.020 |  | 5 | 35.81 .050 |
| 2 | 44.06 .040 | 12 | Sev. | $16 \quad 1$ | Special | 3 | 49.60 .030 |  | 6 | 35.81 .060 |
| 3 | 44.06.050 | 13 | Em. | 17 1 | 77.32.015 | 4 | 49.60.040 |  | 7 | 35.81 .070 |
| 4 | 44.06.060 | $7 \quad 1$ | 4.08 .140 | 18 1 | Approp. | 5 | 49.60.050 |  | 8 | 35.81 .080 |
| 5 | 44.06.070 | 2 | 4.24 .070 | 2 | Em. | 6 | 49.60.090 |  | 9 | 35.81 .090 |
| 6 | 44.06.080 | 3 | 4.24 .080 | 191 | 72.64 .040 | 7 | 49.60.120 |  | 10 | 35.81 .100 |
| 7 | 44.06.090 | 4 | 4.24 .090 | 2 | 72.12.080 | 8 | Leg. rev. |  | 11 | 35.81 .110 |
| 8 | 44.06.100 | 5 | 4.44.280 | $20 \quad 1$ | 43.09.090 | 9 | 49.60.180 |  | 12 | 35.81 .120 |
| 9 | 44.06.110 | 6 | 4.64 .080 | 21 1 | 72.08.343 | 10 | 49.60.190 |  | 13 | 35.81 .130 |
| 10 | 44.06.120 | 7 | Leg. rev. |  | 72.12 .122 | 11 | 49.60.200 |  | 14 | 35.81 .140 |
| 11 | 44.06.130 | 8 | 4.64 .090 | 2 | Repealer | 12 | 49.60.210 |  | 15 | 35.81 .150 |
| 12 | 44.06.140 | 9 | 4.64.110 | 22 1 | Leg. rev. | 13 | 49.60.220 |  | 16 | 35.81 .160 |
| 13 | 44.06.150 | 10 | Repealer | 2 | 16.28.010 | 14 | 49.60.215 |  | 17 | 35.81 .170 |
| 14 | 44.06.160 | 11 | Em. | 3 | 16.28.040 | 15 | 49.60.217 |  | 18 | 35.81 .180 |
| 15 | 44.06.170 | $8 \quad 1$ | 6.04.030 | 4 | Leg. rev. | 16 | 49.60.230 |  | 19 | 35.81 .900 |
| 16 | 44.06.180 | 2 | 6.04.070 | 5 | 16.36.110 | 17 | 49.60.240 |  | 20 | 35.81 .910 |
| 17 | 44.06.190 | 3 | 6.04 .120 | 6 | 16.40.130 | 18 | 49.60.250 | 43 | 1 | 18.34.010 |
| 18 | 44.06.200 | 4 | 6.08.030 | 7 | 16.44.180 | 19 | 49.60.255 |  | 2 | 18.34.020 |
| 19 | 44.06.210 | 5 | 6.20 .020 | 8 | Repealer | 20 | Leg. rev. |  | 3 | 18.34.030 |
| 20 | 44.06.220 | 6 | 6.24 .210 | 231 | Leg. rev. | 21 | 49.60.260 |  | 4 | 18.34.040 |
| 21 | 44.06.230 | 7 | 6.32 .010 | 2 | 31.12.010 | 22 | 49.60.270 |  | 5 | 18.34.050 |
| 22 | 44.06.240 | 8 | Em. | 3 | 31.12.020 | 23 | 49.60.280 |  | 6 | 18.34.060 |
| 23 | 44.06.250 | $9 \quad 1$ | 4.08.200 | 4 | 31.12.030 | 24 | 49.60.290 |  | 7 | 18.34.070 |
| 24 | 44.06.260 | 2 | 4.44.350 | 5 | 31.12.190 | 25 | 49.60.300 |  | 8 | 18.34.080 |
| 25 | 44.06.270 | 3 | 4.48 .080 | 6 | 31.12 .210 | 26 | 49.60 .310 |  | 9 | 18.34.090 |
| 26 | 44.06.280 | 4 | 4.72 .010 | 7 | 31.12.240 | 27 | Sev. |  | 10 | 18.34.100 |
| 27 | 44.06.290 | 5 | 5.48 .060 | 8 | 31.12.245 |  | n 49.60.010 |  | 11 | 18.34.110 |
| 28 | 44.06.300 | 6 | 6.08.060 | 9 | 31.12 .260 | 38 1 | 43.30 .010 |  | 12 | 18.34.120 |
| 29 | 44.06.310 | 7 | 7.08.080 | 10 | Leg. rev. | 2 | 43.30.020 |  | 13 | 18.34.130 |
| 30 | 44.06.320 | 8 | 7.08.110 | 11 | 31.12 .270 | 3 | 43.30.030 |  | 14 | 18.34.140 |
| 31 | 44.06.330 | 9 | 7.12.150 | 12 | 31.12.280 | 4 | 43.30.040 |  | 15 | 18.34.150 |
| 32 | 44.06.340 | 10 | 7.36.040 | 13 | 31.12.290 | 5 | 43.30.050 |  | 16 | Sev. |
| 33 | 44.06.350 | 11 | 7.40 .010 | 14 | Sev. | 6 | 43.30.060 |  |  | 18.34.900 |
| 34 | 44.06.360 | 12 | 7.40.150 | 24 1 | 71.02.230 | 7 | 43.30.070 |  | 17 | Approp. |
| 35 | 44.06.370 | 13 | Repealer | 251 | 72.01 .130 | 8 | 43.30 .080 | 44 | 1 | 35.33 .100 |
| 36 | 44.06.380 | 14 | Em. | 26 1 | 71.06.260 | 9 | 43.30.090 |  | 2 | 35.33.150 |
| 37 | 44.06.390 | $10 \quad 1$ | 10.40.070 | 27 1 | 72.68.040 | 10 | 43.30.100 | 45 | 1 | 7.48.250 |
| 38 | 44.06.400 | 2 | 10.40.080 | 2 | 72.68.050 | 11 | 43.30 .110 |  | 2 | 7.48.260 |
| 39 | 44.06.410 | 3 | Repealer | 3 | 72.68.060 | 12 | 43.30.120 |  | 3 | 7.48.270 |
| 40 | 44.06.420 | 4 | Em. | 4 | 72.68.070 | 13 | 43.30 .130 |  | 4 | 9.66.040 |
| 41 | 44.06.430 | 11 1 | 70.44.040 | 28 1 | 71.02.090 | 14 | 43.30.140 |  | 5 | Repealer |
| 42 | 44.06.440 | 12 1 | 81.94.010 | 29 1 | 72.25.010 | 15 | 43.30.1 50 |  | 6 | Em. |
| 43 | 44.06.450 | 131 | Leg. rev. | 2 | 72.25 .020 | 16 | 43.30.160 | 46 | 1 | 9.72 .010 |
| 44 | 44.06.460 | 2 | 17.04.240 | 3 | 72.25 .030 | 17 | 43.30.170 |  | 2 | 9.72 .060 |
| 45 | 44.06.470 | 3 | 17.04.250 | 4 | 72.25 .040 | 18 | 43.30.180 | 47 | 1 | 27.48.010 |
| 46 | 44.06.480 | 4 | 17.04.260 | $30 \quad 1$ | 72.60.015 | 19 | 43.30.190 |  | 2 | 27.48.020 |
| 47 | 44.06.490 | 5 | Leg. rev. | 2 | 72.60.190 | 20 | 43.30 .200 |  | 3 | 27.48.030 |
| 48 | 44.06.500 | 6 | 17.08.050 | 3 | 72.60.230 | 21 | 43.30.210 | 48 | 1 | 10.76.060 |
| 49 | 44.06.510 | 7 | 17.08.060 | 4 | 72.60.200 | 22 | 43.30.220 |  | 2 | 10.76.070 |
| 50 | 44.06.520 | 8 | 17.08.070 | 5 | 72.60.210 | 23 | 43.30.230 |  | 3 | 10.76.090 |
| 51 | 44.06.530 | 9 | 17.08.080 | 6 | 72.60.220 | 24 | 43.30 .240 | 49 | 1 | 71.02.130 |
| 52 | 44.06.540 | 10 | 17.08.090 | 311 | 27.24.070 | 25 | 43.30 .250 | 50 | 1 | Repealer |
| 53 | 44.06.550 | 11 | Leg. rev. | $32 \quad 1$ | 84.52 .052 | 26 | 43.30 .260 |  | 2 | Em. |
| 54 | 44.06.030 | 12 | 17.08.100 | 2 | Em. | 27 | 43.30.270 | 51 | 1 | 7.12 .060 |
| 55 | 44.06.020 | 13 | 17.08.110 | 331 | 76.28.020 | 28 | 43.30.900 |  | 2 | 7.12.160 |
| 56 | 44.06.910 | 14 | Val. | 341 | 76.32.030 | 29 | Em. |  | 3 | 7.12.190 |
| 57 | 44.06.560 |  | n 17.04 .240 | 351 | 71.06.240 | 391 | 68.16 .130 |  | 4 | 7.12 .210 |
| 58 | 44.06.900 | 1415 | Em. | $36 \quad 1$ | 76.36.030 | 40 1 | Special |  | 5 | 7.12.220 |
| 61 | Temporary | $14 \quad 1$ | 14.08.120 | 2 | 76.36.040 |  | n Title 79 |  | 6 | 7.16.120 |

Parallel Tables: 1957 Regular Session Laws-_RCW

[Parallel Tables——p 80]

Parallel Tables: 1957 Regular Session Laws-—RCW

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 17 | 72.33 .170 | 16 | 84.69.160 | 5 | 35.44.230 | 25 | 17.28.250 | 2 | Em. |
| 18 | 72.33.180 | 17 | 84.69 .170 | 6 | 35.44.240 | 26 | 17.28.260 | 171 | 75.28 .012 |
| 19 | 72.33.190 | 121 1 | 35.23.352 | 7 | 35.44.250 | 27 | 17.28.270 | 2 | 75.28 .013 |
| 20 | 72.33.200 | 122 1 | 15.12.045 | 8 | 35.44.260 | 28 | 17.28.280 | 3 | 75.28 .014 |
| 21 | 72.33.210 | 123 1 | 35.22.270 | 9 | 35.44.270 | 29 | 17.28.290 | 4 | 75.28 .015 |
| 22 | 72.33.220 | 124 1 | 36.37.040 | 1441 | Leg. rev. | 30 | 17.28.300 | 5 | 75.28 .380 |
| 23 | 72.33.230 | 124 | Repealer | 2 | 35.43 .040 | 31 | 17.28.310 | 6 | Em. |
| 24 | 72.33 .240 | 3 | Em. | 3 | 35.43 .110 | 32 | 17.28.320 | 172 | Short t. |
| 25 | 72.33.900 | 125 1 | 11.08.220 | 4 | Leg. rev. | 33 | 17.28.330 | 2 | 47.16.010 |
| 26 | Repealer | 126 1 | 35.21 .280 | 5 | 35.43 .090 | 34 | 17.28.340 | 3 | 47.20 .060 |
| 1031 | 69.28.080 | 27 | 36.38 .010 | 6 | 35.43 .120 | 35 | 17.28.350 | 4 | Leg. rev. |
| 1041 | 46.68.060 | 127 1 | 43.55 .010 | 7 | 35.43.130 | 36 | 17.28.360 | 5 | 47.20 .130 |
| 1051 | 46.16.060 | 128 1 | 82.44.110 | 8 | 35.43.140 | 37 | 17.28.370 | 6 | 47.20.140 |
| 105 | 46.68.030 | 129 1 | 28A.57.070 | 9 | 35.43.150 | 38 | 17.28.380 | 7 | 47.20 .150 |
| 3 | 46.68.130 |  | 28A.57.075 | 10 | 35.43.160 | 39 | 17.28.390 | 8 | 47.20.160 |
| 4 | 46.68.140 | 2 | Em. | 11 | 35.43 .170 | 40 | 17.28.400 | 9 | 47.16 .080 |
| 1061 | 36.32 .400 | 1301 | 35.63.070 | 12 | 35.43.180 | 41 | 17.28.410 | 10 | 47.16.140 |
| 107 1 | 46.76.010 | 131 1 | Special | 13 | Leg. rev. | 42 | 17.28.420 | 11 | 47.16 .190 |
| 2 | $46.76 .040$ |  | n Title 79 | 14 | 35.43.050 | 43 | 17.28.430 | 12 | 47.20 .379 |
| 3 | 46.76 .060 |  | Sub. Index | 15 | 35.43.080 | 44 | 17.28.440 |  | 47.20 .380 |
| 4 | Repealer | 2 | Special | 16 | 35.44 .010 | 45 | 17.28.450 | 13 | 47.16 .110 |
| 108 1 | Leg. rev. |  | n Title 79 | 17 | 35.44 .030 | 46 | Sev. | 14 | 47.20 .010 |
| 1082 | 75.12 .200 |  | Sub. Index | 18 | 35.44.040 |  | 17.28.900 | 15 | 47.20 .030 |
| 3 | 75.12 .210 | 3 | Special | 19 | 35.44 .050 | 47 | Em. | 16 | 47.20 .109 |
| 4 | 75.12 .220 |  | n Title 79 | 1451 | 46.16 .320 | 154 1 | 76.04.230 |  | 47.20 .110 |
| 5 | 75.12 .230 |  | Sub. Index | 12 | 46.16.330 | 1551 | 28A.58.070 | 17 | 47.20 .161 |
| 6 | 75.12 .240 | 132 1 | 46.08.080 | 3 | 46.16.340 | 156 1 | Leg. rev. | 18 | 47.20 .170 |
| 7 | 75.12 .250 | 133 1 | 15.66.150 | 4 | 46.16.350 | 2 | 35.79 .010 | 19 | 47.20 .180 |
| 8 | 75.12 .260 | 1341 | 36.34.145 | 5 | Approp. | 3 | 35.79 .020 | 20 | 47.20 .210 |
| 9 | 75.12 .270 | 1351 | Repealer | 6 | 46.16.005 | $157 \quad 4$ | 35.79 .030 | 21 | 47.20 .320 |
| 10 | Em. | 136 1 | 71.16 .010 | $146 \quad 1$ | 36.80.080 | $157 \quad 1$ | 43.21 .181 | 22 | Leg. rev. |
| 1091 | 46.68.120 | 2 | 71.16.020 | 2 | Approp. | 2 | 43.21 .183 | 23 | 47.20 .410 |
| 1101 | Special | 3 | 71.16.030 | 147 1 | Leg. rev. | 3 | 43.21 .185 | 24 | 47.20 .420 |
| 2 | Vetoed | 4 | 71.16.040 | 2 | 28B.40.010 | 4 | 43.21 .180 | 25 | 47.20 .430 |
| 1111 | Vetoed | 5 | 71.16.050 | 3 | 28B.40.100 | 158 1 | 41.44 .100 | 26 | 47.20 .462 |
| 2 | Vetoed | 6 | 71.16.060 | 148 1 | Special | 2 | 41.44.120 | 27 | 47.20.541 |
| 3 | Vetoed | 7 | 71.16.070 |  | n Title 79 | 3 | 41.44.130 | 28 | Temporary |
| 4 | 76.04.140 | 8 | 71.16.080 |  | Sub. Index | 4 | 41.44.150 | 29 | Approp. |
| 5 | 76.04.190 | 9 | 71.16.090 | 2 | Special | 5 | 41.44.170 | 30 | 47.01 .220 |
| 6 | 76.04.225 | 10 | 71.16.100 |  | n Title 79 | 6 | 41.44.210 | 31 | 47.01.130 |
| 7 | 76.04.250 | 11 | 71.16.110 |  | Sub. Index | 1591 | 41.24 .150 | 32 | Temporary |
| 8 | 76.04.300 | 12 | 71.16.120 | 1491 | Repealer | 2 | 41.24 .160 | 33 | Temporary |
| $112 \quad 1$ | 9.94.030 | 13 | 71.16.130 | 2 | 29.68.011 | 3 | 41.24 .210 | 34 | Temporary |
| 12 | Vetoed | 14 | 71.16.140 | 3 | 29.68.021 | 4 | 41.24.220 | 35 | Temporary |
| 1131 | 35.22.205 | 15 | 71.16.150 | 4 | 29.68.061 | 5 | 41.24 .230 | 36 | Temporary |
| 1141 | 35.92.270 | 16 | 71.16.160 | 5 | 29.68.066 | 6 | 41.24 .240 | 37 | Temporary |
| 1151 | 43.79 .380 | 17 | Approp. | 6 | 29.68.005 | 160 1 | Leg. rev. | 38 | Approp. |
| 2 | 43.79 .381 | 18 | 71.16.170 | 7 | 29.68.007 | 2 | 16.36.095 | 39 | 47.56.510 |
| 3 | 43.79 .382 | 19 | 71.16 .180 | $150 \quad 1$ | 54.24 .200 | 3 | Approp. | 40 | Approp. |
| 4 | 43.79 .383 | 20 | 71.16.900 | 2 | 54.24 .210 | 4 | Em. | 41 | Approp. |
| 5 | 72.08.070 | $137 \quad 21$ | Repealer | 3 | 54.24 .220 | 161 | 69.33 .290 | 42 | Approp. |
| 6 | 43.79 .330 | $137 \quad 1$ | 54.36 .010 | 4 | 54.24 .230 | 2 | Em. | 43 | Approp. |
| 1161 | 41.24 .030 | 2 | 54.36.020 | 5 | 54.24 .240 | 162 1 | 43.43 .140 | 44 | Approp. |
| 117 1 | 35.41 .010 | 3 | 54.36.030 | 6 | 54.24 .250 | 2 | 43.43.220 | 45 | Approp. |
| 2 | 35.41 .020 | 4 | 54.36 .040 | 7 | 54.24 .260 | 3 | 43.43 .250 | 46 | Approp. |
| 3 | 35.41 .030 | 5 | 54.36.050 | 151 | 15.54.010 | 4 | 43.43.260 | 47 | Approp. |
| 4 | 35.41 .040 | 6 | 54.36.060 | 152 1 | 47.60.113 | 5 | Em. | 48 | Approp. |
| 5 | 35.41 .050 | 7 | 54.36.070 | 2 | 47.60.114 | 1631 | 15.04.100 | 49 | Approp. |
| 6 | 35.41 .060 | 8 | 54.36.080 | 153 3 | 47.60.115 | 2 | Leg. rev. | 50 | Approp. |
| 7 | 35.41 .070 | $138 \quad 9$ | Em. | 1531 | 17.28.010 | 3 | 15.04 .040 | 51 | Approp. |
| 8 | 35.41 .080 | 1381 | 2.48 .130 | 2 | 17.28 .020 | 4 | 15.04 .060 | 52 | Approp. |
| 9 | 35.41 .090 | 139 1 | 23.54 .010 | 3 | 17.28.030 | 5 | 15.04 .070 | 53 | Approp. |
| 10 | 35.41 .100 | 2 | 23.54 .020 | 4 | 17.28.040 | 6 | 15.04.080 | 54 | Approp. |
| 11 | 35.41 .900 | 3 | 23.54.030 | 5 | 17.28.050 | 7 | Leg. rev. | 55 | Approp. |
| 118 1 |  | 4 | 23.54 .040 | 6 | 17.28 .060 | $8$ | 15.08.280 | 56 | Approp. |
|  | n Title 79 | 5 | 23.54 .050 | 7 | 17.28.070 | 9 | 15.16.040 | 57 | Approp. |
|  | Sub. Index | $140 \quad 6$ | 23.54.060 | 8 | 17.28 .080 | 10 | 15.16.050 | 58 59 | Approp. |
| 1191 | 35.13 .220 84.69010 | $140 \quad 1$ | 54.24 .010 54.12 .080 | 9 10 | 17.28 .090 17.28 .100 | 11 12 | 15.16 .060 15.16 .070 | 59 | ${ }_{\text {Sev. }}$ Efate |
| 120 1 | 84.69 .010 | 1412 | 54.12 .080 | 10 | 17.28.100 | 12 | 15.16 .070 | 17360 | Eff. date |
| 2 | 84.69 .020 | 141 | 47.56.410 | 11 | 17.28.110 | 13 | 15.16.035 | 173 1 | Leg. rev. |
| 3 4 | 84.69 .030 84.69 .040 | 2 | 47.56 .420 47.56 .430 | 12 | 17.28 .120 17.28 .130 | $164 \quad 14$ | Eff. date | 2 | 35.02 .020 |
| 4 | 84.69 .040 84.69 .050 | 3 4 | 47.56.430 47.56 .440 | 13 14 | 17.28 .130 17.28 .140 | $\begin{array}{ll}164 & 1 \\ 165 & 1\end{array}$ | 41.04.120 89.12 .010 | 3 4 | 35.02 .030 35.02 .040 |
| 6 | 84.69.060 | $142 \quad 1$ | 47.56 .450 | 15 | 17.28.150 | 165 | 89.12 .040 | 5 | 35.02.050 |
| 7 | 84.69.070 | 2 | 47.56.460 | 16 | 17.28.160 | 3 | 89.12.050 | 6 | 35.02.060 |
| 8 | 84.69 .080 | 3 | 47.56.470 | 17 | 17.28.170 | 4 | 89.12 .100 | 7 | 35.02.070 |
| 9 | 84.69 .090 | 4 | 47.56 .480 | 18 | 17.28.180 | 166 1 | 35.24 .305 | 8 | 35.02 .080 |
| 10 | 84.69 .100 | 5 | 47.56.490 | 19 | 17.28.190 | 167 1 | Sev. | 9 | 35.02.100 |
| 11 | 84.69 .110 | 6 | 47.56 .500 | 20 | 17.28.200 |  | 19.91 .900 | 10 | 35.02.110 |
| 12 | 84.69 .120 | 1431 | Leg. rev. | 21 | 17.28.210 | 168 1 | 29.13 .023 | 17411 | Em. |
| 13 | 84.69.130 | 2 | 35.44.200 | 22 | 17.28.220 | 2 | 29.13 .024 | 1741 | 43.31 .500 |
| 14 | 84.69.140 | 3 | 35.44.210 | 23 | 17.28.230 | 1691 | 29.39.010 | 2 | 43.31 .510 |
| 15 | 84.69.150 | 4 | 35.44.220 | 24 | 17.28.240 | 170 1 | 41.48.030 | 3 | 43.31 .520 |

Parallel Tables: 1957 Regular Session Laws——RCW

[Parallel Tables-—p 82]

Parallel Tables: 1957 Regular Session Laws-—RCW


| Chap | Sec. | Rev. Code of Wash. |  | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | 9 | 44.06.110 |  | 2 | 72.05.300 |
|  | 10 | 44.06.120 |  | 3 | 72.05.310 |
|  | 11 | 44.06.130 |  | 4 | 13.04.190 |
|  | 12 | 44.06.140 |  |  | 13.04.200 |
|  | 13 | 44.06.150 |  | 5 | 13.04.210 |
|  | 14 | 44.06.160 |  | 6 | 13.04.220 |
|  | 15 | 44.06.170 |  | 7 | 28.41 .070 |
|  | 16 | 44.06.180 |  | 8 | Vetoed |
|  | 17 | 44.06.190 |  | 9 | Vetoed |
|  | 18 | 44.06.200 |  | 10 | Eff. date |
|  | 19 | 44.06.210 | 298 | 1 | 72.99.070 |
|  | 20 | 44.06.220 |  | 2 | 72.99.080 |
|  | 21 | 44.06.230 |  | 3 | 72.99 .090 |
|  | 22 | 44.06.240 |  | 4 | 72.99.100 |
|  | 23 | 44.06.250 |  | 5 | 72.99.110 |
|  | 24 | 44.06.260 |  | 6 | 72.99.120 |
|  | 25 | 44.06.270 |  | 7 | 72.99.130 |
|  | 26 | 44.06.280 |  | 8 | 72.99.140 |
|  | 27 | 44.06.290 |  | 9 | 72.99 .150 |
|  | 28 | 44.06.300 |  | 10 | 72.99.160 |
|  | 29 | 44.06.310 |  | 11 | Sev. |
|  | 30 | 44.06.320 |  |  | $\text { n } 72.99 .070$ |
|  | 31 | 44.06 .330 |  | 12 | Approp. |
|  | 32 | 44.06.340 | 299 | 1 | 72.99.170 |
|  | 33 | 44.06.350 |  | 2 | 72.99.180 |
|  | 34 | 44.06.360 |  | 3 | 72.99.190 |
|  | 35 | 44.06 .370 |  | 4 | 72.99.200 |
|  | 36 | 44.06.380 |  | 5 | 72.99.210 |
|  | 37 | 44.06.390 |  | 6 | 72.99.220 |
|  | 38 | 44.06.400 |  | 7 | Referendum |
|  | 39 | 44.06.410 |  |  | n72.99.170 |
|  | 40 | 44.06.420 |  | 8 | Em. |
|  | 41 | 44.06.430 | 300 | 1 | Approp. |
|  | 42 | 44.06.440 |  | 2 | Approp. |
|  | 43 | 44.06.450 |  | 3 | Em. |
|  | 44 | 44.06.460 | 301 | 1 | Approp. |
|  | 45 | 44.06.470 |  | 2 | Approp. |
|  | 46 | 44.06.480 |  | 3 | Em. |
|  | 47 | 44.06.490 |  |  |  |
|  | 48 | 44.06.500 |  |  |  |
|  | 49 | 44.06.510 |  |  |  |
|  | 50 | 44.06.520 |  |  |  |
|  | 51 | 44.06.530 |  |  |  |
|  | 52 | 44.06.540 |  |  |  |
|  | 53 | 44.06.550 |  |  |  |
|  | 54 | 44.06.030 |  |  |  |
|  | 55 | 44.06.020 |  |  |  |
|  | 56 | Repealer |  |  |  |
|  | 57 | 44.06.560 |  |  |  |
|  | 58 | 44.06.900 |  |  |  |
| 290 | 1 | 79.08 .180 |  |  |  |
|  | 2 | 79.08.190 |  |  |  |
|  | 3 | 79.08.200 |  |  |  |
| 291 | 1 | 43.38 .010 |  |  |  |
|  | 2 | 43.38 .020 |  |  |  |
|  | 3 | 43.38 .030 |  |  |  |
|  | 4 | 43.38 .040 |  |  |  |
|  | 5 | 43.38 .050 |  |  |  |
|  | 6 | Approp. |  |  |  |
| 292 | 1 | 82.36 .275 |  |  |  |
|  | 2 | 82.40.047 |  |  |  |
|  | 3 | Temporary |  |  |  |
| $\begin{aligned} & 293 \\ & 294 \end{aligned}$ | 1 | Special |  |  |  |
|  | 1 | 46.20.090 |  |  |  |
|  | 2 | 46.68 .040 |  |  |  |
| 295 | 1 | 43.52 .360 |  |  |  |
|  | 2 | 43.52 .370 |  |  |  |
|  | 3 | 43.52.373 |  |  |  |
|  | 4 | 43.52 .375 |  |  |  |
|  | 5 | 43.52.391 |  |  |  |
|  | 6 | 43.52.3411 |  |  |  |
|  | 7 | 43.52 .343 |  |  |  |
|  | 8 | 43.52 .272 |  |  |  |
|  | 9 | Repealer |  |  |  |
|  | 10 | 43.52 .460 |  |  |  |
|  | 11 | 43.52 .470 |  |  |  |
|  | 12 | Constr. |  |  |  |
|  |  | 43.52 .910 |  |  |  |
|  | 13 | Em. |  |  |  |
| 296 | 1 | 28A.57.090 |  |  |  |
|  | 2 | Vetoed |  |  |  |
|  | 3 | Em. |  |  |  |
| 297 | 1 | Vetoed |  |  |  |

[Parallel Tables——p 84]

## 1959 REGULAR SESSION LAWS



Parallel Tables: 1959 Regular Session Laws-—RCW



Parallel Tables: 1959 Regular Session Laws- - RCW


Parallel Tables: 1959 Regular Session Laws- - RCW

| Chap | Sec. | Rev. Code of Wash. | Chap. Sec. |  | Rev. Code of Wash. | Chap. Sec. |  | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. |  | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 6 | 70.40.060 | 260 | 1 | 9.68 .010 | 272 | 1 | Leg. rev. | 25 | 21.20 .250 | 291 | 1 | 19.93.010 |
|  | 7 | 70.40.070 |  | 2 | 9.68 .015 |  | 2 | 73.32 .130 | 26 | 21.20 .260 |  | 2 | 19.93.020 |
|  | 8 | 70.40 .090 | 261 | 1 | 35.91 .010 |  | 3 | 73.32.140 | 27 | 21.20 .270 |  | 3 | 19.93 .030 |
|  | 9 | 70.40.110 |  | 2 | 35.91 .020 | 273 | 1 | 72.60.240 | 28 | 21.20 .280 |  | 4 | 19.93 .040 |
|  | 10 | 70.40.120 |  | 3 | 35.91 .030 |  | 2 | 72.60.250 | 29 | 21.20.290 |  | 5 | 19.93.050 |
|  | 11 | 70.40.150 |  | 4 | 35.91 .040 |  | 3 | 72.60.260 | 30 | 21.20.300 |  | 6 | 19.93 .060 |
|  | 12 | Em. |  | 5 | 35.91 .050 |  | 4 | 72.60.270 | 31 | 21.20 .310 |  | 7 | 19.93 .070 |
| 253 | 1 | 41.32 .496 | 262 | 1 | 28A.56.010 |  | 5 | 72.60.280 | 32 | 21.20 .320 |  | 8 | 19.93 .080 |
|  | 2 | Sev. |  | 2 | 28A.56.005 |  | 6 | 43.79 .330 | 33 | 21.20 .330 |  | 9 | 19.93 .090 |
| 254 | 1 | 65.04.040 |  | 3 | 28A.56.020 |  | 7 | n72.60.240 | 34 | 21.20 .340 |  | 10 | 19.93.100 |
| 255 | 1 | 43.82 .010 |  | 4 | 28A.56.030 |  | 8 | n72.60.240 | 35 | 21.20 .350 |  | 11 | 19.93.110 |
|  | 2 | 43.82.020 |  | 5 | 28A.56.040 |  | 9 | n72.60.240 | 36 | 21.20 .360 |  | 12 | 19.93.120 |
|  | 3 | 43.82 .030 |  | 6 | 28A.56.050 |  | 10 | Repealer | 37 | 21.20 .370 |  | 13 | 19.93.130 |
|  | 4 | 43.82.040 |  | 7 | 28A.56.060 | 274 | 1 | 54.28 .010 | 38 | 21.20.380 |  | 14 | 19.93.140 |
|  | 5 | 43.82 .050 |  | 8 | 28A.56.070 |  | 2 | 54.28 .020 | 39 | 21.20 .390 |  | 15 | 19.93.150 |
|  | 6 | 43.82.060 |  | 9 | 28A.56.075 |  | 3 | 54.28 .030 | 40 | 21.20 .400 |  | 16 | 19.93.160 |
|  | 7 | 43.82.070 |  | 10 | Repealer |  | 4 | 54.28.050 | 41 | 21.20 .410 |  | 17 | 19.93.170 |
|  | 8 | 43.82.080 |  | 11 | 28A.56.170 |  | 5 | Repealer | 42 | 21.20 .420 |  | 18 | 19.93.180 |
|  | 9 | 43.82 .090 | 263 | 1 | 23.60.010 |  | 6 | Eff. date | 43 | 21.20 .430 |  | 19 | 19.93.190 |
|  | 10 | 43.82.100 |  | 2 | 23.86.070 |  |  | n54.28.050 | 44 | 21.20 .440 |  | 20 | 19.93.200 |
|  | 11 | 43.82.110 |  | 3 | 24.04.130 | 275 | 1 | 54.16.180 | 45 | 21.20 .450 |  | 21 | 19.93.210 |
|  | 12 | 43.82.120 |  | 4 | 23.60.170 | 276 | 1 | 28A.41.020 | 46 | 21.20 .460 |  | 22 | 19.93 .220 |
|  | 13 | 43.82.130 |  | 5 | 43.07 .120 |  | 2 | Leg. rev. | 47 | 21.20.470 |  | 23 | 19.93 .230 |
|  | 14 | $43.82 .900$ |  | 6 | 36.18.010 |  | 3 | 28A.48.010 | 48 | 21.20 .480 |  | 24 | 19.93 .240 |
|  | 15 | Em. |  | 7 | 36.18.030 |  | 4 | Repealer | 49 | 21.20 .490 |  | 25 | 19.93.250 |
| 256 | 1 | Leg. rev. |  | 8 | 36.18.040 |  | 5 | Repealer | 50 | 21.20 .500 |  | 26 | 19.93 .260 |
|  | 2 | 51.36 .010 |  | 9 | 12.40.040 | 277 | 1 | 72.18 .010 | 51 | 21.20 .510 |  | 27 | 19.93 .270 |
|  | 3 | 51.36.020 |  | 10 | 36.18.045 |  | 2 | 72.18.020 | 52 | 21.20 .520 |  | 28 | 19.93.280 |
|  | 4 | 51.36 .030 |  | 11 | 61.04.030 |  | 3 | 72.18.030 | 53 | 21.20 .530 |  | 29 | 19.93.290 |
|  | 5 | 51.40 .070 |  | 12 | 61.16 .040 |  | 4 | 72.18 .040 | 54 | 21.20 .540 |  | 30 | 19.93.300 |
| 257 | 1 | 79.01 .038 |  | 13 | 3.16 .100 |  | 5 | 72.18.050 | 55 | 21.20 .550 |  | 31 | 19.93.310 |
|  | 2 | 79.01.084 |  | 14 | Repealer |  | 6 | 72.18.060 | 56 | 21.20 .560 |  | 32 | 19.93 .320 |
|  | 3 | 79.01 .088 | 264 | 1 | 28A.46.010 |  | 7 | 72.18.070 | 57 | 21.20 .570 |  | 33 | 19.93 .330 |
|  | 4 | 79.01 .092 |  | 2 | Em. |  | 8 | 72.18.080 | 58 | 21.20 .580 |  | 34 | 19.93.340 |
|  | 5 | 79.01 .096 |  |  | Eff. date |  | 9 | Em. | 59 | 21.20 .590 |  | 35 | 19.93.350 |
|  | 6 | 79.01 .100 | 265 | , | Leg. rev. | 278 | 1 | 60.04 .020 | 60 | 21.20.005 |  | 36 | 19.93.360 |
|  | 7 | 79.01.104 |  | 2 | 54.40 .010 | 279 | 1 | 60.04.010 | 61 | Constr. |  | 37 | 19.93.370 |
|  | 8 | 79.01.108 |  | 3 | 54.40 .020 |  | 2 | 60.04.020 |  | 21.20.900 |  | 38 | 19.93.380 |
|  | 9 | 79.01 .112 |  | 4 | 54.40 .030 |  | 3 | 60.04.040 | 62 | Sev. |  | 39 | 19.93.900 |
|  | 10 | 79.01 .116 |  | 5 | 54.40 .040 |  | 4 | 60.04 .050 |  | 21.20 .905 |  | 40 | Repealer |
|  | 11 | 79.01 .120 |  | 6 | 54.40 .050 |  | 5 | 60.04.060 | 63 | 21.20.910 | 292 | 1 | 47.56.570 |
|  | 12 | 79.01.124 |  | 7 | 54.40 .060 |  | 6 | 60.04.064 | 64 | 21.20 .915 |  | 2 | 47.56.580 |
|  | 13 | 79.01 .132 |  | 8 | 54.40 .070 |  | 7 | 60.04.067 | 65 | 21.20 .920 |  | 3 | 47.56 .590 |
|  | 14 | 79.01 .136 |  | 9 | 54.12.010 |  | 8 | 60.04.090 | 66 | 21.20 .925 |  | 4 | 47.56 .600 |
|  | 15 | 79.01 .160 |  | 10 | 54.12 .100 |  | 9 | 60.04.110 | 67 | 21.20 .930 |  | 5 | 47.56.610 |
|  | 16 | 79.01 .164 | 266 | 1 | 50.12.050 |  | 10 | 60.04.130 | 68 | 21.20 .935 |  | 6 | 47.56.620 |
|  | 17 | 79.01.168 |  | 2 | 50.12 .180 |  | 11 | 60.04.140 | 69 | 21.20 .940 |  | 7 | 47.56.630 |
|  | 18 | $79.01 .184$ |  | 3 | 50.20 .010 |  | 12 | 60.04.180 | 283 1 | 81.53 .030 | 293 | 1 | 72.01.061 |
|  | 19 | 79.01 .188 |  | 4 | 50.20.160 | 280 | 1 | 33.08.010 | 2 | 81.53 .010 |  | 2 | 72.01.062 |
|  | 20 | 79.01 .196 |  | 5 | 50.24.120 |  | 2 | 33.12 .130 | 3 | 81.53 .260 |  | 3 | Vetoed |
|  | 21 | 79.01.200 |  | 6 | 50.24.160 |  | 3 | 33.24.090 | 4 | 81.53 .270 |  | 4 | 72.01.064 |
|  | 22 | 79.01.204 |  | 7 | 50.32.030 |  | 4 | 33.24.120 | 5 | 81.53.280 |  | 5 | 72.01.065 |
|  | 23 | 79.01.212 |  | 8 | 50.04.072 |  | 5 | 33.24.150 | 6 | 81.53 .290 |  | 6 | 72.01 .066 |
|  | 24 | 79.01 .216 |  | 9 | Constr. |  | 6 | 33.24.170 | 7 | 81.53 .240 |  | 7 | 72.01.067 |
|  | 25 | 79.01 .220 |  |  | n 50.04.072 |  | 7 | 33.08.110 | 284 | Repealer |  | 8 | Repealer |
|  | 26 | 79.01 .228 | 267 | , | 7.32 .120 |  | 8 | 33.08.120 | 284 1 | 46.20 .120 | 294 | 1 | 49.46.010 |
|  | 27 | 79.01 .236 | 268 | 1 | 28.57.335 |  | 9 | Em. | 2 | 46.20.130 |  | 2 | 49.46.020 |
|  | 28 | 79.01 .240 |  | 2 | 28A. 57.050 | 281 | 1 | 1.20 .070 | 3 | 46.20 .150 |  | 3 | 49.46.030 |
|  | 29 | 79.01 .244 |  |  | 28A.57.055 |  | 2 | 1.20 .071 | 2851 | Leg. rev. |  | 4 | 49.46.040 |
|  | 30 | 79.01 .272 |  | 3 | 28A.57.344 | 282 | 1 | 21.20 .010 | 2 | 80.04 .360 |  | 5 | 49.46.050 |
|  | 31 | 79.01.276 |  | 4 | 28A.57.342 |  | 2 | 21.20.020 | 3 | 81.04.360 |  | 6 | 49.46.060 |
|  | 32 | 79.01.284 |  | 5 | 28A.57.245 |  | 3 | 21.20.030 | 2861 | Approp. |  | 7 | 49.46.070 |
|  | 33 | 79.01.288 |  | 6 | 28A.57.340 |  | 4 | 21.20 .040 | 287 1 | 72.70 .010 |  | 8 | 49.46 .080 |
|  | 34 | 79.01 .296 |  | 7 | 28A.57.328 |  | 5 | 21.20 .050 | 2 | 72.70.020 |  | 9 | 49.46 .090 |
|  | 35 | 79.01.388 |  | 8 | 28A.57.332 |  | 6 | 21.20 .060 | 3 | 72.70 .030 |  | 10 | 49.46.100 |
|  | 36 | 79.01.392 |  | 9 | 28A.57.370 |  | 7 | 21.20.070 | 4 | 72.70 .040 |  | 11 | 49.46.110 |
|  | 37 | 79.01.452 |  | 10 | 28.57.400 |  | 8 | 21.20 .080 | 5 | 72.70 .050 |  | 12 | 49.46.120 |
|  | 38 | 79.01 .644 |  | 11 | 28A.57.410 |  | 9 | 21.20 .090 | 6 | 72.70 .060 |  | 13 | Sev. |
|  | 39 | 79.01 .704 |  | 12 | 28A.57.334 |  | 10 | 21.20 .100 | 7 | Sev. |  |  | 49.46 .900 |
|  | 40 | 79.01 .736 |  | 13 | 28A. 57.336 |  | 11 | 21.20 .110 |  | 72.70 .900 |  | 14 | 49.46.910 |
|  | 41 | 79.12 .236 |  | 14 | 28A.57.180 |  | 12 | 21.20 .120 | 288 1 | 29.68.005 | 295 | 1 | 84.36 .079 |
|  | 42 | 79.24 .010 | 269 | 1 | Approp. |  | 13 | 21.20 .130 | 2 | 29.68 .062 |  | 2 | 84.36 .090 |
|  | 43 | 79.24 .030 |  | 2 | Em. |  | 14 | 21.20 .140 | 3 | 29.68.066 |  | 3 | Em. |
|  | 44 | 79.24 .060 43.34 .015 | 270 | 1 | Leg. rev. $82.24 .020$ |  | 15 16 | $\begin{aligned} & 21.20 .150 \\ & 21.20 .160 \end{aligned}$ | $289 \quad 4$ | Repealer | 296 | 1 | 83.44.010 |
|  | 45 | 43.34.015 |  | 2 | $82.24 .020$ |  | 16 | $21.20 .160$ | 289 1 | 63.28 .360 | 297 | 1 | 18.43.035 |
|  | 46 | 79.24 .085 |  | 3 | 82.24 .030 |  | 17 | 21.20 .170 | 2 | 63.36.010 |  | 2 | 18.43.105 |
|  | 47 | 79.40 .050 |  | 4 | 82.24 .040 82.24 .050 |  | 18 | 21.20.180 | 3 | 63.36.020 |  | 3 | 18.43.140 |
|  | 48 | Repealer |  | 5 | 82.24 .050 |  | 19 | 21.20 .190 | $290 \quad 4$ | 63.36.030 |  | 4 | 18.43.070 |
| 58 | 1 | 90.24.010 |  | 6 | 82.24 .060 |  | 20 | 21.20 .200 | $290 \quad 1$ | 84.52.052 |  | 5 | 18.43.080 |
|  | 2 | 90.24 .030 |  | 7 | $82.24 .070$ |  | 21 | 21.20.210 | 2 | 84.52.056 |  | 6 | 18.43.100 |
|  | 3 | 90.24 .040 |  | 8 | 82.24 .080 |  | 22 | 21.20 .220 | 3 | 39.40.010 |  | 7 | 18.43.130 |
|  | 4 | 90.24.065 |  | 9 | 82.24 .010 |  | 23 | 21.20 .230 | 4 | 39.40.030 |  | 8 | Sev. |
| 59 | 1 | 82.04.275 | 271 | 1 | 28A.47.440 |  | 24 | 21.20.240 | 5 | Repealer |  |  | 18.43.920 |

Parallel Tables: 1959 Regular Session Laws--RCW

[Parallel Tables——p 90]

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. |  | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: |
| 11 | Approp. |  | 14 | 28A.47.700 |
| 2 | Em. |  | 15 | 28A.47.710 |
| 21 | Approp. |  | 16 | Sev. |
| 2 | Temporary |  | 17 | Em. |
| 3 | Em. | 9 | 1 | 43.83 .010 |
| 31 | 82.04.040 |  | 2 | 43.83 .020 |
| 2 | 82.04.120 |  | 3 | 43.83 .030 |
| 3 | 82.04.190 |  | 4 | 43.83 .040 |
| 4 | 82.04.280 |  | 5 | 43.83.050 |
| 5 | 82.08.020 | 10 | 1 | 44.04 .120 |
| 6 | 82.08.030 | 11 | 1 | Approp. |
| 7 | Leg. rev. |  | 2 | Em. |
| 8 | 82.08 .090 | 12 | 1 | Approp. |
| 9 | 82.08.100 |  | 2 | Approp. |
| 10 | 82.12 .020 |  | 3 | Approp. |
| 11 | 82.12.030 |  | 4 | Approp. |
| 12 | Leg. rev. |  | 5 | Approp. |
| 13 | 82.12 .060 |  | 6 | Approp. |
| 14 | 82.12 .070 |  | 7 | Approp. |
| 15 | 82.16 .010 | 13 |  | Approp. |
| 16 | 82.16 .020 |  | 2 | Approp. |
| 17 | 82.16.040 |  | 3 | Approp. |
| 18 | 82.16 .050 |  | 4 | Approp. |
| 19 | 82.44.020 |  | 5 | Approp. |
| 20 | Sev. |  | 6 | Approp. |
| 21 | Em. |  | 7 | Approp. |
| 41 | 46.68.100 |  |  |  |
| 2 | 47.65.110 |  |  |  |
| 3 | 47.65.091 |  |  |  |
| 51 | 82.04.040 |  |  |  |
| 2 | 82.04.050 |  |  |  |
| 3 | 82.04.270 |  |  |  |
| 4 | 82.04.280 |  |  |  |
| 5 | 82.04.290 |  |  |  |
| 6 | 82.04.296 |  |  |  |
| 7 | 82.04.300 |  |  |  |
| 8 | 82.04.390 |  |  |  |
| 9 | 82.08.150 |  |  |  |
| 10 | Leg. rev. |  |  |  |
| 11 | 82.26 .010 |  |  |  |
| 12 | 82.26 .020 |  |  |  |
| 13 | 82.26 .030 |  |  |  |
| 14 | 82.26.040 |  |  |  |
| 15 | 82.26 .050 |  |  |  |
| 16 | 82.26.060 |  |  |  |
| 17 | 82.26.070 |  |  |  |
| 18 | 82.26.080 |  |  |  |
| 19 | 82.26.090 |  |  |  |
| 20 | 82.26.100 |  |  |  |
| 21 | 82.26 .110 |  |  |  |
| 22 | Sev. |  |  |  |
| 23 | Em. |  |  |  |
|  | Eff. date |  |  |  |
| 61 | 28.45.110 |  |  |  |
| 71 | 75.40.030 |  |  |  |
| 81 | 28A.47.570 |  |  |  |
| 2 | 28A.47.580 |  |  |  |
| 3 | 28A.47.590 |  |  |  |
| 4 | 28A.47.600 |  |  |  |
| 5 | 28A.47.610 |  |  |  |
| 6 | 28A.47.620 |  |  |  |
| 7 | 28A.47.630 |  |  |  |
| 8 | 28A.47.640 |  |  |  |
| 9 | 28A.47.650 |  |  |  |
| 10 | 28A.47.660 |  |  |  |
| 11 | 28.47.670 |  |  |  |
| 12 | 28A.47.680 |  |  |  |
| 13 | 28A.47.690 |  |  |  |

1961 REGULAR SESSION LAWS

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 11 | 41.06 .010 | (Re- |  | 11 | 15.30 .110 |  | 7 | Repealed |  | 3 | 15.76.120 |
| 2 | 41.06 .020 | enact- |  | 12 | 15.30.120 |  |  | cf. 35.60.070 |  | 4 | 15.76.130 |
| 3 | 41.06 .030 | ment) | Title 47 | 13 | 15.30.130 |  | 8 | Repealed |  | 5 | 15.76.140 |
| 4 | 41.06 .040 | 14 Titles 80 |  | 14 | 15.30.140 |  | 9 | 35.60.900 |  | 6 | 15.76.150 |
| 5 | 41.06.050 | and 81 |  | 15 | 15.30.150 | 40 | 1 | 76.08.080 |  | 7 | 15.76.160 |
| 6 | 41.06 .060 | (Re- |  | 16 | 15.30.160 | 41 | 1 | 36.18.020 |  | 8 | 15.76.170 |
| 7 | 41.06.070 | enact- |  | 17 | 15.30.170 | 42 | 1 | 2.24 .010 |  | 9 | 15.76.180 |
| 8 | 41.06 .080 | ment) | Titles 80 | 18 | 15.30.180 | 43 | 1 | 29.45.120 |  | 10 | Repealer |
| 9 | 41.06.090 |  | and 81 | 19 | 15.30.190 | 44 | 1 | 79.38.010 | 62 | 1 | 28.81 .005 |
| 10 | 41.06 .100 | 15 Titles 82, |  | 20 | 15.30.200 |  | 2 | 79.38.020 |  | 2 | 28B.40.010 |
| 11 | 41.06.110 | 83 and 84 |  | 21 | 15.30 .210 |  | 3 | 79.38 .030 |  | 3 | 28.81.015 |
| 12 | 41.06.120 | ( $\mathrm{Re}-$ |  | 22 | 15.30.220 |  | 4 | 79.38.040 | 63 | 1 | 9.54.115 |
| 13 | 41.06.130 | enact- |  | 23 | 15.30.230 |  | 5 | 79.38.050 | 64 | 1 | 18.74.010 |
| 14 | 41.06.140 | ment) | Titles 82, | 24 | 15.30.240 |  | 6 | 79.38.060 |  | 2 | 18.74.030 |
| 15 | 41.06 .150 |  | 83 and 84 | 25 | 15.30.250 |  | 7 | Sev. |  | 3 | 18.74.035 |
| 16 | 41.06.160 | 16 | Leg. rev. | 26 | 15.30.260 |  |  | 79.38 .900 |  | 4 | 18.74.050 |
| 17 | 41.06 .170 | 2 | 85.16.060 | 27 | 15.30 .910 |  | 8 | Em. |  | 5 | 18.74.060 |
| 18 | 41.06.180 | 3 | 85.16.080 | 28 | 15.30.900 | 45 | 1 | 27.04.020 |  | 6 | 18.74.070 |
| 19 | 41.06.190 | 4 | 85.16.110 | 29 | Em. | 46 | 1 | 35.48 .010 |  | 7 | 18.74.080 |
| 20 | 41.06.200 | 5 | 85.16.120 | 301 | 69.16.115 |  | 2 | 35.48 .020 |  | 8 | 18.74.090 |
| 21 | 41.06.210 | 6 | Em. | 2 | 69.16.120 |  | 3 | 35.48.050 |  | 9 | 18.74.095 |
| 22 | 41.06.220 | $17 \quad 1$ | 89.08.080 | $31 \quad 1$ | 53.06.010 | 47 | 1 | 28A.04.120 |  | 10 | 18.74.125 |
| 23 | 41.06.230 | 2 | Em. | 2 | 53.06.020 |  | 2 | 28A.05.050 |  | 11 | Sev. |
| 24 | 41.06 .240 | $18 \quad 1$ | Leg. rev. | 3 | 53.06.030 |  |  | 28B. 10.710 |  |  | 18.74.910 |
| 25 | 41.06.250 | 2 | 87.03.595 | 4 | 53.06.040 |  | 3 | 28.70.040 | 65 | 1 | 71.06.010 |
| 26 | 41.06.260 | 3 | 87.03.600 | 5 | 53.06.050 | 48 | 1 | 46.70 .010 |  | 2 | 9.79 .130 |
| 27 | 41.06.270 | 4 | 87.03.680 | 6 | 53.06.060 | 49 | 1 | 69.40.060 | 66 | 1 | 28A. 24.055 |
| 28 | 41.06.280 | 5 | Em. | $32 \quad 1$ | 29.10.090 |  | 2 | 69.40.061 |  |  | 28A.58.040 |
| 29 | 41.06.290 | $19 \quad 1$ | 43.21 .130 | 2 | 29.10.110 | 50 |  | 29.64 .010 |  |  | 28A.58.100 |
| 30 | 66.08.016 | 2 | Repealer | 331 | 35.27.550 |  | 2 | 29.64.020 |  |  | 28A.58.101 |
| 31 | 43.17 .090 | 3 | Em. | 2 | 35.27 .560 |  | 3 | 29.64.030 |  |  | 28A.58.102 |
| 32 | 43.41 .020 | $20 \quad 1$ | 30.04.290 | 3 | 35.27 .570 | 51 | 1 | 35.13 .260 |  |  | 28A.58.103 |
| 33 | Repealer | 2 | Em. | 4 | 35.27 .580 | 52 | 1 | 84.52 .025 |  |  | 28A.58.105 |
| 34 | 41.06 .900 | $21 \quad 1$ | 44.20 .030 | 5 | 35.27 .590 | 53 | 1 | 45.80 .010 |  |  | 28A.58.107 |
| 35 |  | 2 | Approp. | 6 | Sev. |  | 2 | 45.80 .020 |  | 2 | Repealer |
|  | $41.06 .910$ | 3 | Em. | 7 | Constr. |  | 3 | 45.80 .030 | 67 | 1 | 2.08 .061 |
| 21 | 64.28 .010 | $22 \quad 1$ | Special |  | 35.27 .600 |  | 4 | 45.80 .040 |  | 2 | 2.08.064 |
| 2 | 64.28 .020 |  | n Title 79 | $34 \quad 1$ | 23.86.050 |  | 5 | 45.80 .050 |  | 3 | Em. |
| 3 | 64.28 .030 |  | Sub. Index | 2 | 23.86.090 |  | 6 | 45.80.060 | 68 | 1 | 77.12 .060 |
| 4 | Repealer | 23 Title 51 |  | $35 \quad 1$ | 36.17.030 |  | 7 | 45.80 .070 |  | 2 | 77.12.070 |
| 31 | 1.20 .051 | ( $\mathrm{Re}-$ |  | 2 | 36.28.020 |  | 8 | 45.80 .080 |  | 3 | 77.12 .080 |
| 41 | 75.20 .110 | enact- |  | 3 | Val. |  | 9 | 52.16 .160 | 69 | 1 | 30.04.230 |
| 2 | 75.20 .120 | ment) | Title 51 | 4 | Em. |  | 10 | 45.80.100 | 70 | 1 | 35.21 .560 |
| 3 | Sev. | $24 \quad 1$ | 53.08.240 | $36 \quad 1$ | 66.28 .120 | 54 | 1 | 69.24.170 | 71 | 1 | 28B.20.060 |
|  | n75.20.110 | $25 \quad 1$ | 28B.30.150 | 371 | 21.20.005 | 55 | 1 | Leg. rev. |  | 2 | 28B.10.115 |
| 51 | 43.03.010 | $26 \quad 1$ | 53.46.010 | 2 | 21.20 .050 |  | 2 | 36.55 .010 | 72 | 1 | 76.06.050 |
| 61 | Approp. | 2 | 53.46.020 | 3 | 21.20 .090 |  | 3 | 36.55 .040 |  | 2 | Em. |
| 2 | Em. | 3 | 53.46.030 | 4 | 21.20.180 |  | 4 | 36.55.050 | 73 | 1 | 79.01.132 |
| $7 \quad 1$ | Approp. | 4 | 53.46.040 | 5 | 21.20.190 |  | 5 | 36.55.060 |  | 2 | 79.01.168 |
| 2 | Temporary | 5 | 53.46.050 | 6 | 21.20 .230 | 56 | 1 | 19.06.010 |  | 3 | 79.01.200 |
| 3 | Em. | 6 | 53.46.060 | 7 | 21.20.270 |  | 2 | 19.06.030 |  | 4 | 79.01.204 |
| $8 \quad 1$ | Approp. | $27 \quad 1$ | Leg. rev. | 8 | 21.20 .320 |  | 3 | 19.06.040 |  | 5 | 79.01 .340 |
| - 2 | Em. | $28 \quad 2$ | 36.32.120 | 9 | 21.20 .340 |  | 4 | 19.06.020 |  | 6 | 79.01.384 |
| $9 \quad 1$ | Approp. | $28 \quad 1$ | 57.36 .010 | 3810 | 21.20.135 | 57 | 1 | 41.24.160 |  | 7 | 79.01.388 |
| 102 | Em. | 2 | 57.36.020 | $38 \quad 1$ | 53.08 .220 |  | 2 | 41.24 .170 |  | 8 | 79.01 .392 |
| $10 \quad 1$ | n47.56.365 | 3 | 57.36.030 | 2 | 53.08.230 |  | 3 | 41.24 .180 |  | 9 | 79.01.568 |
| 2 | n47.56.365 | 4 | 57.36.040 | 391 | Repealed |  | 4 | 41.24 .200 |  | 10 | 79.12.570 |
| 3 | 47.56.365 | 5 | 57.36.050 |  | cf. 35.60.010 |  | 5 | 41.24 .220 |  | 11 | 79.01.134 |
| $11{ }^{4}$ | Em. | $29 \quad 1$ | 15.30.010 | 2 | Repealed |  | 6 | 41.24.230 |  | 12 | 79.01.414 |
| 11 Title 15 |  | 2 | $15.30 .020$ |  | $\text { cf. } 35.60 .020$ | 58 59 | 1 | 35.27 .400 | 74 | 1 | 14.08.020 |
| $(\operatorname{Re}-$ |  | 3 | $15.30 .030$ | 3 | Repealed | 59 | 1 | Special |  | 2 | 14.08.120 |
| enact- |  | 4 | $\begin{aligned} & 15.30 .040 \\ & 15.30 .050 \end{aligned}$ |  | $\text { cf. } 35.60 .030$ |  |  | n Title 79 | 75 | 1 | 77.16.040 |
| ment) <br> 12 Title 46 | Title 15 | 5 | 15.30 .050 15.30 .060 | 4 | Repealed cf. 35.60.040 | 60 | 1 | Sub. Index 69.28.080 | 76 | 1 | Special <br> n Title 79 |
| 12 (Re- |  | 7 | 15.30.070 | 5 | Repealed |  | 2 | 69.28.090 |  |  | n Title 79 Sub. Index |
| enact- |  | 8 | 15.30.080 |  | cf. 35.60.050 |  | 3 | Repealer |  | 2 | Special |
| ment) | Title 46 | 9 | 15.30.090 | 6 | Repealed | 61 | 1 | 15.76 .100 |  |  | n Title 79 |
| 13 Title 47 |  | 10 | 15.30.100 |  | cf. 35.60.060 |  | 2 | 15.76.110 |  |  | Sub. Index |

Parallel Tables: 1961 Regular Session Laws-—RCW


Parallel Tables: 1961 Regular Session Laws-—RCW


Parallel Tables: 1961 Regular Session Laws——RCW

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 17 | 15.13.170 | 46 | 70.77.345 | 3 | 89.08.030 | 7 | 17.21 .070 | 16 | 15.65.160 |
| 18 | 15.13 .180 | 47 | 70.77.350 | 4 | 89.08.040 | 8 | 17.21 .080 | 17 | 15.65.170 |
| 19 | 15.13.190 | 48 | 70.77.355 | 5 | 89.08 .050 | 9 | 17.21 .090 | 18 | 15.65.180 |
| 20 | 15.13.200 | 49 | 70.77.360 | 6 | 89.08.070 | 10 | 17.21.100 | 19 | 15.65.190 |
| 21 | 15.13.210 | 50 | 70.77.365 | 7 | 89.08.080 | 11 | 17.21.110 | 20 | 15.65 .200 |
| 22 | 15.13 .900 | 51 | 70.77.370 | 8 | 89.08.120 | 12 | 17.21.120 | 21 | 15.65 .210 |
| 23 | 15.13.910 | 52 | 70.77.375 | 9 | 89.08 .170 | 13 | 17.21.130 | 22 | 15.65 .220 |
| 24 | Repealer | 53 | 70.77.380 | 10 | 89.08 .180 | 14 | 17.21.140 | 23 | 15.65.230 |
| 222 1 | 33.12.050 | 54 | 70.77.385 | 11 | 89.08.190 | 15 | 17.21.150 | 24 | 15.65.240 |
| 222 | 33.12 .150 | 55 | 70.77.390 | 12 | 89.08.200 | 16 | 17.21.160 | 25 | 15.65.250 |
| 3 | 33.12 .130 | 56 | 70.77.395 | 13 | 89.08.220 | 17 | 17.21.170 | 26 | 15.65.260 |
| 4 | 33.28.020 | 57 | 70.77.400 | 14 | 89.08.340 | 18 | 17.21.180 | 27 | 15.65.270 |
| 5 | 33.32.040 | 58 | 70.77.405 | 241 1 | 28A.67.070 | 19 | 17.21.190 | 28 | 15.65.280 |
| 6 | Eff: date | 59 | 70.77.410 | 2 | 28A.58.450 | 20 | 17.21.200 | 29 | 15.65.290 |
|  | n33.28.020 | 60 | 70.77.415 | 3 | 28A.58.460 | 21 | 17.21.210 | 30 | 15.65.300 |
| 223 1 | 41.40 .128 | 61 | 70.77.420 | 4 | 28A.58.470 | 22 | 17.21.220 | 31 | 15.65.310 |
| 224 1 | 28A.58.135 | 62 | 70.77.425 | 5 | 28A.58.480 | 23 | 17.21.230 | 32 | 15.65.320 |
| 2 | Repealer | 63 | 70.77.430 | 6 | 28A.58.490 | 24 | 17.21.240 | 33 | 15.65.330 |
| 2251 | 29.59 .040 | 64 | 70.77.435 | 7 | 28A. 58.500 | 25 | 17.21.250 | 34 | 15.65.340 |
| 2 | 29.59.070 | 65 | 70.77.440 | 8 | 28A.58.510 | 26 | 17.21 .260 | 35 | 15.65.350 |
| $226 \quad 1$ | Leg. rev. | 66 | 70.77.445 | 9 | 28A.88.010 | 27 | 17.21.270 | 36 | 15.65.360 |
| 226 | 87.84 .010 | 67 | 70.77.450 | 10 | Sev. | 28 | 17.21.280 | 37 | 15.65.370 |
| 3 | 87.84 .020 | 68 | 70.77.455 | 242 1 | 57.08 .110 | 29 | 17.21.290 | 38 | 15.65.380 |
| 4 | 87.84 .030 | 69 | 70.77.460 | 243 1 | Repealer | 30 | 17.21.300 | 39 | 15.65.390 |
| 5 | 87.84.040 | 70 | 70.77.465 | 244 1 | 15.57.010 | 31 | 17.21 .900 | 40 | 15.65.400 |
| 6 | 87.84 .050 | 71 | 70.77.470 | 2 | 15.57.020 | 32 | 17.21.910 | 41 | 15.65.410 |
| 7 | 87.84 .060 | 72 | 70.77.475 | 3 | 15.57 .030 | 33 | 17.21.920 | 42 | 15.65.420 |
| 8 | 87.84 .070 | 73 | 70.77.480 | 4 | 15.57 .040 | 34 | 17.21.310 | 43 | 15.65.430 |
| 227 1 | 41.44.030 | 74 | 70.77.485 | 5 | 15.57 .050 | 35 | Sev. | 44 | 15.65.440 |
| 2 | 41.44.080 | 75 | 70.77 .490 | 6 | 15.57 .060 |  | 17.21 .930 | 45 | 15.65.450 |
| 3 | 41.44 .110 | 76 | 70.77.495 | 7 | 15.57 .070 | 36 | Repealer | 46 | 15.65.460 |
| 4 | 41.44.130 | 77 | 70.77.500 | 8 | 15.57 .080 | $250 \quad 1$ | 17.04.010 | 47 | 15.65.470 |
| 5 | 41.44.140 | 78 | 70.77.505 | 9 | 15.57 .090 | 2 | 17.04.070 | 48 | 15.65.480 |
| 6 | 41.44.150 | 79 | 70.77.510 | 10 | 15.57 .100 | 3 | 17.04.150 | 49 | 15.65.490 |
| 7 | 41.44.170 | 80 | 70.77.515 | 11 | 15.57 .110 | 4 | 17.04.180 | 50 | 15.65.500 |
| 8 | 41.44.180 | 81 | 70.77.520 | 12 | 15.57.120 | 5 | 17.04.190 | 51 | 15.65.510 |
| 9 | 41.44.190 | 82 | 70.77.525 | 13 | 15.57 .130 | 6 | 17.04.200 | 52 | 15.65.520 |
| 10 | 41.44.210 | 83 | 70.77.530 | 14 | 15.57.140 | 7 | 17.04.210 | 53 | 15.65.530 |
| 228 1 | 70.77.120 | 84 | 70.77.535 | 15 | 15.57 .150 | 8 | 17.04.220 | 54 | 15.65.540 |
| 228 | 70.77.125 | 85 | 70.77.540 | 16 | 15.57.160 | 9 | 17.04.260 | 55 | 15.65.550 |
| 3 | 70.77.130 | 86 | 70.77.545 | 17 | 15.57.170 | 10 | 17.04.280 | 56 | 15.65.560 |
| 4 | 70.77.135 | 87 | 70.77.550 | 18 | 15.57 .180 | 251 1 | 72.33.800 | 57 | 15.65.570 |
| 5 | 70.77.140 | 88 | 70.77.555 | 19 | 15.57.190 | 2 | 72.33.805 | 58 | 15.65.580 |
| 6 | 70.77.145 | 89 | 70.77.560 | 20 | 15.57.200 | 3 | 72.33.810 | 59 | 15.65.590 |
| 7 | 70.77.150 | 90 | Eff: date | 21 | 15.57 .210 | 4 | 72.33.815 | 60 | 15.65.600 |
| 8 | 70.77.155 |  | 70.77.900 | 22 | 15.57.220 | 5 | 72.33.820 | 61 | 15.65 .610 |
| 9 | 70.77.160 | 91 | Sev. | 23 | 15.57.230 | 6 | Exp. date | 62 | 15.65.620 |
| 10 | 70.77.165 |  | 70.77.910 | 24 | 15.57.240 |  | Repealed by | 63 | 15.65.630 |
| 11 | 70.77.170 | 92 | Repealer | 25 | 15.57 .250 |  | 1963 c 129 | 64 | 15.65.640 |
| 12 | 70.77.175 | $229 \quad 1$ | Leg. rev. | 26 | 15.57 .260 | 252 1 | 29.13 .065 | 65 | Savings |
| 13 | 70.77.180 | 22 | 28B. 10.300 | 27 | 15.57 .270 | 2531 | 70.88.010 |  | $15.65 .900$ |
| 14 | 70.77.185 | 3 | 28B.10.305 | 28 | 15.57 .280 | 2 | 70.88.070 | 66 | Sev. |
| 15 | 70.77.190 | 4 | 28B. 10.325 | 29 | 15.57 .290 | 2541 | 36.29.020 |  | 15.65.910 |
| 16 | 70.77.195 | 5 | 28B. 10.330 | 30 | 15.57 .300 | 2551 | 41.18 .010 | 2571 | 47.56.252 |
| 17 | 70.77.200 | 6 | 28B. 15.220 | 31 | 15.57.310 | 2 | 41.18 .030 | 2 | 47.56.253 |
| 18 | 70.77.205 | 7 | 28B. 10.310 | 32 | 15.57.320 | 3 | 41.18.040 | 3 | 47.56.254 |
| 19 | 70.77.210 | 8 | 28B. 10.315 | 33 | 15.57.330 | 4 | 41.18.060 | 4 | 47.56.255 |
| 20 | 70.77.215 | 9 | 28B. 10.320 | 34 | 15.57 .340 | 5 | 41.18 .080 | 5 | 47.56.256 |
| 21 | 70.77.220 | 10 | 28.76.198 | 35 | 15.57 .350 | 6 | 41.18.130 | 6 | 47.56.257 |
| 22 | 70.77.225 | 2301 | 75.08.290 | 36 | 15.57 .360 | 7 | 41.18 .140 | 7 | Sev. |
| 23 | 70.77.230 | 231 1 | 18.78.180 | 37 | 15.57 .370 | 8 | 41.16 .050 |  | n 47.56.252 |
| 24 | 70.77.235 | 2321 | 36.70 .060 | 38 | 15.57 .900 | 9 | 41.16.060 | 8 | Em. |
| 25 | 70.77.240 | 232 | 36.70 .400 | 39 | 15.57 .910 | 10 | 41.16 .020 | 258 1 | 47.56 .247 |
| 26 | 70.77.245 | 3 | 36.70 .600 | 40 | 15.57.920 | 11 | 41.18.015 | 2 | 47.56.248 |
| 27 | 70.77.250 | 4 | 36.70 .610 | 41 | Sev. | 12 | 41.18.180 | 3 | Sev. |
| 28 | 70.77.255 | 5 | 36.70 .630 |  | 15.57 .930 | 13 | Sev. |  | n 47.56.247 |
| 29 | 70.77.260 | 6 | 36.70.015 | 42 | Repealer |  | n 41.18 .010 | 2591 | 46.61 .690 |
| 30 | 70.77.265 | 2331 | 47.28 .030 | 43 | Leg. rev. | 25614 | Repealer | 2 | Sev. |
| 31 | 70.77.270 | 2341 | 74.16.180 | $245 \quad 1$ | 35.77 .020 | 256 1 | 15.65.010 |  | n 46.61 .690 |
| 32 | 70.77.275 | 2351 | 74.04.005 | 2 | 35.77 .030 | 2 | 15.65 .020 | $260 \quad 1$ | 41.28 .130 |
| 33 | 70.77.280 | 236 1 | 75.12 .140 | 3 | 35.77.040 | 3 | 15.65 .030 | 2 | 41.28 .150 |
| 34 | 70.77.285 | 237 1 | 28A. 24.055 | 246 1 | 1.08.015 | 4 | 15.65.040 | 261 1 | 56.08.100 |
| 35 | 70.77.290 |  | 28A.58.040 | 2 | 1.08.0392 | 5 | 15.65.050 | 262 | 57.08 .100 |
| 36 | 70.77.295 |  | 28A.58.100 | 3 | Em. | 6 | 15.65.060 | 262 1 | 51.18.010 |
| 37 | 70.77.300 |  | 28A.58.101 | $247 \quad 1$ | 15.04 .110 | 7 | 15.65 .070 | 263 1 | Leg. rev. |
| 38 | 70.77.305 |  | 28A.58.102 | 248 | 15.04.120 | 8 | 15.65 .080 | 2 | 14.04.340 |
| 39 | 70.77.310 |  | 28A.58.103 | 248 1 | 74.08 .030 | 9 | 15.65.090 | 3 | 14.04.350 |
| 40 | 70.77.315 |  | 28A.58.105 | 249 1 | 17.21.010 | 10 | 15.65.100 | 4 | 14.04.360 |
| 41 | 70.77.320 |  | 28A.58.107 | 2 | 17.21 .020 | 11 | 15.65.110 | $264 \quad 1$ | 60.22.010 |
| 42 | 70.77.325 | 2381 | 28A.02.030 | 3 | 17.21 .030 | 12 | 15.65.120 | 2 | 60.22 .020 |
| 43 | 70.77.330 | 239 1 | 46.70.070 | 4 | 17.21 .040 | 13 | 15.65 .130 | 3 | 60.22 .030 |
| 44 | 70.77.335 | 240 1 | 89.08.005 | 5 | 17.21 .050 | 14 | 15.65.140 | 265 1 | 74.12.010 |
| 45 | 70.77.340 | 2 | 89.08.020 | 6 | 17.21.060 | 15 | 15.65.150 | 2 | Em. |


| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 266 | 3 | Exp. date | 10 | 47.56.034 | 11 | 15.37 .110 | 8 | 82.08 .070 | 29 | 3.38 .050 |
|  | 1 | 46.84.110 | 11 | 47.56 .036 | 12 | 15.37.120 | 9 | 82.12 .020 | 30 | 3.38 .060 |
|  | 2 | 46.84.120 | 12 | 47.56.038 | 13 | 15.37.130 | 10 | 82.12 .030 | 31 | 3.42 .010 |
|  | 3 | 46.84.130 | 13 | Em. | 14 | 15.37.140 | 11 | 82.12 .040 | 32 | 3.42 .020 |
|  | 4 | 46.84.140 | 2791 | 65.16.020 | 15 | 15.37.150 | 12 | 82.16 .010 | 33 | 3.42 .030 |
| 267 | 1 | 56.08.110 | 280 1 | 30.08.080 | 16 | Sev. | 13 | 82.16 .020 | 34 | 3.42 .040 |
| 268 | 1 | Leg. rev. | 2 | 30.20.020 |  | 15.37 .900 | 14 | 82.16 .070 | 35 | 3.46 .010 |
|  |  | n42.23.010 | 3 | 30.20.060 | 17 | Eff. date | 15 | 82.12 .010 | 36 | 3.46.020 |
|  | 2 | 42.23 .010 | 4 | 30.20.090 | 2861 | 2.12 .012 | 16 | 82.12 .060 | 37 | 3.46.030 |
|  | 3 | 42.23 .020 | 5 | 30.20 .100 | 2 | 2.12 .015 | $294 \quad 1$ | 18.04.070 | 38 | 3.46.040 |
|  | 4 | 42.23 .030 | 6 | 30.20.015 | 3 | 2.12 .030 | 2 | 18.04.300 | 39 | 3.46 .050 |
|  | 5 | 42.23 .040 | 7 | 32.12.030 | 4 | Vetoed | 2951 | Leg. rev. | 40 | 3.46 .060 |
|  | 6 | 42.23 .050 | 2811 | 47.12.180 | 287 1 | 2.36 .060 | 2 | 81.77 .010 | 41 | 3.46 .070 |
|  | 7 | 35.23 .230 | 281 | 47.12 .190 | 288 1 | 18.88.030 | 3 | 81.77 .020 | 42 | 3.46.080 |
|  | 8 | 42.22 .030 | 3 | 47.12.200 | 2 | Vetoed | 4 | 81.77 .030 | 43 | 3.46 .090 |
|  | 9 | Leg. rev. | 4 | 47.12.210 | 3 | 18.88.060 | 5 | 81.77 .040 | 44 | 3.46 .100 |
|  | 10 | Repealer | 5 | 47.12 .220 | 4 | 18.88.080 | 6 | 81.77 .050 | 45 | 3.46 .110 |
|  | 11 | 35.17 .150 | 6 | 47.12 .230 | 5 | 18.88.090 | 7 | 81.77 .060 | 46 | 3.46 .120 |
|  | 12 | 35.17.160 | 7 | 47.12 .240 | 6 | 18.88.100 | 8 | 81.77 .070 | 47 | 3.46.130 |
|  | 13 | Leg. rev. | 8 | Vetoed | 7 | 18.88.130 | 9 | 81.77 .080 | 48 | 3.46.140 |
|  | 14 | Repealer | 9 | 41.40.070 | 8 | 18.88.140 | 10 | 81.77 .090 | 49 | 3.46 .150 |
|  | 15 | 28A.58.310 | 10 | 51.44 .100 | 9 | 18.88.150 | 11 | 81.77 .100 | 50 | 3.50 .010 |
|  | 16 | 42.23 .060 | 11 | 43.84 .080 | 10 | 18.88.160 | 12 | Eff. date | 51 | 3.50 .020 |
|  | 17 | Repealer | 12 | Sev. | 11 | 18.88.190 | 2961 | 44.33 .200 | 52 | 3.50 .030 |
|  | 18 | Repealer |  | n 47.12 .180 | 12 | 18.88.200 | 2 | 44.33 .210 | 53 | 3.50 .040 |
| 269 | 1 | Leg. rev. | 2821 | 35.13 .015 | 13 | 18.88.280 | 3 | 44.33 .220 | 54 | 3.50 .050 |
|  | 2 | 74.04.390 | 2 | 35.13 .171 | 14 | 18.88.285 | 4 | 44.33 .230 | 55 | 3.50 .060 |
|  | 3 | 74.04.400 | 3 | 35.13 .172 | 15 | 18.88.265 | 5 | 44.33 .240 | 56 | 3.50 .070 |
|  | 4 | 74.04.410 | 4 | 35.13.173 | 16 | 18.88.185 | 6 | 44.33 .250 | 57 | 3.50 .080 |
|  | 5 | 74.04.420 | 5 | 35.13.174 | 2891 | 14.04.040 | 7 | 44.33 .260 | 58 | 3.50 .090 |
|  | 6 | 74.04.430 | 6 | Leg. rev. | 290 1 | n Title 80 | 8 | 44.33 .270 | 59 | 3.50 .100 |
|  | 7 | 74.04.440 | 7 | 35.13 .020 |  | Digest | 9 | 44.33 .280 | 60 | 3.50 .110 |
|  | 8 | Sev. | 8 | 35.13 .030 |  | $n$ Title 81 | 10 | 44.33 .290 | 61 | 3.50 .120 |
|  |  | n74.04.390 | 9 | 35.13 .040 |  | Digest | 11 | 44.33 .300 | 62 | 3.50 .130 |
|  | 9 | Em. | 10 | 35.13.050 | 2911 | 41.40 .010 | 12 | 44.33 .310 | 63 | 3.50 .140 |
| 270 | 1 | 36.29 .180 | 11 | Leg. rev. | 2 | 41.40 .030 | 13 | 44.33 .320 | 64 | 3.50 .150 |
|  | 2 | 84.69.070 | 12 | 35.13 .060 | 3 | 41.40 .040 | 14 | 44.32 .140 | 65 | 3.50 .160 |
| 271 | 1 | 2.52.010 | 13 | 35.13.080 | 4 | 41.40 .065 | 15 | 44.32.150 | 66 | 3.50 .170 |
| 272 | 1 | 36.69.010 | 14 | Leg. rev. | 5 | Vetoed | 16 | 44.33 .330 | 67 | 3.50 .180 |
|  | 2 | 36.69.020 | 15 | 35.13 .070 | 6 | 41.40 .190 | 17 | 44.33 .340 | 68 | 3.50 .190 |
|  | 3 | 36.69.030 | 16 | 35.13.090 | 7 | 41.40 .220 | 18 | Em. | 69 | 3.50 .200 |
|  | 4 | 36.69 .130 | 17 | 35.13.100 | 8 | 41.40 .250 | 2971 | 41.32 .200 | 70 | 3.50 .210 |
|  | 5 | 36.69.140 | 18 | 35.13.125 | 9 | 41.40 .270 | 2 | 41.32.201 | 71 | 3.50 .220 |
|  | 6 | 36.69.190 | 19 | 35.13.130 | 10 | 41.40.290 | 3 | 41.32.202 | 72 | 3.50 .230 |
|  | 7 | 36.69.900 | 20 | 35.13 .160 | 11 | 41.40 .361 | 4 | 41.32.203 | 73 | 3.50 .240 |
| 273 | 1 | 36.33.060 | 21 | 35.13 .220 | 12 | 41.40 .370 | 5 | Repealer | 74 | 3.50 .250 |
|  | 2 | Repealer | 22 | 35.13.243 | 13 | 41.40 .410 | 6 | Sev. | 75 | 3.50 .260 |
|  | 3 | Em. | 23 | 35.13 .246 | 14 | Repealer |  | n41.32.201 | 76 | 3.50 .270 |
| 274 | 1 | 51.32 .050 | 24 | 35.13.250 | 15 | Repealer | 298 1-50 | Chap. 15.42 | 77 | 3.50 .280 |
|  | 2 | 51.32.060 | 28325 | Repealer | 16 | Repealer |  | RCW failed | 78 | 3.50 .290 |
|  | 3 | 51.32 .080 | 283 1 | 70.22 .010 | 17 | Repealer |  | to become | 79 | 3.50 .300 |
|  | 4 | 51.32 .090 | 2 | 70.22.020 | 18 | Sev. |  | law by | 80 | 3.50.310 |
|  | 5 | 51.44.070 | 3 | 70.22.030 |  | n41.40.010 |  | reason of | 81 | 3.50 .320 |
|  | 6 | 51.16.020 | 4 | 70.22.040 | 19 | Em. |  | Referendum | 82 | 3.50 .330 |
|  | 7 | 51.24 .010 | 5 | 70.22.050 | $292 \quad 1$ | Leg. rev. |  | Measure \#32 | 83 | 3.50 .340 |
|  | 8 | 51.52.060 | 6 | 70.22.060 | 2 | 83.04 .010 | 299 1 | 3.30 .010 | 84 | 3.50 .350 |
|  | 9 | Eff. date | 7 | Sev. | 3 | 83.04 .013 | 2 | 3.30 .020 | 85 | 3.50 .360 |
| 275 | 1 | 43.09.360- |  | 70.22 .900 | 4 | 83.04.015 | 3 | 3.30 .030 | 86 | 3.50 .370 |
|  |  | $43.09 .400$ | $284 \quad 1$ | 18.71 .010 | 5 | 83.04.020 | 4 | 3.30 .040 | 87 | 3.50 .380 |
|  |  | Failed to | 284 | 18.71 .015 | 6 | 83.04.023 | 5 | 3.30 .050 | 88 | 3.50 .390 |
|  |  | become law | 3 | 18.71 .020 | 7 | 83.04.025 | 6 | 3.30 .060 | 89 | 3.50 .400 |
|  |  | by reason of | 4 | 18.71 .030 | 8 | 83.04 .027 | 7 | 3.30 .070 | 90 | 3.50 .410 |
|  |  | Referendum | 5 | 18.71 .050 | 9 | 83.04.030 | 8 | 3.30 .080 | 91 | 3.50 .420 |
|  |  | Measure \#33 | 6 | 18.71 .055 | 10 | 83.04 .040 | 9 | 3.30 .090 | 92 | 3.50 .430 |
| 276 | 1 | Leg. rev. | 7 | 18.71 .060 | 11 | 83.16 .080 | 10 | 3.34.010 | 93 | 3.50 .440 |
|  | 2 | 87.03.440 | 8 | 18.71 .070 | 12 | 83.24 .010 | 11 | 3.34 .020 | 94 | 3.50 .450 |
|  | 3 | 87.03.441 | 9 | 18.71 .090 | 13 | 83.24 .020 | 12 | 3.34 .030 | 95 | 3.50 .460 |
|  | 4 | 87.03.442 | 10 | 18.71.025 | 14 | Leg. rev. | 13 | 3.34.040 | 96 | 3.50 .470 |
| 277 | 1 | Vetoed | 11 | 18.71 .017 | 15 | 83.32 .020 | 14 | 3.34 .050 | 97 | Vetoed |
|  | 2 | Vetoed | 12 | 18.71 .120 | 16 | 83.32 .030 | 15 | 3.34 .060 | 98 | 3.54 .010 |
|  | 3 | Vetoed | 13 | Sev. | 17 | 83.32 .040 | 16 | 3.34 .070 | 99 | 3.54 .020 |
|  | 4 | 35.21 .160 |  | 18.71 .940 | 18 | Leg. rev. | 17 | 3.34 .080 | 100 | 3.58 .010 |
|  | 5 | Repealed | - 14 | Em. | 19 | 83.40 .010 | 18 | 3.34 .090 | 101 | 3.58 .020 |
|  | 6 | Repealer | $285 \quad 1$ | 15.37 .010 | 20 | 83.40 .020 | 19 | 3.34 .100 | 102 | 3.58 .030 |
| 278 | 1 | 47.56 .020 | 2 | 15.37 .020 | 21 | 83.40 .030 | 20 | 3.34 .110 | 103 | 3.58.040 |
|  | 2 | 47.56.021 | 3 | 15.37 .030 | 22 | 83.44 .110 | 21 | 3.34 .120 | 104 | 3.58.050 |
|  | 3 | Vetoed | 4 | 15.37 .040 | $293 \quad 1$ | 82.04 .050 | 22 | 3.34 .130 | 105 | 3.62 .010 |
|  | 4 | 47.56 .023 | 5 | 15.37 .050 | 2 | 82.04.296 | 23 | 3.34 .140 | 106 | 3.62.020 |
|  | 5 | 47.56.025 | 6 | 15.37 .060 | 3 | 82.04.300 | 24 | 3.34.150 | 107 | 3.62.030 |
|  | 6 | 47.56.027 | 7 | 15.37 .070 | 4 | 82.04.370 | 25 | 3.38 .010 | 108 | 3.62.040 |
|  | 7 | 47.56.029 | 8 | 15.37.080 | 5 | 82.04.430 | 26 | 3.38 .020 | 109 | 3.62.050 |
|  | 8 | 47.56.030 | 9 | 15.37 .090 | 6 | 82.08.020 | 27 | 3.38 .030 | 110 | 3.62 .060 3.62 .060 |
|  | 9 | 47.56.032 | 10 | 15.37.100 | 7 | 82.08.030 | 28 | 3.38 .040 | 111 | 3.62 .060 3.62 .070 |

[Parallel Tables——p 96]


1961 EXTRAORDINARY SESSION LAWS


## 1963 REGULAR SESSION LAWS

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Approp. | 7 | 79.44.070 | 2 | Sev. | 421 | 52.24 .090 |  | 2 | 57.90.020 |
|  | Approp. | 8 | 79.44 .080 |  | n51.04.020 | 431 | 11.40 .030 |  | 3 | 57.90 .030 |
|  | Approp. | 9 | 79.44.090 | 30 | 28A.58.530 | 441 | 46.52.110 |  | 4 | 57.90.040 |
|  | Em. | 10 | 79.44.100 | 311 | 28A.05.050 | 451 | 26.21.010 |  | 5 | 57.90.050 |
| 2 | Approp. | 11 | 79.44.130 |  | 28B. 10.710 | 2 | 26.21 .030 | 56 | 1 | 35.43 .030 |
|  | Em. | 12 | 79.44.140 | 321 | 28A.04.120 | 3 | 26.21 .040 |  | 2 | 35.43 .180 |
| 3 | 89.12 .040 | 13 | 87.03.025 | 331 | 28B. 10.220 | 4 | 26.21 .050 |  | 3 | 35.43.075 |
|  | 89.12.050 | 14 | 79.44.180 | 341 | 61.12.093 | 5 | 26.21.060 | 57 | , | 35.02.010 |
|  | 89.12.060 | 15 | Repealer | 2 | 61.12 .094 | 6 | 26.21.070 |  | 2 | 35.02.070 |
|  | Repealer | 16 | Sev. | 3 | 61.12 .095 | 7 | 26.21 .080 |  | 3 | 35.04.020 |
|  | 89.12 .131 |  | 79.44.900 | 351 | 2.08.064 | 8 | 26.21.090 |  | 4 | 35.04.060 |
|  | 89.12 .071 | $21 \quad 1$ | 82.12 .045 | 36 1 | 37.12 .010 | 9 | 26.21.092 | 58 | 1 | Repealer |
|  | Em. | 22 1 | 82.32 .060 | 2 | 37.12.030 | 10 | 26.21 .094 |  | 2 | 15.32.051 |
| 4 Title 36 (Re- |  | 23 1 | 28B. 20.060 | 3 | 37.12.040 | 11 | 26.21.100 |  | 3 | 15.32.100 |
|  |  | 2 | 28B.10.115 | 4 | 37.12.060 | 12 | 26.21.102 |  | 4 | Repealer |
| enactment) |  | $24 \quad 1$ | 47.36 .095 | 5 | 37.12 .021 | 13 | 26.21.104 |  | 5 | 15.32.390 |
|  | Title 36 | 2 | 47.36 .096 | 6 | Repealer | 14 | 26.21.106 |  | 6 | 15.32.580 |
| 51 | 28A.24.055 | 3 | 47.04.020 | 7 | Em. | 15 | 26.21.110 |  | 7 | 15.32.582 |
|  | 28A.58.040 | 4 | Em. | 37 1-9 | 9.47.180- | 16 | 26.21.112 |  | 8 | 15.32.584 |
|  | 28A.58.100 | 25 1 | 18.54 .010 |  | 9.47.230 | 17 | 26.21.114 |  | 9 | 15.32.590 |
|  | 28A.58.101 | 2 | 18.54 .020 |  | Failed to | 18 | 26.21.116 |  | 10 | 15.32.600 |
|  | 28A.58.102 | 3 | 18.54 .030 |  | become law | 19 | 26.21.120 |  | 11 | 15.32 .610 |
|  | 28A.58.103 | 4 | 18.54.040 |  | by reason of | 20 | 26.21.130 |  | 12 | 15.32.630 |
|  | 28A.58.105 | 5 | 18.54 .050 |  | Referendum | 21 | 26.21.140 |  | 13 | Repealer |
|  | 28A.58.107 | 6 | 18.54.060 |  | Measure \# 34 | 22 | 26.21.150 |  | 14 | 15.32.755 |
| $6 \quad 2$ | Em. | 7 | 18.54 .070 | $38 \quad 1$ | 18.64.011 | 23 | 26.21.160 | 59 | 1 | 80.04.010 |
| 61 | 51.52.095 | 8 | 18.54 .080 | 2 | 18.64.040 | 24 | 26.21.170 |  | 2 | 80.04.405 |
| 2 | Em. | 9 | 18.54 .090 | 3 | 18.64.043 | 25 | 26.21.180 |  | 3 | 81.04.405 |
| 71 | 82.04 .050 | 10 | 18.54 .100 | 4 | 18.64.045 | 26 | 26.21 .190 |  | 4 | 81.04.235 |
| 2 | Em. | 11 | 18.54.110 | 5 | 18.64.047 | 27 | 26.21.200 |  | 5 | 81.12.010 |
| $8 \begin{aligned} & 8 \\ & \\ & \\ & \\ & \\ & \\ & \\ & \\ & \end{aligned}$ | 84.64 .080 | 12 | 18.54.120 | 6 | 18.64.050 | 28 | 26.21 .210 |  | 6 | 81.80 .270 |
|  | Val. | 13 | 18.54.130 | 7 | 18.64.080 | 29 | 26.21.220 |  | 7 | 81.80 .040 |
|  | n84.64.080 | 14 | 18.54.140 | 8 | 18.64.110 | 30 | 26.21.230 |  | 8 | 81.80 .318 |
|  | Em. | 15 | 18.54 .150 | 9 | 18.64.140 | 31 | 26.21.240 |  | 9 | 81.80 .371 |
| $\begin{array}{rr}9 & 1 \\ 10 & 1\end{array}$ | Repealer | 16 | 18.54 .900 | 10 | 18.64.160 | 32 | 26.21 .250 |  | 10 | 81.80 .381 |
|  | 26.20.071 | 17 | Sev. | 11 | 18.64.200 | 33 | 26.21.260 |  | 11 | 81.24 .010 |
| 2 | Em. |  | 18.54 .910 | 12 | 18.64.250 | 34 | 26.21.270 |  | 12 | 81.77 .080 |
| $11 \quad 1$ | 9.09.010 | 18 | 18.54 .920 | 13 | 18.64.270 | 35 | Sev. |  | 13 | Repealer |
|  | 9.09.020 | 19 | Repealer | 14 | 18.64.280 |  | 26.21.910 |  | 14 | Eff. date |
|  | Em. | $26 \quad 1$ | 70.87.010 | 15 | 18.64.165 | $46 \quad 36$ | Em. ${ }^{\text {m }}$ | 60 | 1 | 48.06.200 |
| $12 \quad 1$ | 76.40.030 | 2 | 70.87.020 | 16 | 18.64.001 | $46 \quad 1$ | 11.28 .180 | 61 | 1 | 28A.60.181 |
| 131 | 7.32 .280 | 3 | 70.87 .030 | 17 | 18.64.003 | 2 | 11.32.020 | 62 | 1 | 49.20.020 |
| $14 \quad 1$ | 1.20 .051 | 4 | 70.87.040 | 18 | 18.64.005 | $47 \quad 1$ | Leg. rev. | 63 | 1 | 41.16.250 |
| $15 \quad 1 \begin{array}{ll}15 \\ & 2 \\ & 3 \\ & 4 \\ & 5 \\ & 6\end{array}$ | 18.78.010 | 5 | 70.87.050 | -19 | 18.64.007 | 2 | 28A. 58.240 | 64 | 1 | 78.08.060 |
|  | 18.78.060 | 6 | 70.87.060 | 20 | 69.33 .410 | 3 | 28A.58.250 |  | 2 | 78.08.072 |
|  | 18.78.080 | 7 | 70.87 .070 | 21 | 69.40.063 | $48 \quad 1$ | 2.08.061 | 65 | 1 | 18.71 .096 |
|  | 18.78.090 | 8 | 70.87.080 | 22 | 69.40.064 | 2 | 2.08.062 | 66 | 1 | 58.08.040 |
|  | 18.78.181 | 9 | 70.87 .090 | 23 | 69.40.070 | 3 | 2.08.063 | 67 | 1 | 28A.58.045 |
|  | Repealer | 10 | 70.87.100 | 24 | Sev. | $49 \quad 1$ | 65.08.095 | 68 | 1 | 87.03.075 |
| $16 \quad 1 \begin{array}{ll}16 \\ & 2 \\ & 3 \\ & 4 \\ & 5 \\ & 6 \\ & 7 \\ & 7\end{array}$ | 46.61.400 | 11 | 70.87.110 |  | 18.64.911 | $50 \quad 1$ | 36.28.170 |  | 2 | 87.03.200 |
|  | 46.61.405 | 12 | 70.87 .120 | 25 | Repealer | 2 | 36.28.180 |  | 3 | 87.03.565 |
|  | 46.61.410 | 13 | 70.87.130 | $39 \quad 1$ | 46.81 .900 | $51 \quad 1$ | 15.28.010 | 69 | 1 | 9.61 .190 |
|  | 46.61.415 | 14 | 70.87.140 | 2 | 46.81 .010 | 2 | 15.28.060 |  | 2 | 9.61 .200 |
|  | 46.61 .440 | 15 | 70.87.150 | 3 | 46.81 .020 | 3 | 15.28.160 |  | 3 | 9.61 .210 |
|  | 46.61.425 | 16 | 70.87 .160 | 4 | 46.81 .030 | 4 | 15.28 .180 | 70 | 1 | 47.44.010 |
|  | n46.61.400 | 17 | 70.87 .170 | 5 | 46.81 .040 | 521 | 17.04.260 | 71 | 1 | 28B. 20.370 |
|  | Repealer | 18 | 70.87.180 | 6 | 46.81 .050 | 531 | Special | 72 | 1 | 35.24 .275 |
| $17 \quad \begin{array}{r}1 \\ \\ \\ \\ \\ \\ \\ \end{array}$ | 70.09.010 | 19 | 70.87 .190 | 7 | 46.81 .060 |  | $n$ Title 79 |  | 2 | 35.24.274 |
|  | 70.09.020 | 20 | 70.87.200 | 8 | 46.81 .070 |  | Sub. Index | 73 | 1 | 14.04.185 |
|  | 70.09.030 | 21 | 70.87 .210 | 9 | 46.20 .070 | 2 | Special | 74 | 1 | 38.04.030 |
| 18 1 | 46.16.079 | 22 | Sev. | 10 | 46.20 .110 |  | n Title 79 | 75 | 1 | 41.04.180 |
| 19 1 | 5.56 .010 |  | 70.87 .900 | 11 | 46.68 .040 |  | Sub. Index |  | 2 | 41.04 .190 |
|  | 79.44.003 | $27 \quad 1$ | 70.94.110 | 12 | 46.20.030 | 3 | Special | 76 | 1 | 82.12 .030 |
|  | 79.44 .010 | 2 | 70.94 .160 | $40 \quad 1$ | 2.04.240 |  | $n$ Title 79 | 77 | 1 | 18.27.010 |
|  | 79.44.020 | 3 | 70.94.065 | 2 | 2.04.250 |  | Sub. Index |  | 2 | 18.27.020 |
|  | 79.44 .040 | $28 \quad 1$ | 54.04 .170 | 3 | Approp. | $54 \quad 1$ | 13.07.900 |  | 3 | 18.27 .030 |
|  | 79.44.050 | $29 \quad 2$ | 54.04 .180 | - 4 | Em. | $55 \quad 2$ | Repealer |  | 4 | 18.27 .040 |
|  | 79.44.060 | 291 | 51.04.020 | 411 | 28A.58.070 | 551 | 57.90.010 |  | 5 | 18.27.050 |

Parallel Tables: 1963 Regular Session Laws-—RCW

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 6 | 18.27.060 | 10 | 46.85.100 | 24 | 15.17.240 | 128 | 1 | 70.89.010 | 6 | 46.37.080 |
|  | 7 | 18.27.070 | 11 | 46.85.110 | 25 | 15.17.250 |  | 2 | 70.89.020 | 7 | 46.37.090 |
|  | 8 | 18.27.080 | 12 | 46.85.120 | 26 | 15.17.260 |  | 3 | 70.89.030 | 8 | 46.37.120 |
|  | 9 | 18.27.090 | 13 | 46.85.130 | 27 | 15.17.900 |  | 4 | 70.89.040 | 9 | 46.37.140 |
|  | 10 | 18.27.100 | 14 | 46.85.140 | 28 | 15.17.910 |  | 5 | Sev. | 10 | 46.37 .150 |
|  | 11 | Sev. | 15 | 46.85.150 | 29 | 15.17.920 |  |  | 70.89 .900 | 11 | 46.37.160 |
|  |  | $18.27 .900$ | 16 | 46.85.160 | 30 | 15.17.290 | 129 | 1 | Repealer | 12 | 46.37.170 |
|  | 12 | Eff. date | 17 | 46.85 .170 | 31 | 15.17 .270 | 130 | 1 | 35.23 .353 | 13 | 46.37 .180 |
|  |  | n 18.27.010 | 18 | 46.85.180 | 32 | 15.17.280 | 131 | 1 | 35.24.306 | 14 | 46.37 .190 |
| 78 | 1 | Special | 19 | 46.85 .190 | 33 | 15.17.940 | 132 | 1 | 23.01.225 | 15 | 46.37.200 |
|  |  | n Title 79 | 20 | 46.85.200 | 34 | 15.17.930 | 133 | $1$ | 9.61 .220 | 16 | 46.37.210 |
|  |  | Sub. Index | 21 | 46.85 .210 | 35 | 15.17 .950 | 134 | 1 | 28.10.070 | 17 | 46.37.230 |
|  | 2 | Special | 22 | 46.85.220 | $123 \quad 1$ | 12.40 .010 | 135 | 1 | 28A. 10.020 | 18 | 46.37 .240 |
|  |  | n Title 79 | 23 | 46.85 .230 | 2 | 12.40.030 | 136 | 1 | 82.04.400 | 19 | 46.37.280 |
|  |  | Sub. Index | 24 | 46.85.240 | 1241 | 22.09.010 | 137 | 1 | 4.28 .325 | 20 | 46.37 .300 |
| 7980 | 1 | 79.01.568 | 25 | 46.85 .250 | 2 | 22.09.020 | 138 | 1 | 53.25.120 | 21 | 46.37.340 |
|  | 1 | 27.14.020 | 26 | 46.85.260 | 3 | 22.09 .030 |  | 2 | Repealer | 22 | 46.37 .351 |
|  | 2 | 27.14.030 | 27 | 46.85.270 | 4 | 22.09.040 |  | 3 | Val. | 23 | 46.37.370 |
|  | 3 | 27.14.035 | 28 | 46.85.280 | 5 | 22.09.050 |  |  | n 53.25.120 | 24 | 46.37.365 |
|  | 4 | 27.14.040 | 29 | 46.85 .290 | 6 | 22.09.060 | 139 | 1 | Special | 25 | 46.37.400 |
|  | 5 | 27.14.015 | 30 | 46.85 .900 | 7 | 22.09.070 |  |  | n Title 79 | 26 | 46.04.130 |
| 81 | 1 | Special | 31 | 46.85.910 | 8 | 22.09 .080 |  |  | Sub. Index | 27 | 46.04.165 |
|  |  | n Title 79 | 32 | 46.85.920 | 9 | 22.09 .090 |  | 2 | Temporary | 28 | 46.04.332 |
|  |  | Sub. Index | 33 | Eff. date | 10 | 22.09 .100 | 140 | 1 | 76.16.010 | 29 | 46.04.382 |
| 82 | 1 | 41.20.170 |  | 46.85 .930 | 11 | 22.09.110 |  | 2 | 76.16.020 | 30 | 46.04.552 |
| 83 | 1 | 46.68.130 | 34 | 46.85.940 | 12 | 22.09.120 |  | 3 | 76.16.030 | 31 | Repealer |
| 84 | 1 | 36.88.010 | 1071 | 17.21 .170 | 13 | 22.09.130 |  | 4 | 76.16.040 | 32 | Eff. date |
|  | 2 | 36.88.015 | 1081 | 36.32.210 | 14 | 22.09.140 | 141 | 1 | 43.30.280 |  | n46.37.010 |
|  | 3 | 36.88.030 | 1091 | 28B.40.210 | 15 | 22.09.150 |  | 2 | 43.30 .290 | 1551 | 35.24 .300 |
|  | 4 | 36.88.060 |  | 28B.40.220 | 16 | 22.09.160 | 142 | 1 | 18.72.030 | 1561 | 64.32.010 |
|  | 5 | 36.88.080 | $110 \quad 1$ | 89.08.220 | 17 | 22.09.170 |  | 2 | 18.57.170 | 2 | 64.32 .020 |
|  | 6 | 36.88.370 | 111 | 57.08.065 | 18 | 22.09.180 | 143 | 1 | 28B. 15.020 | 3 | 64.32 .030 |
| 85 | 1 | 46.01 .140 | 112 1 | 84.52.052 | 19 | 22.09.190 |  |  | 28B. 15.100 | 4 | 64.32 .040 |
| 86 | 1 | 48.24 .070 | 2 | 68.16 .113 | 20 | 22.09.200 |  |  | 28B. 15.400 | 5 | 64.32 .050 |
| 87 | 1 | 48.20 .390 | 113 | 68.16.112 | 21 | 22.09.210 |  | 2 | Em. 310 | 6 | 64.32 .060 |
|  | 2 | 48.21 .130 | 1131 | 82.36 .020 | 22 | 22.09.220 | 144 | 1 | 74.16.310 | 7 | 64.32 .070 |
|  | 3 | Constr. | 2 | 82.40.290 | 23 | 22.09.230 | 145 | 1 | 15.24.010 | 8 | 64.32.080 |
|  |  | $\mathrm{n} 48.20 .390$ | 1141 | 84.69.070 | 24 | 22.09.240 |  | 2 | 15.24 .020 | 9 | 64.32 .090 |
| 88 |  | 84.64.060 | 1151 | 35.76 .010 | 25 | 22.09.250 |  | 3 | 15.24.030 | 10 | 64.32.100 |
|  | 2 | 84.64 .070 | 2 | 35.76 .020 | 26 | 22.09.260 |  | 4 | 15.24 .040 | 11 | 64.32 .110 |
| 89 | 1 | 28B. 15.600 | 3 | 35.76 .030 | 27 | 22.09 .270 |  | 5 | 15.24.070 | 12 | 64.32 .120 |
|  | 2 | Repealer | 4 | 35.76 .040 | 28 | 22.09.280 |  | 6 | 15.24 .090 | 13 | 64.32 .130 |
| 90 | 1 | 86.12 .034 | 5 | 35.76 .050 | 29 | 22.09 .290 |  | 7 | 15.24.100 | 14 | 64.32.140 |
| 91 | 1 | 41.28 .010 | 6 | 35.76.060 | 30 | 22.09.300 | 146 | 1 | Special | 15 | 64.32 .150 |
|  | 2 | 41.28 .150 | 7 | 35.21 .088 | 31 | 22.09.310 |  |  | $n$ Title 38 | 16 | 64.32.160 |
|  | 3 | 41.28 .170 | 1161 | 42.24 .035 | 32 | 22.09.320 |  |  | Digest | 17 | 64.32 .170 |
| 92 | 1 | 39.30 .010 | 1171 | 46.37.510 | 33 | 22.09.330 |  | 2 | Special | 18 | 64.32 .180 |
| 93 | 1 | 39.12.021 | 118 1 | 74.11 .010 | 34 | 22.09.340 |  |  | n Title 38 | 19 | 64.32.190 |
| 94 | 1 | 84.56 .050 | 2 | 74.11 .020 | 35 | 22.09.350 |  |  | Digest | 20 | 64.32 .200 |
| 95 | 1 | 41.08.070 | 3 | 74.11 .030 | 36 | 22.09.360 |  | 3 | Special | 21 | 64.32 .210 |
|  | 2 | 41.12 .070 | 4 | 74.11 .040 | 37 | 22.09.370 |  |  | n Title 38 | 22 | 64.32 .220 |
|  | 3 | 41.14.100 | 5 | 74.11.070 | 38 | 22.09.380 |  |  | Digest | 23 | 64.32 .230 |
| 9697 | 1 | 85.07 .170 | $119 \quad 1$ | 35.21 .010 | 39 | 22.09 .390 | 147 | 2 | 53.04 .010 | 24 | 64.32 .240 |
|  | 1 | 91.07 .010 | 20 | 35.01 .040 | 40 | 22.09.400 |  | 2 | 53.04.015 | 25 | 64.32 .250 |
|  | 2 | 91.07.020 | $120 \quad 1$ | 46.21 .010 | 41 | 22.09.410 |  | 3 | 53.08 .020 | 26 | 64.32 .900 |
|  | 1 | Repealer | 2 | 46.21 .020 | 42 | 22.09.420 | 148 | 1 | 51.52 .060 | 27 | 64.32 .910 |
| 99 | 1 | 79.28 .070 | 3 | 46.21 .030 | 43 | 22.09.430 |  | 2 | 51.52 .080 | 28 | Sev. |
| 100 | 1 | 76.01.060 | 4 | 46.21 .040 | 44 | 22.09 .440 |  | 3 | 51.52 .095 |  | 64.32 .920 |
| 101 | 1 | 52.08.030 | 5 | Eff. date | 45 | 22.09.450 |  | 4 | 51.52 .100 | 29 | 64.04.055 |
| 102 | 1 | 70.44.061 | 121 1 | 70.46.120 | 46 | 22.09.460 |  | 5 | 51.52.102 | 157 1 | 79.24.570 |
| 103 | 1 | 47.52 .130 | 122 1 | 15.17 .010 | 47 | 22.09 .470 |  | 6 | 51.52.104 | 158 1 | 46.08.172 |
|  | 2 | 47.52 .140 | 2 | 15.17 .020 | 48 | 22.09.480 |  | 7 | 51.52.106 | 2 | 46.08.170 |
|  | 3 | 47.52 .150 | 3 | 15.17 .030 | 49 | 22.09.490 | 149 | 1 | 38.20.010 | 1591 | 4.92.010 |
|  | 4 | 47.52 .160 | 4 | 15.17 .040 | 50 | 22.09.500 |  | 2 | Repealer | 2 | 4.92 .090 |
|  | 5 | 47.52 .190 | 5 | 15.17 .050 | 51 | 22.09.510 | 150 | 1 | 47.24.020 | 3 | 4.92 .100 |
| 104 | 1 | 28A.24.055 | 6 | 15.17 .060 | 52 | 22.09.520 | 151 | 1 | 28B.20.450 | 4 | 4.92 .110 |
|  |  | 28A.58.040 | 7 | 15.17.070 | 53 | 22.09.530 |  | 2 | 51.16.042 | 5 | 4.92 .120 |
|  |  | 28A.58.100 | 8 | 15.17 .080 | 54 | 22.09 .540 |  | 3 | 28B. 20.454 | 6 | 4.92 .040 |
|  |  | 28A.58.101 | 9 | 15.17 .090 | 55 | 22.09.550 |  | 4 | 28B. 20.456 | 7 | 4.92 .130 |
|  |  | 28A.58.102 | 10 | 15.17 .100 | 56 | 22.09.900 |  | 5 | 28B. 20.458 | 8 | 4.92 .140 |
|  |  | 28A.58.103 | 11 | 15.17.110 | 57 | Savings |  | 6 | Approp. | 9 | 4.92 .150 |
|  |  | 28A.58.105 | 12 | 15.17 .120 |  | 22.09.910 |  | 7 | Approp. | 10 | 4.92 .160 |
|  |  | 28A.58.107 | 13 | 15.17 .130 | 58 | 22.09.560 |  | 8 | Constr. | 11 | 4.92 .170 |
| $\begin{aligned} & 105 \\ & 106 \end{aligned}$ | $1$ | Repealer 46.85 .010 | 14 | 15.17 .140 15.17 .150 | 59 60 | 22.09.920 |  | 9 10 | Sev. | 12 | Sev. |
|  | $\begin{aligned} & 1 \\ & 2 \end{aligned}$ | 46.85 .010 46.85 .020 | 15 16 | 15.17 .150 15.17 .160 | 60 | Eff. date <br> 22.09.930 |  | 10 | Emf date |  | n 4.92 .010 |
|  | 2 | 46.85 .020 46.85 .030 | 16 | 15.17 .160 15.17 .170 |  | $22.09 .930$ |  |  | Eff. date | $160 \quad 1$ | 43.89 .010 |
|  | 3 | 46.85 .030 | 17 | 15.17 .170 | 61 | Sev. | 152 | 1 | 77.16.221 | 2 | 43.89 .020 |
|  | 4 5 | 46.85 .040 46.85 .050 | 18 | 15.17 .180 15.17 .190 |  | 22.09 .940 22.09 .950 | 153 154 | 1 | 75.20 .061 46.37 .010 | $161 \begin{aligned} & 3 \\ & 1\end{aligned}$ | 43.89 .030 43.31 .200 |
|  | 6 | 46.85 .050 46.85 .060 | 18 20 | 15.17 .190 15.17 .200 | $\begin{array}{rr} \\ 125 & 62\end{array}$ | 22.09 .950 46.60 .320 | 154 | 1 | 46.37 .010 46.37 .020 | $161 \begin{array}{ll}1 \\ & 2\end{array}$ | 43.31 .200 43.31 .210 |
|  | 7 | 46.85 .070 | 21 | 15.17.210 | 126 1 | 41.40 .370 |  | 3 | 46.37.050 | 3 | 43.31 .220 |
|  | 8 | 46.85.080 | 22 | 15.17.220 | 127 1 | 35.23 .460 |  | 4 | 46.37.060 | 4 | 43.31 .230 |
|  | 9 | 46.85.090 | 23 | 15.17.230 | 2 | 36.16.130 |  | 5 | 46.37.070 | 5 | Repealer |

[Parallel Tables-—p 100]

Parallel Tables: 1963 Regular Session Laws-—RCW


Parallel Tables: 1963 Regular Session Laws-—RCW


## 1963 EXTRAORDINARY SESSION LAWS

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 11 | Approp. | 46 | 46.60.1 50 | 12 | 41.32 .410 | 21 1 | Approp. | 4 | 82.12 .030 |
| 2 | Approp. | 47 | 46.60.170 | 13 | 41.32 .420 | 2 | Approp. | 5 | 82.26.120 |
| 3 | Approp. | 48 | 46.61 .195 | 14 | 41.32.430 | 3 | Approp. | 6 | 82.32.080 |
| 4 | Approp. | 49 | 47.36 .110 | 15 | 41.32.470 | 4 | Approp. | 7 | 82.32 .090 |
| 5 | Em. | 50 | 46.60.020 | 16 | 41.32.497 | 5 | Approp. | 8 | 82.32 .160 |
| 21 | 28.84 .180 | 51 | 46.16.010 | 17 | 41.32 .510 | 6 | Approp. | 9 | 82.32 .180 |
| 2 | 28.84.190 | 52 | 46.44.030 | 18 | 41.32 .540 | 7 | Approp. | 10 | 82.32 .330 |
| 3 | 28.84.200 | 53 | 46.44.037 | 19 | 41.32.550 | 8 | Approp. | 11 | 82.32.235 |
| 4 | 28.84.205 | 54 | 46.44.092 | 20 | 41.32.522 | 9 | Approp. | 12 | 83.40.040 |
| 5 | 28.84.210 | 55 | 47.42.100 | 21 | 41.32 .523 | 10 | Approp. | 13 | 84.36 .171 |
| 6 | 28.84.270 | 56 | Sev. | 22 | Repealer | 11 | Approp. | 14 | 84.36 .172 |
| 7 | 28.84.280 |  | 47.42.901 | 23 | Savings | 12 | Em. | 15 | 84.36.173 |
| 8 | 28.84.290 | 57 | Sev. |  | n41.32.010 | $22 \quad 1$ | 82.37 .010 | 16 | 84.36.174 |
| 9 | 28.84.260 |  | 47.98.041 | 24 | Sev. | 2 | 82.37 .020 | 17 | Eff. date |
| 10 | 28.84.215 | 58 | Em. |  | n41.32.010 | 3 | 82.37.030 |  | n82.04.030 |
| 11 | 28.84.300 | 41 | Approp. | 25 | Approp. | 4 | 82.37 .040 |  |  |
| 12 | 28.84.207 | 2 | Temporary | 26 | Eff. date | 5 | 82.37 .050 |  |  |
| 13 | 28.84.120 | 3 | Temporary |  | n41.32.010 | 6 | 82.37.060 |  |  |
| 14 | Leg. rev. | 4 | Temporary | 151 | Approp. | 7 | 82.37 .070 |  |  |
| 15 | 28.84 .130 | 5 | Temporary | 2 | Approp. | 8 | 82.37 .080 |  |  |
| 16 | 28.84.140 | 6 | Temporary | 3 | Approp. | 9 | 82.37 .090 |  |  |
| 17 | 28.84.310 | 7 | Temporary | 4 | Approp. | 10 | 82.37 .100 |  |  |
| 18 | 28.84.920 | 8 | Temporary | 5 | Approp. | 11 | 82.37 .110 |  |  |
| 31 | 47.16 .100 | 9 | Temporary | 6 | Approp. | 12 | 82.37 .120 |  |  |
| 2 | 47.16 .120 | 10 | Temporary | 7 | Approp. | 13 | 82.37 .130 |  |  |
| 3 | 47.16 .140 | 11 | Temporary | 8 | Approp. | 14 | 82.37 .140 |  |  |
| 4 | 47.16.200 | 12 | Em. | 9 | Approp. | 15 | 82.37.150 |  |  |
| 5 | 47.20 .010 | $5 \quad 1$ | Approp. | 10 | Approp. | 16 | 82.37 .160 |  |  |
| 6 | 47.20 .080 | 2 | Approp. | 11 | Approp. | 17 | 82.37 .170 |  |  |
| 7 | 47.20 .120 | 3 | Em. | 12 | Temporary | 18 | 82.37 .180 |  |  |
| 8 | 47.20 .130 | $6 \quad 1$ | Approp. | $16 \quad 1$ | 64.28 .010 | 19 | 82.37 .190 |  |  |
| 9 | 47.20.160 | 2 | Em. | $17 \quad 1$ | 41.52 .010 | 20 | 82.36.220 |  |  |
| 10 | 47.20 .210 | 71 | 44.04.120 | 2 | 41.52 .020 | 21 | 82.36.300 |  |  |
| 11 | 47.20 .220 | 2 | Em. | 3 | 41.52 .030 | 22 | Sev. |  |  |
| 12 | 47.20 .250 | 81 | 16.36.096 | 4 | 41.52 .040 |  | 82.37 .900 |  |  |
| 13 | 47.20 .340 | 91 | 75.32 .090 | 5 | Approp. | 23 | 82.37.910 |  |  |
| 14 | 47.20 .440 | 2 | 75.32.101 | 6 | Em. | 24 | Eff. date |  |  |
| 15 | 47.20 .490 | 3 | Repealer | $18 \quad 1$ | Temporary |  | 82.37 .920 |  |  |
| 16 | 47.20.500 | $10 \quad 1$ | 75.32 .030 | 2 | Temporary | $23 \quad 1$ | 29.36.010 |  |  |
| 17 | 47.20 .221 | 2 | 75.32 .070 | 3 | Temporary | 2 | 29.36.020 |  |  |
| 18 | 47.20 .140 | 3 | Repealer | 4 | Temporary | 3 | 29.36.030 |  |  |
| 19 | Approp. | 111 | 83.20 .020 | 5 | Temporary | 4 | 29.36.035 |  |  |
| 20 | 47.20.100 | $12 \quad 1$ | 43.98 .010 | 6 | Temporary | 5 | 29.36.060 |  |  |
| 21 | 47.16.010 | 2 | 43.98 .020 | 7 | Temporary | 6 | Repealer |  |  |
| 22 | Temporary | 3 | 43.98 .030 | 8 | Temporary | 7 | 29.36 .110 |  |  |
| 23 | 47.60 .045 | 4 | 43.98.040 | 9 | Temporary | 241 | 29.51.125 |  |  |
| 24 | Temporary | 5 | 43.98 .050 | $19 \quad 1$ | 44.33 .200 | $25 \quad 1$ | 29.64.010 |  |  |
| 25 | Temporary | 6 | 43.98 .060 | 2 | 44.33 .210 | 2 | 29.64.015 |  |  |
| 26 | Temporary | 7 | 43.98 .070 | 3 | 44.33 .220 | $26 \quad 1$ | 28A.47.760 |  |  |
| 27 | Temporary | 8 | 43.31 .620 | 4 | 44.33 .230 | 2 | 28A.47.762 |  |  |
| 28 | Temporary | 9 | 43.31 .740 | 5 | 44.33 .240 | 3 | 28A.47.764 |  |  |
| 29 | Temporary | 10 | 43.98 .090 | 6 | 44.33 .250 | 4 | 28A.47.766 |  |  |
| 30 | 47.20 .380 | 11 | 43.98 .100 | 7 | 44.33 .260 | 5 | 28A.47.768 |  |  |
| 31 | Approp. | 12 | Em. | 8 | 44.33 .270 | 6 | 28A.47.770 |  |  |
| 32 | Temporary | 131 | 52.04 .030 | 9 | 44.33 .280 | 7 | 28A.47.772 |  |  |
| 33 | Temporary | 2 | 52.16.130 | 10 | 44.33 .290 | 8 | 28A.47.774 |  |  |
| 34 | Temporary | 3 | 52.16 .170 | 11 | 44.33 .300 | 9 | Sev. |  |  |
| 35 | 44.40 .010 | $14 \quad 1$ | 41.32 .010 | 12 | 44.33.120 | 10 | Em. |  |  |
| 36 | 44.40 .020 | 2 | 41.32 .030 | 13 | 44.33 .130 | $27 \quad 1$ | 72.19 .070 |  |  |
| 37 | Temporary | 3 | 41.32 .200 | 14 | 44.33 .310 | 2 | 72.19 .080 |  |  |
| 38 | 44.40 .030 | 4 | 41.32 .240 | 15 | 44.33 .320 | 3 | 72.19 .090 |  |  |
| 39 | 44.40 .040 | 5 | 41.32 .300 | 16 | 44.33 .330 | 4 | 72.19 .100 |  |  |
| 40 | 46.16.061 | 6 | 41.32 .320 | 17 | 44.33.340 | 5 | 72.19 .110 |  |  |
| 41 | Approp. | 7 | 41.32 .350 | 18 | Repealer | 6 | 72.19.120 |  |  |
| 42 | 47.60 .440 | 8 | 41.32 .360 | 19 | 44.33 .180 | 7 | 72.19.130 |  |  |
| 43 | Vetoed | 9 | 41.32 .365 | 20 | Em. | $28 \quad 1$ | 82.04.030 |  |  |
| 44 | Vetoed | 10 | 41.32 .366 | $20 \quad 1$ | 44.28.010 | 2 | 82.04.290 |  |  |
| 45 | 47.56 .140 | 11 | 41.32.401 | 2 | Em. | 3 | 82.08.030 |  |  |

[Parallel Tables-—p 103]

## 1965 REGULAR SESSION LAWS

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 11 | Leg. dir. | 38 | 44.07.370 | 4 | 67.28.040 | 2 | 72.33.805 | 22 | 23A.08.190 |
| 2 | 43.03.010 | 39 | 44.07.380 | 5 | 67.28.050 | 3 | 72.33.815 | 23 | 23A.08.200 |
| 3 | Em. | 40 | 44.07 .390 | 6 | 67.28 .060 | 351 | 74.11.040 | 24 | 23A.08.210 |
| 21 | Approp. | 41 | 44.07.400 | 7 | 67.28.070 | 361 | 51.40 .020 | 25 | 23A.08.220 |
| 2 | Approp. | 42 | 44.07.410 | 8 | Sev. | $37 \quad 1$ | Approp. | 26 | 23A.08.230 |
| 3 | Approp. | 43 | 44.07.420 |  | 67.28 .900 | 2 | Em. | 27 | 23A.08.240 |
| 4 | Em. | 44 | 44.07.430 | 9 | Em. | $38 \quad 1$ | 46.44.098 | 28 | 23A.08.250 |
| 31 | 44.04.080 | 45 | 44.07.440 | 161 | 87.03 .460 | 2 | 46.44.099 | 29 | 23A.08.260 |
| 2 | Approp. | 46 | 44.07.450 | $17 \quad 1$ | 21.20.060 | $39 \quad 1$ | Leg. rev. | 30 | 23A.08.270 |
| 3 | Em. | 47 | 44.07.460 | 2 | 21.20.110 | 2 | 74.36.010 | 31 | 23A.08.280 |
| 41 | Approp. | 48 | 44.07.470 | 3 | 21.20 .270 | 3 | 74.36 .020 | 32 | 23A.08.290 |
| 2 | Em. | 49 | 44.07.480 | 4 | 21.20 .340 | 4 | 74.36 .030 | 33 | 23A.08.300 |
| 51 | 43.99.010 | 50 | 44.07 .490 | 5 | 21.20 .400 | 5 | 74.36.040 | 34 | 23A.08.310 |
| 2 | 43.99.020 | 51 | 44.07.500 | 6 | Eff. date | 6 | 74.36.050 | 35 | 23A.08.320 |
| 3 | 43.99 .030 | 52 | 44.07.510 |  | n21.20.340 | $40 \quad 1$ | Special | 36 | 23A.08.330 |
| 4 | 43.99 .040 | 53 | 44.07.520 | 18 1 | 28A.58.275 | 2 | Special | 37 | 23A.08.340 |
| 5 | 43.99.050 | 54 | 44.07.530 | 191 | 35.39 .040 | $41 \quad 1$ | 49.28.070 | 38 | 23A.08.350 |
| 6 | 43.99.060 | 55 | 44.07.540 | 201 | 53.08.170 | 421 | 82.08.150 | 39 | 23A.08.360 |
| 7 | 43.99.070 | 56 | 44.07.550 | $21 \quad 1$ | 52.08.080 | 2 | Temporary | 40 | 23A.08.370 |
| 8 | 43.99 .080 | 57 | 44.07 .900 | 22 1 | 35.17.110 | 3 | Eff. date | 41 | 23A.08.380 |
| 9 | 43.99 .090 | 58 | 44.07.910 | 231 | 53.08 .090 | 431 | 46.44.020 | 42 | 23A.08.390 |
| 10 | 43.99.100 | 59 | Em. | 23 | 53.08.091 | 441 | 15.60.030 | 43 | 23A.08.400 |
| 11 | 43.99 .110 | 7 Title 35 |  | 3 | 53.08.092 | 451 | 70.89.030 | 44 | 23A.08.410 |
| 12 | 43.99 .120 | (Re- |  | $24 \quad 1$ | 36.64.070 | 461 | 9.41.185 | 45 | 23A.08.420 |
| 13 | 43.99 .130 | enact- |  | $25 \quad 1$ | 46.16.060 | 471 | 79.01.178 | 46 | 23A.08.430 |
| 14 | 43.99.140 | ment) | Title 35 | 2 | 46.68.030 | $48 \quad 1$ | 77.32.100 | 47 | 23A.08.440 |
| 15 | 43.99 .150 | 8 Title 43 |  | 3 | 46.68.060 | 2 | 77.32.103 | 48 | 23A.08.450 |
| 16 | 43.99.160 | (Re- |  | 4 | 46.68.041 | 3 | 77.32.105 | 49 | 23A.08.460 |
| 17 | Sev. |  |  | 5 | Repealer | 4 | 77.32.110 | 50 | 23A.08.470 |
|  | 43.99.900 | ment) | Title 43 | 6 | Eff. date | 5 | 77.32.113 | 51 | 23A.08.480 |
| 18 | 43.99.910 | 9 Title 29 |  |  | n46.16.060 | 491 | 66.44.290 | 52 | 23A.08.490 |
| $6 \quad 1$ | 44.07.005 | (Re- |  | $26 \quad 1$ | 86.09.004 | 2 | 66.44.291 | 53 | 23A.08.500 |
| 2 | 44.07.010 | enact- |  | 2 | 86.09.178 | 3 | 66.44.292 | 54 | 23A.12.010 |
| 3 | 44.07 .020 | ment) | Title 29 | 3 | 86.09.181 | $50 \quad 1$ | 47.56.271 | 55 | 23A. 12.020 |
| 4 | 44.07.030 | $10 \quad 1$ | 43.31 .280 | 4 | 86.09.187 | $51 \quad 1$ | 53.12 .010 | 56 | 23A. 12.030 |
| 5 | 44.07.040 | 2 | 43.31 .040 | 5 | 86.09.229 | 2 | 53.12 .020 | 57 | 23A. 12.040 |
| 6 | 44.07.050 | 3 | 43.31 .290 | 6 | 86.09.256 | 3 | 53.12 .035 | 58 | 23A. 12.050 |
| 7 | 44.07.060 | 4 | 70.98.040 | 7 | 86.09.271 | 4 | 53.12.040 | 59 | 23A.12.060 |
| 8 | 44.07.070 | 5 | 43.31 .300 | 8 | 86.09.283 | 5 | 53.12.055 | 60 | 23A.16.010 |
| 9 | 44.07 .080 | 6 | Em. | 9 | 86.09.364 | 6 | 53.12 .057 | 61 | 23A.16.020 |
| 10 | 44.07 .090 | 7 | Sev . | 10 | 86.09.385 | 7 | 53.12 .120 | 62 | 23A.16.030 |
| 11 | 44.07.100 |  | 43.31 .330 | 11 | 86.09.388 | 8 | 53.12.130 | 63 | 23A.16.040 |
| 12 | 44.07.110 | 8 | 43.31 .310 | 12 | 86.09.619 | 9 | Repealer | 64 | 23A.16.050 |
| 13 | 44.07 .120 | 9 | 43.31 .320 | 13 | 86.09.489 | $52 \quad 1$ | 29.18.015 | 65 | 23A.16.060 |
| 14 | 44.07.130 | 111 | Purpose | 14 | 86.09.700 | 2 | 29.30.080 | 66 | 23A.16.070 |
| 15 | 44.07.140 |  | n72.29.010 | 15 | 86.09.703 | 531 | Leg. rev. | 67 | 23A.16.080 |
| 16 | 44.07.150 | 2 | Special | 16 | 86.05 .920 |  | n Title 23A | 68 | 23A.16.090 |
| 17 | 44.07.160 |  | n72.29.010 | 17 | Repealer |  | Digest | 69 | 23A.16.100 |
| 18 | 44.07 .170 | 3 | 72.29.010 | 27 1 | Purpose | 2 | 23A.98.010 | 70 | 23A.16.110 |
| 19 | 44.07.180 | 4 | Em. |  | n15.08.025 | 3 | 23A.04.010 | 71 | 23A.16.120 |
| 20 | 44.07.190 | $12 \quad 1$ | Approp. | 2 | 15.08.025 | 4 | 23A.08.010 | 72 | 23A.16.130 |
| 21 | 44.07.200 | 2 | Approp. | $28 \quad 1$ | 46.01 .290 | 5 | 23A.08.020 | 73 | 23A. 20.010 |
| 22 | 44.07.210 | 3 | Approp. | $29 \quad 1$ | 18.71.095 | 6 | 23A.08.030 | 74 | 23A. 20.020 |
| 23 | 44.07.220 | 4 | Em. | 2 | 18.71.096 | 7 | 23A.08.040 | 75 | 23A. 20.030 |
| 24 | 44.07.230 | 131 | 26.44.010 | 301 | Leg. rev. | 8 | 23A.08.050 | 76 | 23A. 20.040 |
| 25 | 44.07.240 | 2 | 26.44 .020 |  | n74.13.010 | 9 | 23A.08.060 | 77 | 23A. 20.050 |
| 26 | 44.07.250 | 3 | 26.44.030 | 2 | 74.13 .010 | 10 | 23A.08.070 | 78 | 23A. 20.060 |
| 27 | 44.07.260 | 4 | 26.44.040 | 3 | 74.13 .020 | 11 | 23A.08.080 | 79 | 23A.20.070 |
| 28 | 44.07.270 | 5 | 26.44.050 | 4 | 74.13 .030 | 12 | 23A.08.090 | 80 | 23A.24.010 |
| 29 | 44.07.280 | 6 | 26.44.060 | 5 | Repealer | 13 | 23A.08.100 | 81 | 23A.24.020 |
| 30 | 44.07.290 | 7 | 5.60 .060 | 6 | Sev. | 14 | 23A.08.110 | 82 | 23A.24.030 |
| 31 | 44.07 .300 | $14 \quad 8$ | Em. |  | 74.13 .900 | 15 | 23A.08.120 | 83 | 23A. 24.040 |
| 32 | 44.07 .310 | $14 \quad 1$ | 36.32 .410 | 31 | Em. | 16 | 23A.08.130 | 84 | 23A. 28.010 |
| 33 | 44.07.320 | 2 | 43.06.110 | $31 \quad 1$ | 27.28.021 | 17 | 23A.08.140 | 85 | 23A.28.020 |
| 34 | 44.07 .330 | 153 | Em. ${ }^{\text {m }}$ | 32.2 | 27.28.022 | 18 | 23A.08.150 | 86 | 23A. 28.030 |
| 35 | 44.07 .340 44.07 .350 | $15 \quad 1$ | 67.28 .010 | $\begin{array}{ll}32 & 1 \\ 33 & 1\end{array}$ | 9.54 .140 | 19 | 23A.08.160 | 87 | 23A. 28.040 |
| 36 | 44.07.350 | 2 | 67.28 .020 | 331 | 41.20 .180 | 20 | 23A.08.170 | 88 | 23A.28.050 |
| 37 | 44.07.360 | 3 | 67.28.030 | 341 | 72.33.800 | 21 | 23A.08.180 | 89 | 23A.28.060 |

Parallel Tables: 1965 Regular Session Laws-—RCW

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 90 | 23A.28.070 | 3 | Savings | 25 | 18.83.210 | 2 | 12.32.015 | 13 | 47.10.738 |
| 91 | 23A.28.080 | $55 \quad 1$ | 3.62.060 | 26 | Sev. | 971 | 18.22.060 | 14 | Em. |
| 92 | 23A. 28.090 | 561 | 79.01.614 |  | 18.83.900 | 2 | 18.22.120 | $122 \quad 1$ | 27.12 .010 |
| 93 | 23A. 28.100 | 2 | 79.01 .616 | $71 \quad 1$ | 56.08.070 | 3 | 18.22.081 | 2 | 27.12.030 |
| 94 | 23A.28.110 | 3 | 79.01 .618 | 72 1 | 57.08 .050 | $98 \quad 1$ | 60.04.020 | 3 | 27.12.190 |
| 95 | 23A. 28.120 | 4 | 79.01.620 | 731 | 15.32.370 | 991 | 2.60 .010 | 4 | 27.12.240 |
| 96 | 23A. 28.130 | 5 | 79.01.624 | 2 | Em. | 2 | 2.60 .020 | 5 | 27.12.320 |
| 97 | 23A.28.140 | 6 | 79.01.628 | $74 \quad 1$ | 61.24 .010 | 3 | 2.60 .030 | 6 | 27.12.321 |
| 98 | 23A.28.150 | 7 | 79.01.632 | 2 | 61.24.020 | 4 | 2.60 .900 | 7 | Repealer |
| 99 | 23A.28.160 | 8 | 79.01.633 | 3 | 61.24 .030 | 1001 | 43.24 .010 | 123 1 | 29.04.020 |
| 100 | 23A. 28.170 | 9 | 79.01.634 | 4 | 61.24.040 | 2 | 43.24.020 | 2 | 29.13.010 |
| 101 | 23A. 28.180 | 10 | 79.01 .636 | 5 | 61.24.050 | 3 | 43.24.060 | 3 | 29.13 .020 |
| 102 | 23A. 28.190 | 11 | 7901.640 | 6 | 61.24.060 | 4 | 43.24.080 | 4 | 29.13 .040 |
| 103 | 23A.28.200 | 12 | 79.01.644 | 7 | 61.24.070 | 5 | 43.24.110 | 5 | 29.13 .045 |
| 104 | 23A.28.210 | 13 | 79.01.648 | 8 | 61.24 .080 | 6 | 43.24.115 | 6 | 29.13 .050 |
| 105 | 23A.28.220 | 14 | 79.01.649 | 9 | 61.24 .090 | 7 | Repealer | 7 | 29.21.010 |
| 106 | 23A.28.230 | 15 | 79.01.650 | 10 | 61.24.100 | 1011 | 53.08.175 | 8 | 28A.58.521 |
| 107 | 23A. 28.240 | 16 | 79.08.107 | 11 | 61.24.110 | 2 | 53.08.176 | 9 | Repealer |
| 108 | 23A.28.250 | $57 \quad 1$ | 41.04.180 | 12 | 61.24.120 | 3 | Constr. | 124 1 | 46.29.080 |
| 109 | 23A.32.010 | 2 | 41.04.190 | 13 | 61.24.130 |  | n53.08.175 | 2 | 46.29.120 |
| 110 | 23A.32.020 | 3 | Sev. | 751 | 71.16.010 | 1021 | 53.46.005 | 3 | 46.29.190 |
| 111 | 23A.32.030 |  | n41.04.190 | 2 | 71.16.020 | 2 | 53.46 .010 | 4 | 46.29.200 |
| 112 | 23A.32.040 | 58 1 | 35.43.170 | 3 | 71.16.030 | 3 | 53.46.020 | 5 | 46.29.290 |
| 113 | 23A.32.050 | 2 | 35.43.180 | 4 | 71.16.040 | 4 | 53.46.030 | 6 | 46.29.440 |
| 114 | 23A.32.060 | 591 | 52.08.065 | 761 | 28B.40.751 | 5 | 53.46 .070 | 1251 | 35.27 .240 |
| 115 | 23A.32.070 | 2 | 52.08.066 | 2 | 28B.40.370 | 6 | 53.46.080 | 126 1 | 11.52.050 |
| 116 | 23A. 32.080 | 3 | 52.08.067 | 3 | Em. | 7 | 53.46 .090 | 127 1 | 35.27.370 |
| 117 | 23A. 32.090 | 4 | 52.08.068 | $77 \quad 1$ | 28B. 30.741 | 8 | 53.46.100 | 128 1 | 74.16.030 |
| 118 | 23A.32.100 | 60 1 | 36.88.010 | 2 | 28B.30.742 | 1031 | 28A.61.050 | 129 1 | 79.24.300 |
| 119 | 23A.32.110 | 2 | 36.88.015 | 3 | Em. | 1041 | Special | 1301 | 35.92.220 |
| 120 | 23A.32.120 | $61 \quad 1$ | 15.21.010 | $78 \quad 1$ | 72.25.010 |  | n Title 79 | 2 | 35.92.230 |
| 121 | 23A.32.130 | 2 | 15.21.020 | 2 | 72.25 .020 |  | Sub. Index | 3 | 35.92.260 |
| 122 | 23A.32.140 | 3 | 15.21 .030 | 3 | 72.25 .030 | 2 | Special | 4 | 35.92.263 |
| 123 | 23A.32.150 | 4 | 15.21.040 | 4 | 72.25 .040 |  | n Title 79 | 5 | 35.92.265 |
| 124 | 23A.32.160 | 5 | 15.21 .050 | 79 1 | Repealer |  | Sub. Index | 131 | 7.24 .190 |
| 125 | 23A.32.170 | 6 | 15.21.060 | $80 \quad 1$ | 61.12 .093 | 3 | Special | 1321 | 35.22.305 |
| 126 | 23A.32.180 | 7 | 15.21 .070 | 2 | 61.12.094 |  | n Title 79 | 1331 | 10.01.110 |
| 127 | 23A.32.190 | 8 | 15.21 .900 | 3 | 61.12.095 |  | Sub. Index | 2 | 10.01.112 |
| 128 | 23A.36.010 | 9 | 15.21.910 | 4 | 6.24 .140 | 4 | Special | 3 | 2.32 .240 |
| 129 | 23A.36.020 | 10 | 15.21 .920 | 5 | 6.24 .220 |  | n Title 79 | 4 | Sev. |
| 130 | 23A.36.030 | 621 | 28A.58.550 | 81 1 | 53.08.260 |  | Sub. Index |  | n 10.01.110 |
| 131 | 23A.36.040 | 63 1 | 27.12.100 | 2 | 53.08.270 | 1051 | 35.24 .090 | 1341 | 65.04.110 |
| 132 | 23A.36.050 | 641 | 75.12.140 | 821 | 76.04.150 | 2 | 35.27.130 | 2 | 65.04.115 |
| 133 | 23A.36.060 | 65 1 | 2.36.090 | 83 1 | 70.44.140 | 1061 | 35.06.080 | 1351 | 82.36.275 |
| 134 | 23A.40.010 | 661 | 16.57.020 | 84 1 | 41.40.410 | 107 1 | 35.24 .200 | - 2 | 82.40.047 |
| 135 | 23A.40.020 | 2 | 16.57 .090 | 2 | 41.40.411 | 2 | 35.27.280 | 1361 | 28.09.120 |
| 136 | 23A.40.030 | 3 | 16.57.080 | 85 1 | 23.01.226 | 1081 | 35.24.480 | 137 | 28.09.130 |
| 137 | 23A.40.040 | 4 | 16.20.010 | $86 \quad 1$ | 41.24.150 | 2 | 35.27.525 | 1371 | 46.44.094 |
| 138 | 23A.40.050 | 67 1 | 82.37.020 | 2 | 41.24.160 | 1091 | 41.18.080 | 2 | 46.44.0941 |
| 139 | 23A.40.060 | 2 | 82.37 .060 | 3 | 41.24 .220 | 1101 | 35.67 .010 | 3 | 46.16.075 |
| 140 | 23A.40.070 | 3 | 82.37 .140 | 4 | 41.24.031 | 2 | Repealer | 1381 | 35.21.010 |
| 141 | 23A.40.080 | 4 | 82.37 .150 | 5 | Sev. | 111 | 28A.58.440 | 1391 | 28A.19.300 |
| 142 | 23A.40.090 | 5 | 82.37.145 |  | n41.24.031 | 2 | 36.29.020 | 2 | 28A.19.310 |
| 143 | 23A.40.100 | $68 \quad 1$ | 46.70.010 | 6 | Eff. date | 3 | 32.12.100 | 3 | 28A.19.320 |
| 144 | 23A.40.110 | 2 | 46.70.020 |  | n 41.24.031 | 1121 | 52.12 .010 | 4 | 28A. 19.330 |
| 145 | 23A.40.120 | 3 | 46.70.040 | 87 1 | 48.44.010 | 2 | 52.12.080 | 5 | 28A.19.340 |
| 146 | 23A.40.130 | 4 | 46.70.100 | 2 | 48.44.070 | 1131 | 36.32.250 | 6 | 28A.19.350 |
| 147 | 23A. 40.140 | 695 | 46.70 .170 | 883 | 48.44.080 | 114 | 35.23.352 | 7 | 28A. 19.360 |
| 148 | 23A.44.010 | 69 1 | 20.01.035 | $88 \quad 1$ | 70.98.020 | 1151 | Special | 8 | 28A.19.370 |
| 149 | 23A.44.020 | $70 \quad 1$ | 18.83.010 | 2 | 70.98.030 |  | n Title 79 | 9 | 28A.19.380 |
| 150 | 23A.44.030 | 2 | 18.83.020 | 3 | 70.98.050 |  | Sub. Index | 10 | 28A. 20.013 |
| 151 | 23A.44.040 | 3 | 18.83 .030 | 4 | 70.98.070 | 1161 | 42.24 .080 | 11 | 28A.20.015 |
| 152 | 23A.44.050 | 4 | 18.83.040 | 5 | 70.98.080 | 2 | 42.24 .090 | 12 | 28A. 19.390 |
| 153 | 23A.44.060 | 5 | 18.83 .050 | 6 | 70.98.110 | 3 | 42.24.100 | 13 | 28A. 19.400 |
| 154 | 23A.44.070 | 6 | 18.83.060 | 7 | 70.98.150 | 4 | 42.24.110 | 14 | 28A. 19.410 |
| 155 | 23A.44.080 | 7 | 18.83 .070 | 8 | 70.98.180 | 5 | Repealer | 15 | 28A.19.420 |
| 156 | 23A.44.090 | 8 | 18.83 .080 | $89 \quad 1$ | 6.16.020 | 1171 | 46.80 .130 | 16 | 28A. 20.010 |
| 157 | 23A.44.100 | 9 | 18.83 .090 | $90 \quad 2$ | Repealer | 118 1 | 35.67 .110 | 17 | 28A.19.180 |
| 158 | 23A.44.110 | 10 | 18.83 .100 | 901 | Special | 2 | 35.92.080 | 18 | 28A.19.120 |
| 159 | 23A.44. 120 | 11 | 18.83.110 |  | n Title 79 | 1191 | 45.12 .021 | 19 | 28A. 20.045 |
| 160 | 23A. 44.130 | 12 | 18.83 .120 |  | Sub. Index | 120 1 | 85.08 .300 | 20 | 28A. 70.110 |
| 161 | 23A.44.140 | 13 | 18.83 .130 | 2 | Special | 121 1 | 47.10.726 | 21 | 28A. 71.100 |
| 162 | 23A.44.150 | 14 | 18.83.140 |  | n Title 79 | 2 | 47.10 .727 | 22 | 28A. 01.035 |
| 163 | 23A. 44.160 | 15 | 18.83 .150 18.83 .160 |  | Sub. Index | 3 | 47.10 .728 | 23 | 28B.40.380 |
| 164 | 23A. 98.020 | 16 | 18.83 .160 | $91 \quad 1$ | 35.58.265 | 4 | 47.10 .729 | 24 | Repealer |
| 165 | 23A. 98.030 | 17 | 18.83.170 | 921 | 36.28.010 | 5 | 47.10 .730 | 25 | Sev. |
| 166 | 23A. 98.040 | 18 | 18.83.180 | 931 | 84.56 .390 8456.400 | 6 | 47.10 .731 | $140 \quad 1$ | 30.08 .087 |
| 167 | Eff. date | 19 | 18.83.200 | $94 \quad 2$ | 84.56 .400 | 7 | 47.10 .732 | 2 | 30.08.088 |
|  | 23A.98.050 | 20 | 18.83.072 | $94 \quad 1$ | 35.24.450 | 8 | 47.10.733 | 3 | 30.08.090 |
| 168 | 4.12.025 | 21 | 18.83.051 | 2 | 35.24.460 | 9 | 47.10.734 | 4 | 30.12 .210 |
| $54 \quad 1$ | 28A.58.560 | 22 | 18.83.105 | $95 \quad 1$ | 3.66.020 | 10 | 47.10.735 | 5 | 30.12 .080 |
|  | 28B.10.480 | 23 | 18.83.082 | 962 | 12.32.015 | 11 | 47.10 .736 | 141 | 87.03.015 |
| 2 | 28B.10.400 | 24 | 18.83.190 | 961 | 3.20.020 | 12 | 47.10.737 | 2 | Leg. rev. |

Parallel Tables: 1965 Regular Session Laws-—RCW

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 3 | 87.03.120 | 21 | 81.70 .200 | 11 | 43.100 .110 |
|  | 4 | 87.03.125 | 22 | 81.70 .210 | 12 | 43.100 .120 |
|  | 5 | 87.03.130 | 23 | 81.70 .900 | 13 | 43.100 .130 |
| 142 | 1 | 36.67.510 | 24 | Eff. date | 14 | 43.100 .140 |
|  | 2 | 36.67.520 |  | 81.70 .910 | 15 | 43.100 .150 |
|  | 3 | 36.67.530 | 151 1 | 78.08.060 | 16 | 10.82.070 |
|  | 4 | 36.67.540 | 2 | 78.08.072 | 17 | 43.100 .160 |
|  | 5 | 36.67.550 | 152 1 | 49.44.120 | 18 | 43.100 .170 |
|  | 6 | 36.67.560 | 2 | 49.44.130 | 19 | Vetoed |
|  | 7 | 36.67.570 | 1531 | 18.44.010 | 20 | 43.100 .900 |
|  | 8 | 36.67.500 | 2 | 18.44.020 | 21 | 43.100.910 |
| 143 | 1 | 28A.72.010 | 3 | 18.44.030 |  |  |
|  | 2 | 28A. 72.020 | 4 | 18.44.040 |  |  |
|  | 3 | 28A. 72.030 | 5 | 18.44.050 |  |  |
|  | 4 | 28A. 72.040 | 6 | 18.44.060 |  |  |
|  | 5 | 28A. 72.050 | 7 | 18.44.070 |  |  |
|  | 6 | 28A. 72.060 | 8 | 18.44.080 |  |  |
|  | 7 | 28A. 72.070 | 9 | 18.44.090 |  |  |
|  | 8 | 28A. 72.080 | 10 | 18.44.100 |  |  |
|  | 9 | 28A. 72.090 | 11 | 18.44.110 |  |  |
| 144 | 1 | 49.24.080 | 12 | 18.44.120 |  |  |
| 145 |  | Title 11 | 13 | 18.44.130 |  |  |
|  |  | Probate Law | 14 | 18.44.140 |  |  |
|  |  | and Proce- | 15 | n 18.44.140 |  |  |
|  |  | dure-196\$ | 16 | 18.44.150 |  |  |
|  |  | Act. | 17 | 18.44.160 |  |  |
|  |  | Session law | 18 | 18.44.170 |  |  |
|  |  | section | 19 | 18.44.180 |  |  |
|  |  | number | 20 | 18.44.900 |  |  |
|  |  | coincide | 21 | 18.44.910 |  |  |
|  |  | with RCW | 1541 | 35.23.455 |  |  |
|  |  | numbers | 1551 | 41.40.010 |  |  |
|  |  | except Sec. | 2 | 41.40 .120 |  |  |
|  |  | 11.44.060 | 3 | 41.40 .150 |  |  |
|  |  | which is | 4 | 41.40 .160 |  |  |
|  |  | herein RCW | 5 | 41.40 .270 |  |  |
|  |  | 11.44 .061 | 6 | 41.40 .290 |  |  |
| 146 | 1 | 43.51 .260 | 7 | 41.40 .310 |  |  |
|  | 2 | Special | 8 | $41.40 .071$ |  |  |
|  |  | n Title 79 | 9 | Repealer |  |  |
|  |  | Sub. Index | 10 | Sev. |  |  |
| 147 | 1 | 3.58 .010 |  | n41.40.010 |  |  |
|  | 2 | Vetoed | 11 | Em. |  |  |
| 148 | 3 1 | 35.20 .160 43.31 .790 | $156 \quad 1 \begin{array}{ll}1 \\ & \\ \end{array}$ | 46.01 .010 46.01 .020 |  |  |
|  | 2 | 43.31 .800 | 3 | 46.01 .030 |  |  |
|  | 3 | 43.31 .810 | 4 | 46.01 .040 |  |  |
|  | 4 | 43.31 .820 | 5 | 46.01 .050 |  |  |
|  | 5 | 43.31 .830 | 6 | 46.01 .060 |  |  |
|  | 6 | 43.31 .840 | 7 | 46.01 .070 |  |  |
|  | 7 | 67.16.100 | 8 | 46.01 .080 |  |  |
|  | 8 | 43.31 .850 | 9 | 46.01 .090 |  |  |
|  | 9 | Temporary | 10 | 46.01 .100 |  |  |
|  | 10 | 43.31 .860 | 11 | 46.01.110 |  |  |
|  | 11 | Repealer | 12 | 46.01.120 |  |  |
|  | 12 | Em. | 13 | 46.01.130 |  |  |
|  | 13 | Vetoed | 14 | 46.01.140 |  |  |
| 149 | 1 | Vetoed | 15 | 46.01 .150 |  |  |
|  | 2 | 48.20 .410 | 16 | 46.01.160 |  |  |
|  | 3 | 48.21 .140 | 17 | 46.01.170 |  |  |
|  | 4 | Constr. | 18 | 46.01.180 |  |  |
|  |  | n48.20.410 | 19 | 46.01 .190 |  |  |
| 150 | 1 | Leg. rev. | 20 | 43.17 .010 |  |  |
|  |  | n81.70.010 | 21 | 43.17 .020 |  |  |
|  | 2 | 81.70 .010 | 22 | 46.01 .200 |  |  |
|  | 3 | 81.70 .020 | 23 | Leg. rev. |  |  |
|  | 4 | 81.70 .030 | 24 | Eff. date |  |  |
|  | 5 | 81.70 .040 |  | n46.01.010 |  |  |
|  | 6 | 81.70 .050 | 157 1 | 70.44.050 |  |  |
|  | 7 | 81.70 .060 | 2 | 70.44.060 |  |  |
|  | 8 | 81.70 .070 | 3 | 70.44.160 |  |  |
|  | 9 | 81.70 .080 | 4 | 70.44.170 |  |  |
|  | 10 | 81.70 .090 | 5 | Vetoed |  |  |
|  | 11 | 81.70 .100 | 158 1 | 43.100 .010 |  |  |
|  | 12 | 81.70 .110 | 2 | 43.100 .020 |  |  |
|  | 13 | 81.70 .120 | 3 | 43.100 .030 |  |  |
|  | 14 | 81.70 .130 | 4 | 43.100 .040 |  |  |
|  | 15 | 81.70 .140 | 5 | 43.100 .050 |  |  |
|  | 16 | 81.70 .150 | 6 | 43.100 .060 |  |  |
|  | 17 | 81.70 .160 | 7 | 43.100 .070 |  |  |
|  | 18 | 81.70 .170 | 8 | 43.100 .080 |  |  |
|  | 19 | 81.70.180 | 9 | 43.100 .090 |  |  |
|  | 20 | 81.70 .190 | 10 | 43.100.100 |  |  |

## 1965 EXTRAORDINARY SESSION LAWS

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 1 | 47.01 .030 | 9 | 76.04.260 | 24 | 15.53 .9046 |  | 28A.58.103 | 6 | 48.08.110 |
|  | 2 | Em. | 10 | 76.04.270 | 25 | 15.53.905 |  | 28A.58.105 | 7 | 48.08.120 |
| 2 | 1 | 74.04.005 | 11 | Sev. | 26 | Eff. date |  | 28A.58.107 | 8 | 48.08 .130 |
|  | 2 | Repealer |  | n76.04.251 |  | $\text { n } 15.53 .905$ | 2 | 28A.03.050 | 9 | 48.08.140 |
| 3 | 1 | 18.18 .010 | 12 | Em. | 27 | 15.53.9054 | 3 | 28A.58.100 | 10 | 48.08.150 |
|  | 2 | 18.18.030 | 13 | Repealer | $32 \quad 1$ | 15.76.140 | $50 \quad 1$ | 18.25.015 | 11 | 48.08.100 |
|  | 3 | 18.18.065 | $13 \quad 1$ | 43.01 .040 | 32 | 15.76.150 | 511 | Special | 12 | 48.08.160 |
|  | 4 | 18.18.070 | 14 1 | 35.33.150 | 331 | 82.40.050 |  | n Title 79 | 13 | 48.08.170 |
|  | 5 | 18.18.080 | 15 1 | 26.08.020 | 2 | 82.40 .060 |  | Sub. Index | 14 | 48.13 .370 |
|  | 6 | 18.18.090 | 16 1 | 28B. 10.550 | 3 | 82.40 .130 | $52 \quad 1$ | 46.61 .655 | 15 | 48.13 .380 |
|  | 7 | 18.18 .100 | 2 | 28B.10.555 | 4 | 82.40.220 | 2 | 46.61.650 | 16 | 48.13 .390 |
|  | 8 | 18.18.104 | 3 | 28B.10.560 | 5 | 82.40 .250 | 531 | 62.01.300 | 17 | 48.13 .400 |
|  | 9 | 18.18.110 | $17 \quad 1$ | 9.09.020 | 6 | 82.40 .270 | 54 1 | 53.36.030 | 18 | 48.13 .410 |
|  | 10 | 18.18.120 | 18 1 | 52.08 .060 | $34 \quad 1$ | 74.08.331 | 2 | Em. | 19 | 48.17 .110 |
|  | 11 | 18.18.140 | 2 | 52.24 .090 | 2 | Repealer | 551 | 11.04.015 | 20 | 48.17.500 |
|  | 12 | 18.18.190 | 19 1 | 36.40.100 | 3 | Em. | 561 | 47.61 .010 | 21 | Repealer |
|  | 13 | 18.18.210 | $20 \quad 1$ | 51.12.070 | 351 | 74.04.265 | 2 | 47.61 .020 | 22 | 48.23 .370 |
|  | 14 | 18.18.251 | 21 1 | 36.34.330 | 36 1 | 74.09.090 | 3 | 47.61 .030 | 23 | 48.24.030 |
|  | 15 | 18.18.230 | 22 1 | 53.36.070 | 2 | 74.09.430 | 4 | 47.61 .040 | 24 | 48.30.010 |
|  | 16 | 18.18.290 | 2 | 53.36.080 | 3 | Em. | 5 | 47.61 .050 | 25 | 48.30.220 |
|  | 17 | 18.18.260 | $23 \quad 1$ | 36.34.080 | 371 | 74.12 .010 | 6 | 47.61 .060 | 26 | Leg. rev. |
|  | 18 | Eff. date | 2 | 46.52.110 | 38 1 | 31.12 .270 | 7 | 47.61 .070 |  | n 48.21A. 010 |
|  |  | n 18.18 .010 | 3 | 79.01.196 | 2 | 31.12.280 | 8 | 47.61 .080 | 27 | 48.21 A. 010 |
| 4 | 1 | Temporary | 4 | 84.64.080 | $39 \quad 1$ | 57.16.060 | 9 | 47.61 .090 | 28 | 48.21 A .020 |
|  | 2 | Temporary | 5 | 84.64 .270 | 2 | 57.16 .090 | - 10 | 47.61 .100 | 29 | 48.21 A .030 |
|  | 3 | Approp. | 6 | 36.16.140 | $40 \quad 1$ | 56.20 .020 | 11 | 47.61 .110 | 30 | 48.21 A .040 |
|  | 4 | Temporary | $24 \quad 1$ | 36.70.210 | 4 | 56.20 .080 | 12 | 47.61 .120 | 31 | 48.21 A .050 |
|  | 5 | Em. | 25 1 | 36.82.230 | $41 \quad 1$ | 51.44 .100 | 13 | Em. | 32 | 48.21 A. 060 |
| 5 | 1 | Special | $26 \quad 1$ | 72.27.010 | 421 | 35.02.160 | $57 \quad 1$ | 75.28 .014 | 33 | 48.21 A .070 |
|  |  | n Title 79 | 2 | 72.27 .020 | 431 | 15.28.180 | 58 1 | 19.68.010 | 34 | 48.21 A. 080 |
|  |  | Sub. Index | 3 | 72.27.030 | $44 \quad 1$ | 15.44.080 | 2 | 19.68.020 | 35 | 48.10 .080 |
|  | 2 | Special | 4 | 72.27.040 | 2 | 15.44.020 | 3 | 19.68.030 | $71 \quad 1$ | 75.32.001 |
|  |  | n Title 79 | 5 | 72.27.050 | 3 | 15.44 .025 | $59 \quad 1$ | 66.44.260 | $72 \quad 1$ | 75.12 .130 |
|  |  | Sub. Index | 6 | 72.27.060 | 4 | 15.44.030 | 601 | 43.89 .040 | 2 | 75.08.230 |
| 6 |  | 35.47 .010 | 7 | 72.27.070 | 5 | 15.44.032 | 2 | 43.89 .010 | 731 | 75.28.085 |
|  | 2 | 35.47 .020 | 8 | Leg. rev. | 6 | 15.44.033 | 3 | 43.89 .020 | 2 | 75.28.110 |
|  | 3 | 35.47 .030 |  | n72.27.010 | 7 | 15.44.035 | 4 | 43.89 .030 | 3 | 75.28 .120 |
|  | 4 | 35.47 .040 | 9 | Eff. date | 8 | 15.44.037 | 5 | 43.89.050 | 4 | 75.28.130 |
|  | 5 | 87.84.071 |  | n72.27.010 | 9 | Temporary | 6 | Eff. date | 5 | 75.28.140 |
|  | 6 | Sev. |  | 75.28 .285 | $45 \quad 10$ | Repealer |  | n 43.89 .010 | 6 | 75.28 .150 |
|  |  | 35.47 .900 | 28 1 | 75.28.300 | $45 \quad 1$ | 41.16.060 | 61 1 | 43.08 .064 | 7 | 75.28.160 |
| 7 | 1 | 84.52 .080 | 29 1 | 75.28 .350 | 2 | 41.18 .010 | 2 | 43.08.066 | 8 | 75.28.170 |
|  | 2 | 84.56.010 | 301 | 75.28 .060 | 3 | 41.18.040 | 3 | 43.08.068 | 9 | 75.28.180 |
| 8 | 1 | 83.20.030 | $31 \quad 1$ | 15.53 .9056 | 4 | 41.18.100 | 4 | 39.72.010 | 10 | 75.28 .190 |
| 9 | 1 | 10.76.060 | 2 | 15.53 .901 | $46 \quad 1$ | 35.39 .030 | 5 | 39.72 .020 | 11 | 75.28.210 |
|  | 2 | 10.76.070 | 3 | 15.53 .9012 | 2 | Repealer | $62 \quad 1$ | 27.36.010 | 12 | 75.28.220 |
|  | 3 | 72.08.101 | 4 | 15.53.9014 | $47 \quad 1$ | 35.21 .610 | 2 | 27.36.030 | 13 | 75.28.230 |
|  | 4 | 72.08.102 | 5 | 15.53 .9016 | 2 | 35.21 .620 | 3 | 27.36.050 | 14 | 75.28.240 |
|  | 5 | 72.08.103 | 6 | 15.53.9018 | 3 | 35.17.430 | 4 | 27.36.060 | 15 | 75.28.250 |
|  | 6 | Repealer | 7 | 15.53 .902 | 4 | 35.18 .290 | 63.5 | 27.36.070 | 16 | 75.28.260 |
|  | 7 | Repealer | 8 | 15.53 .9022 | 5 | 35.22 .030 | $63 \quad 1$ | 51.52.120 | 17 | 75.28 .270 |
| 10 | 1 | 72.19 .091 | 9 | 15.53 .9024 | 6 | 35.21 .600 | 64 | 51.52.132 | 18 | Repealer |
| 11 | 1 | 64.32.010 | 10 | 15.53.9026 | 7 | 35.22.050 | $64 \quad 1$ | 47.28.060 | $74 \quad 1$ | 39.44.010 |
|  | 2 | 64.32.050 | 11 | 15.53.9028 | 8 | 35.22.060 | 65 1 | 19.29.010 | 2 | 39.44.020 |
|  | 3 | 64.32.100 | 12 | 15.53 .903 | 9 | 35.22.070 | 661 | Special | 3 | 39.44.030 |
|  | 4 | 64.32 .120 | 13 | 15.53 .9032 | 10 | 35.22 .110 |  | n Title 79 | 4 | 39.44.011 |
|  | 5 | 64.32.170 | 14 | 15.53 .9034 | 11 | 35.22.140 |  | Sub. Index | 5 | Em. |
|  | 6 | 64.32.200 | 15 | 15.53 .9036 | 12 | 35.22.170 | $67 \quad 1$ | 83.56.050 | $75 \quad 1$ | 47.52 .131 |
|  | 7 | 64.32 .230 | 16 | 15.53.9038 | 13 | 35.22.200 | 68 1 | 43.01 .120 | 2 | 47.52.133 |
| 12 | 1 | Leg. rev. | 17 | 15.53 .904 | 4814 | Repealer | 69 1 | 48.52 .020 | 3 | 47.52.135 |
|  |  | n76.04.251 | 18 | 15.53 .9042 | $48 \quad 1$ | 43.51 .580 | 2 | 48.52 .030 | 4 | 47.52.137 |
|  | 2 | 76.04.251 | 19 | 15.53 .9044 | 2 | 43.51 .590 | 3 | 48.52 .070 | 5 | 47.52 .139 |
|  | 3 | 76.04.252 | 20 | 15.53.9048 | 3 | 43.51 .545 | 4 | 48.52 .015 | 6 | 47.52 .195 |
|  | 4 | 76.04.253 | 21 | Constr. | $49 \quad 1$ | 28A.24.055 | $70 \quad 1$ | 48.03.040 | 7 | Repealer |
|  | 5 | 76.04.254 |  | n 15.53 .905 |  | 28A. 58.040 | 2 | 48.05.230 | $76 \quad 1$ | 36.68.400 |
|  | 6 | 76.04.255 | 22 | 15.53 .9052 |  | 28A.58.100 | 3 | 48.05.185 | - 2 | 36.68.410 |
|  | 7 | 76.04.256 | 23 | Savings |  | 28A.58.101 | 4 | 48.07.040 | 3 | 36.32.430 |
|  | 8 | 76.04.257 |  | n15.53.905 |  | 28A.58.102 | 5 | 48.08.090 | 4 | 36.34.340 |

Parallel Tables: 1965 Extraordinary Session Laws-—RCW

[Parallel Tables--p 108]

Parallel Tables: 1965 Extraordinary Session Laws——RCW


## 1967 REGULAR SESSION LAWS

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 1 | Repealer | 8 | 90.48.080 | 241 | 71.02.450 | 32 | 46.20 .390 | 100 | 46.80.090 |
|  | 2 | Eff. date | 9 | 90.48.095 | $25 \quad 1$ | 46.61 .405 | 33 | 46.20 .400 | 101 | 46.80 .100 |
|  |  | n9.76.010 | 10 | 90.48.110 | 2 | 46.61 .425 | 34 | 46.20 .410 | 102 | 46.80.110 |
| 2 | 1 | Repealer | 11 | 90.48.120 | 261 | 43.20.070 | 35 | 46.20.420 | 103 | 46.80 .130 |
|  | 2 | 81.40.035 | 12 | 90.48.135 | 2 | 43.20 .080 | 36 | 46.21 .020 | 104 | 46.80.140 |
|  | 3 | n81.40.035 | 13 | 90.48.160 | 3 | 43.20 .090 | 37 | 46.29 .110 | 105 | 46.80.150 |
| 3 | 1 | Approp. | 14 | 90.48.165 | 4 | 26.04.090 | 38 | 46.29.180 | 106 | 46.82.010 |
|  | 2 | Approp. | 15 | 90.48.170 | 5 | 26.04.100 | 39 | 46.29.300 | 107 | 46.82.060 |
|  | 3 | Approp. | 16 | 90.48.180 | 6 | 26.04.110 | 40 | 46.29 .330 | 108 | 46.82.070 |
|  | 4 | Approp. | 17 | 90.48.190 | 7 | 26.04.160 | 41 | 46.29 .350 | 109 | 46.82.090 |
|  | 5 | Em. | 18 | 90.48.195 | 8 | 36.18.010 | 42 | 46.29.360 | 110 | 46.82.120 |
| 4 | 1 | Approp. | 19 | 90.48.200 | 9 | 36.18.020 | 43 | 46.29 .370 | 111 | 46.82.190 |
|  | 2 | Approp. | 20 | 90.48.210 | 10 | 70.58.200 | 44 | 46.29.400 | 112 | 46.82.210 |
|  | 3 | Temporary | 21 | 90.48.230 | 11 | 26.08.215 | 45 | 46.29.410 | 113 | 46.85.030 |
|  | 4 | Temporary | 22 | 90.48.240 | 12 | Eff. date | 46 | 46.29.430 | 114 | 46.85.100 |
|  | 5 | Temporary | 23 | 90.48.250 |  | n43.20.070 | 47 | 46.29.440 | 115 | 46.85.230 |
|  | 6 | Em. | 24 | 90.48.260 | $27 \quad 1$ | 43.19 .013 | 48 | 46.32.010 | 116 | 46.85.290 |
| 5 | 1 | 41.48.030 | 25 | 90.48.910 | 28 1 | 2.12.050 | 49 | 46.37 .005 | 117 | 46.01 .055 |
|  | 2 | Em. | 26 | 90.48.270 | 29 1 | 28A.40.010 | 50 | 46.44.045 | 118 | Leg. rev. |
| 67 | 1 | 49.04.010 | 27 | 90.48.280 | 2 | 28A.41.020 | 51 | 46.44.095 | 119 | Repealer |
|  | 1 | Leg. rev. | 28 | 90.48.290 | 3 | 28A.40.100 | 52 | 46.44.100 | 120 | Em. |
|  | 2 | 35.32A. 900 | 29 | Repealer | 4 | Em. | 53 | 46.52 .020 | 331 | Approp. |
|  | 3 | 35.32A. 010 | 30 | Sev. | $30 \quad 1$ | 61.24 .040 | 54 | 46.52 .030 | 2 | Em. |
|  | 4 | 35.32A. 020 |  | 90.48.901 | 2 | 61.24 .060 | 55 | 46.52 .040 | 341 | 9.100 .010 |
|  | 5 | 35.32A. 030 | $14 \quad 1$ | 28B. 30.400 | 3 | 61.24 .080 | 56 | 46.52 .060 | 2 | 9.100.020 |
|  | 6 | 35.32A. 040 | 151 | 88.16.020 | 4 | 61.24 .090 | 57 | 46.52 .070 | 3 | 9.100 .030 |
|  | 7 | 35.32A. 050 | 2 | 88.16.050 | $31 \quad 1$ | 16.50.100 | 58 | 46.52 .080 | 4 | 9.100.040 |
|  | 8 | 35.32A. 060 | 3 | 88.16 .070 | 2 | 16.50.110 | 59 | 46.52 .090 | 5 | 9.100 .050 |
|  | 9 | 35.32A. 070 | 4 | 88.16.120 | 3 | 16.50.120 | 60 | 46.52 .100 | 6 | 9.100.060 |
|  | 10 | 35.32A. 080 | 5 | 88.16 .090 | 4 | 16.50.130 | 61 | 46.52.110 | 7 | 9.100 .070 |
|  | 11 | 35.32A. 090 | 6 | 88.16 .030 | 5 | 16.50.140 | 62 | 46.52.120 | 8 | 9.100.080 |
|  | 12 | Sev. | 7 | 88.16 .150 | 6 | 16.50.160 | 63 | 46.52.130 | 351 | 70.92.010 |
|  |  | 35.32A. 910 | 8 | 88.16 .130 | 7 | 16.50.170 | 64 | 46.52.140 | 2 | 70.92.020 |
|  | 13 | Repealer | 9 | 88.16 .040 | 8 | Repealer | 65 | 46.61 .020 | 3 | 70.92.030 |
| 8 | 1 | Approp. | 10 | 88.16 .160 | 9 | Sev. | 66 | 46.61.265 | 4 | 70.92.040 |
|  | 2 | Approp. | 11 | 88.16.061 |  | 16.50 .900 | 67 | 46.61 .500 | 5 | 70.92.050 |
|  | 3 | Approp. | 12 | Repealer | 10 | 16.50.150 | 68 | 46.61.515 | 6 | 70.92.060 |
|  | 4 | Approp. | $16 \quad 1$ | 9.61 .230 | $32 \quad 1$ | 46.04.370 | 69 | 46.61.525 | 361 | 91.12.030 |
|  | 5 | Approp. | 2 | 9.61 .240 | 2 | 46.04.680 | 70 | 46.64.015 | $37 \quad 1$ | Special |
|  | 6 | Em. | 3 | 9.61 .250 | 3 | 46.01.250 | 71 | 46.64.025 | 2 | Special |
| 9 | 1 | Temporary | 4 | Sev. | 4 | 46.01 .270 | 72 | 46.64.030 | 3 | Special |
|  | 2 | Temporary |  | n9.61.230 | 5 | 46.01 .290 | 73 | 46.68.010 | 381 | 66.12 .110 |
|  | 3 | Temporary | $17 \quad 1$ | 72.65.010 | 6 | 46.12 .010 | 74 | 46.68.090 | 391 | 2.36.080 |
|  | 4 | Temporary | 2 | 72.65.020 | 7 | 46.12.020 | 75 | 46.68.120 | 401 | 19.24 .040 |
|  | 5 | Temporary | 3 | 72.65.030 | 8 | 46.12 .030 | 76 | 46.70.020 | 41 1 | 43.09.285 |
|  | 6 | Temporary | 4 | 72.65 .040 | 9 | 46.12 .050 | 77 | 46.70.060 | 421 | 41.16.050 |
|  | 7 | Temporary | 5 | 72.65.050 | 10 | 46.12 .100 | 78 | 46.70 .110 | 431 | Special |
|  | 8 | Temporary | 6 | 72.65.060 | 11 | 46.12 .200 | 79 | 46.70.140 |  | n Title 38 |
|  | 9 | Temporary | 7 | 72.65.070 | 12 | 46.12 .220 | 80 | 46.72.020 |  | Digest |
| 10 | 1 | 77.32 .020 | 8 | 72.65 .080 | 13 | 46.12 .230 | 81 | 46.72.030 | 441 | Special |
| 11 | 1 | 4.28 .080 | 9 | 72.65 .090 | 14 | 46.16.020 | 82 | 46.72 .040 |  | n Title 38 |
| 12 | 1 | 28A.24.055 | 10 | 72.65.100 | 15 | 46.16.030 | 83 | 46.72.050 |  | Digest |
|  |  | 28A.58.040 | 11 | 72.65 .110 | 16 | 46.16.040 | 84 | 46.72.070 | 2 | Special |
|  |  | 28A.58.100 | 12 | 72.65.120 | 17 | 46.16.137 | 85 | 46.72.080 |  | $n$ Title 38 |
|  |  | 28A.58.101 | 13 | 72.65.130 | 18 | 46.16.240 | 86 | 46.72.100 |  | Digest |
|  |  | 28A.58.102 | 14 | Eff. date | 19 | 46.16.260 | 87 | 46.72.110 | 3 | Special |
|  |  | 28A. 58.103 |  | 72.65.900 | 20 | 46.16.280 | 88 | 46.72.120 |  | n Title 38 |
|  |  | 28A.58.105 | 18 1 | Special | 21 | 46.16.320 | 89 | 46.72.130 |  | Digest |
|  |  | 28A. 58.107 |  | n Title 79 | 22 | 46.16.330 | 90 | 46.72.140 | 45 | 77.12.500 |
|  | 2 | 28A.03.050 |  | Sub. Index | 23 | 46.16.340 | 91 | 46.76.020 | 46 | 72.01.450 |
|  | 3 | Sev. | 191 | 43.03.028 | 24 | 46.16 .350 | 92 | 46.76.030 | 47 1 | 28.81 .600 |
| 13 | 1 | 90.48 .020 | $20 \quad 1$ | 2.32.210 | 25 | 46.16 .370 | 93 | 46.76.070 | 2 | 28B.40.810 |
|  | 2 | 90.48.021 | 21 1 | 66.44 .190 | 26 | 46.16 .380 | 94 | 46.80 .020 | 3 | 28B.40.820 |
|  | 3 | 90.48.024 | 2 | n66.44.190 | 27 | 46.20.070 | 95 | 46.80.030 | 4 | 28.81 .640 |
|  | 4 | 90.48.025 | 221 | 18.85.220 | 28 | 46.20 .220 | 96 | 46.80 .040 | 5 | 28B.40.830 |
|  | 5 | 90.48.026 | 2 | 18.85.350 | 29 | 46.20 .300 | 97 | 46.80 .050 | 6 | 28B.40.010 |
|  | 6 | 90.48.035 | 23 3 | 18.85.230 | 30 | 46.20 .320 | 98 | 46.80.070 | 7 | 28B.40.200 |
|  | 7 | 90.48.037 | 231 | 72.01.430 | 31 | 46.20.380 | 99 | 46.80.080 | 8 | 28B.40.210 |

[Paralled Tables--p 110]

Parallel Tables: 1967 Regular Session Laws-—RCW


Parallel Tables: 1967 Regular Session Laws - - RCW

[Paralled Tablea-—P 112]

Parallel Tables: 1967 Regular Session Laws - - RCW


Parallel Tables: 1967 Regular Session Laws——RCW


## 1967 EXTRAORDINARY SESSION LAWS



Parallel Tables: 1967 Extraordinary Session Laws_-RCW


Parallel Tables: 1967 Extraordinary Session Laws-—RCW


| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 5 | Temporary | 42 | 47.04.010 | 6 | 82.04 .190 |
|  | 6 | Temporary | 43 | 47.36.095 | 7 | 82.04.230 |
|  | 7 | Temporary | 44 | 47.20 .640 | 8 | 82.04.240 |
|  | 8 | Temporary | 45 | 47.08.060 | 9 | 82.04.250 |
|  | 9 | Temporary | 46 | 47.36 .097 | 10 | 82.04.260 |
|  | 10 | Temporary | 47 | Repealer | 11 | 82.04.270 |
|  | 11 | Temporary | 48 | 47.56.242 | 12 | 82.04.275 |
| 143 | 1 | Approp. | 49 | 47.56.243 | 13 | 82.04.280 |
|  | 2 | Approp. | 50 | 46.20.505 | 14 | 82.04.290 |
|  | 3 | Approp. | 51 | 46.20.115 | 15 | 82.04 .410 |
|  | 4 | Approp. | 52 | 46.20.342 | 16 | 82.04.440 |
|  | 5 | Approp. | 53 | Vetoed | 17 | 82.04.432 |
|  | 6 | Temporary | 54 | Vetoed | 18 | 82.08.010 |
|  | 7 | Temporary | 55 | 46.20.270 | 19 | 82.08.020 |
|  | 8 | Temporary | 56 | 46.37.005 | 20 | 82.08 .030 |
|  | 9 | Temporary | 57 | 46.38.030 | 21 | Vetoed |
|  | 10 | Temporary | 58 | 46.61 .100 | 22 | 82.12 .020 |
|  | 11 | Temporary | 59 | 82.36 .302 | 23 | 82.12 .030 |
|  | 12 | Temporary | 60 | 46.16.237 | 24 | 82.16 .020 |
|  | 13 | Em. | 61 | 46.44.030 | 25 | 82.16 .050 |
| 144 | 1 | 36.34.020 | 62 | 46.44.038 | 26 | 82.32 .090 |
|  | 2 | 35.87 .010 | 63 | 36.88.220 | 27 | 82.48 .020 |
|  | 3 | 35.87 .020 | 64 | Vetoed | 28 | 82.50.185 |
|  | 4 | 35.87 .030 | 65 | 35.95.020 | 29 | 83.44 .010 |
|  | 5 | 35.87.040 | 66 | 35.95 .050 | 30 | 84.08.030 |
|  | 6 | 35.86.070 | 67 | 35.95.090 | 31 | 84.36 .010 |
|  | 7 | 87.03.135 | 68 | 44.40.010 | 32 | 84.36 .150 |
|  | 8 | 35.63.100 | 69 | Temporary | 33 | 84.36 .171 |
|  | 9 | 35.63.105 | 70 | Temporary | 34 | 84.36.176 |
|  | 10 | n 35.63 .100 | 71 | Temporary | 35 | 84.40 .020 |
|  | 11 | 36.68.090 | 72 | Temporary | 36 | 84.40 .040 |
|  | 12 | 35.41 .010 | 73 | Sev. | 37 | 84.40 .060 |
|  | 13 | 35.86.010 |  | 47.98.043 | 38 | 84.40 .130 |
|  | 14 | 35.86.020 | 74 | Temporary | 39 | 84.40 .190 |
|  | 15 | 36.32.240 | 75 | 82.36 .020 | 40 | 84.40 .340 |
|  | 16 | 36.32.250 | 76 | Approp. | 41 | 84.40.185 |
|  | 17 | 36.32.272 | 77 | 81.80 .060 | 42 | 84.40 .335 |
|  | 18 | 36.32.274 | 78 | 47.01.145 | 43 | 84.36 .260 |
|  | 19 | 36.32.276 | 79 | 46.68.100 | 44 | 82.50 .010 |
|  | 20 | 36.32.278 | 80 | 46.16 .320 | 45 | 82.50 .020 |
|  | 21 | Sev. | 81 | Em. | 46 | 82.50 .030 |
|  |  | $\text { n } 36.98 .030$ | 1461 | 84.54 .010 | 47 | 82.50 .040 |
| 145 | 1 | Temporary | 2 | 84.54 .020 | 48 | 82.50 .050 |
|  | 2 | 47.20 .030 | 3 | 84.54 .030 | 49 | 82.50 .070 |
|  | 3 | 47.20.050 | 4 | 84.54 .040 | 50 | 82.50 .101 |
|  | 4 | 47.16.013 | 5 | 84.54 .050 | 51 | 82.50 .105 |
|  | 5 | 47.20.160 | 6 | 84.54 .070 | 52 | 82.50 .110 |
|  | 6 | 47.20.162 | 7 | 36.21.011 | 53 | 82.50 .120 |
|  | 7 | 47.20.410 | 8 | 84.54 .080 | 54 | 82.50 .130 |
|  | 8 | Repealer | 9 | 84.54 .090 | 55 | 82.50 .140 |
|  | 9 | 47.16 .053 | 10 | 84.40.045 | 56 | 82.50 .180 |
|  | 10 | 47.20.431 | 11 | Vetoed | 57 | 82.50 .190 |
|  | 11 | 47.20.505 | 147 1 | 43.59.010 | 58 | 82.50 .200 |
|  | 12 | 47.20.140 | 2 | 43.59 .020 | 59 | 82.50 .250 |
|  | 13 | 47.22.020 | 3 | 43.59 .030 | 60 | 82.50.260 |
|  | 14 | 47.16.050 | 4 | 43.59 .040 | 61 | 28A.45.105 |
|  | 15 | 47.20.280 | 5 | 46.81 .070 | 62 | Repealer |
|  | 16 | 47.20.360 | 6 | 43.59 .050 | 63 | Savings |
|  | 17 | 47.20 .300 | 7 | 43.59 .060 |  | 82.98.035 |
|  | 18 | 47.20.222 | 8 | 43.59 .070 | 64 | Sev. |
|  | 19 | 47.20 .223 | 9 | 43.59 .080 |  | n 82.98 .030 |
|  | 20 | Temporary | 10 | 43.59 .090 | 65 | Eff. date |
|  | 21 | Temporary | 11 | 43.59 .100 |  | n82.04.050 |
|  | 22 | Temporary | 12 | 43.59 .110 | 1501 | 44.60.010 |
|  | 23 | Temporary | 13 | 43.59 .120 | 2 | Par. veto |
|  | 24 | Temporary | 14 | 43.59 .130 |  | 44.60 .020 |
|  | 25 | Temporary | 15 | Repealer | 3 | 44.60 .030 |
|  | 26 | Temporary | 16 | Vetoed | 4 | 44.60 .040 |
|  | 27 | Temporary | 17 | Em. | 5 | 44.60.050 |
|  | 28 | Leg. rev. | 1481 | 43.83 .090 | 6 | 44.60.070 |
|  | 29 | 47.38 .010 | 2 | 43.83.092 | 7 | Par. veto |
|  | 30 | 47.38 .020 | 3 | 43.83.094 |  | 44.60 .060 |
|  | 31 | 47.38 .030 | 4 | 43.83 .096 | 8 | 44.60.080 |
|  | 32 | 47.38 .040 | 5 | 43.83.098 | 9 | 44.60.090 |
|  | 33 | 47.54.010 | 6 | 43.83.100 | 10 | Em. |
|  | 34 | 47.54.020 | 7 | 43.83.102 |  |  |
|  | 35 | 84.36 .010 | 8 | 43.83.104 |  |  |
|  | 36 | 84.60.050 | 9 | Vetoed |  |  |
|  | 37 | 84.60.060 | 1491 | 28A.45.035 |  |  |
|  | 38 | 47.36 .100 | 2 | 28A.45.040 |  |  |
|  | 39 | 47.28.070 | 3 | 28A.45.120 |  |  |
|  | 40 | 47.28.030 | 4 | 82.04.050 |  |  |
|  | 41 | 47.04.020 | 5 | 82.04.130 |  |  |

1969 REGULAR SESSION LAWS


Parallel Tables: 1969 Regular Session Laws-—RCW


|  | Sec. | Rev. Code of Wash. |  | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | 29 | 15.26.290 |  | 4 | 81.53 .291 |
|  | 30 | 15.26.300 |  | 5 | Vetoed |
|  | 31 | Leg. rev. |  | 6 | Approp. |
|  | 32 | 15.26.900 |  | 7 | 81.53 .275 |
|  | 33 | Sev. |  | 8 | 81.53 .240 |
|  |  | 15.26.910 |  | 9 | Repealer |
| 130 | 1 | 28.41.140 |  | 10 | Em. |
|  | 2 | 28.48 .040 | 135 | 1 | Par. veto |
|  | 3 | 28.58.230 |  |  | 46.61 .425 |
|  | 4 | 28.58.240 | 136 | 1 | 30.04.110 |
|  | 5 | 28.58.245 |  | 2 | 30.04.180 |
|  | 6 | 28.58.075 |  | 3 | 30.08.010 |
|  | 7 | 28A.41.140 |  | 4 | 30.08.095 |
|  | 8 | 28A.48.040 |  | 5 | 30.12.060 |
|  | 9 | 28A.58.230 |  | 6 | 30.40.020 |
|  | 10 | 28A.58.240 |  | 7 | 30.04.215 |
|  | 11 | 28A.58.245 |  | 8 | 30.12.010 |
|  | 12 | 28A.58.075 |  | 9 | 30.12.020 |
|  | 13 | Constr. | 137 |  | 84.36.030 |
|  | 14 | Em. |  | 2 | 84.36.031 |
| 131 | 1 | 29.21.180 | 138 | 1 | Par. veto |
|  | 2 | 29.21 .210 |  |  | 28.41.130 |
|  | 3 | 29.21.230 |  | 2 | Par. veto |
|  | 4 | 28.57.338 |  |  | 28A.41.130 |
|  | 5 | 28.57.425 |  | 3 | Constr. |
|  | 6 | 28.57.426 |  | 4 | Eff. date |
|  | 7 | 28.57.430 |  | 5 | Eff. date |
|  | 8 | 28A.57.312 | 139 |  | 82.40.040 |
|  | 9 | 28A.57.425 |  | 2 | Vetoed |
|  | 10 | Par. veto |  | 3 | 82.40.050 |
|  |  | 28A.57.455 |  | 4 | 82.42.060 |
|  | 11 | 28A.57.336 |  | 5 | 82.44.070 |
|  | 12 | Constr. | 140 | 1 | 4.92.130 |
|  | 13 | Em. |  | 2 | 4.92.160 |
|  | 14 | Em. |  | 3 | 4.92 .170 |
| 132 | 1 | 81.70 .020 |  | 4 | 4.92.131 |
|  | 2 | 81.70 .040 |  | 5 | Sev. |
|  | 3 | 81.70 .050 |  |  | 4.92.130 |
|  | 4 | 81.70.060 |  | 6 | Em. |
|  | 5 | Par. veto | 141 | 1 | 70.84.010 |
|  |  | 81.70.070 |  | 2 | 70.84.020 |
|  | 6 | Par. veto |  | 3 | 70.84.030 |
|  |  | 81.70 .080 |  | 4 | 70.84.040 |
|  | 7 | 81.70 .090 |  | 5 | 70.84.050 |
|  | 8 | 81.70 .095 |  | 6 | 70.84.060 |
|  | 9 | 81.70 .100 |  | 7 | 70.84.070 |
|  | 10 | 81.70 .110 |  | 8 | Vetoed |
|  | 11 | 81.70 .120 |  | 9 | 70.84.080 |
|  | 12 | Par. veto |  | 10 | Repealer |
|  |  | 81.70 .130 |  | 11 | $70.84 .900$ |
|  | 13 | 81.70 .150 | 142 | 1 | 28.51.010 |
|  | 14 | 81.70 .180 |  | 2 | 28A.51.010 |
|  | 15 | 81.70 .200 |  | 3 | 39.36.020 |
| 133 | 1 | 16.67.010 |  | 4 | Vetoed |
|  | 2 | 16.67.030 |  | 5 | 36.67.040 |
|  | 3 | 16.67.040 |  | 6 | Val. |
|  | 4 | 16.67.050 |  |  | 39.36.900 |
|  | 5 | 16.67.060 |  | 7 | Constr. |
|  | 6 | 16.67.070 |  | 8 | Em. |
|  | 7 | 16.67.080 | 143 | 1 | 48.44.025 |
|  | 8 | Par. veto |  | 2 | 18.53.145 |
|  |  | 16.67.090 | 144 | 1 | Repealer |
|  | 9 | 16.67.100 |  |  |  |
|  | 10 | 16.67.110 |  |  |  |
|  | 11 | 16.67.120 |  |  |  |
|  | 12 | 16.67.130 |  |  |  |
|  | 13 | 16.67.140 |  |  |  |
|  | 14 | 16.67.150 |  |  |  |
|  | 15 | 16.67.160 |  |  |  |
|  | 16 | 16.67.170 |  |  |  |
|  | 17 | Sev. |  |  |  |
|  |  | 16.67.910 |  |  |  |
|  | 18 | Vetoed |  |  |  |
|  | 19 | 16.67.020 |  |  |  |
|  | 20 | Constr. |  |  |  |
|  |  | 16.67.900 |  |  |  |
|  | 21 | Em. |  |  |  |
|  |  | Eff. date |  |  |  |
|  |  | 16.67.920 |  |  |  |
| 13 | 1 | 81.53.261 |  |  |  |
|  | 2 | 81.53 .271 |  |  |  |
|  | 3 | Par. veto |  |  |  |
|  |  | 81.53.281 |  |  |  |

## 1969 EXTRAORDINARY SESSION LAWS

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. |  | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 1 | Approp. |  |  | Digest |
|  | 2 | Approp. |  | 2 | Special |
|  | 3 | Approp. |  |  | n Title 38 |
| 2 | 4 | Em. |  |  | Digest |
|  | 1 | 28.13 .010 |  | 3 | Special |
|  | 2 | 28A.13.010 |  |  | n Title 38 |
| 3 | 3 | Constr. |  |  | Digest |
|  | 4 | Em. | 23 | 1 | 75.12 .650 |
|  | 1 | 28.41.170 |  | 2 | Eff. date |
|  | 2 | 28A.41.170 |  |  | n75.12.650 |
| 4 | 3 | Constr. | 24 | 1 | 4.24 .200 |
|  | 4 | Em. |  | 2 | 4.24 .210 |
|  | 1 | 9.95.062 | 25 | 1 | 70.01 .010 |
|  | 2 | 36.63.255 | 26 | 1 | 28.58.310 |
| 5 | 3 | Em. |  | 2 | 28A.58.310 |
|  | 1 | 36.47.020 |  | 3 | Constr. |
|  | 2 | 36.47.030 |  | 4 | Em. |
|  | 3 | 36.47.040 | 27 | 1 | 43.75 .050 |
|  | 4 | 36.47.050 |  | 2 | 43.75 .060 |
|  | 5 | 36.47 .060 |  | 3 | 43.75 .120 |
| 6 | 1 | 3.74 .030 | 28 | 1 | Special |
|  | 1 | 46.37.420 |  |  | n Title 79 |
|  | 2 | 47.36.250 |  |  | Sub. Index |
| 8 | 1 | 36.01.080 |  | 2 | Special |
|  | 2 | 36.67.520 |  |  | $n$ Title 79 |
| 9 | 1 | 53.16.010 |  |  | Sub. Index |
|  | 2 | Em. |  | 3 | Em. |
| 10 | 1 | 82.12 .045 | 29 | 1 | 35A.11.020 |
| 11 | 1 | 53.08.091 |  | 2 | Eff. date |
|  | 2 | Em. |  |  | n35A. 11.020 |
| 12 | 1 | 46.61.410 | 30 | 1 | 53.08 .090 |
| 13 | 1 | 47.60.275 | 31 | 1 | 43.51 .020 |
| 14 | 1 | 79.01.133 |  | 2 | 43.51 .061 |
|  | 2 | 79.01.132 | 32 | 1 | 43.22 .010 |
|  | 3 | 79.01.184 |  | 2 | 43.22.005 |
|  | 4 | 79.01.200 |  | 3 | 43.22.053 |
|  | 5 | Repealer | 33 | 1 | 35.39 .030 |
| 15 | 1 | 28.67.070 |  | 2 | 35.39.032 |
|  | 2 | 28A.67.070 |  | 3 | 35.39.034 |
|  | 3 | Constr. |  | 4 | Eff. date |
|  | 4 | Em. |  |  | n35.39.030 |
| 16 | 1 | 75.08.230 | 34 | 1 | 28.67.070 |
|  | 2 | 75.12 .130 |  | 2 | 28.58.450 |
| 17 | 1 | 77.32.031 |  | 3 | 28.58 .460 |
| 18 | 1 | 77.12 .020 |  | 4 | 28.58 .480 |
|  | 2 | 77.12.030 |  | 5 | 28.58.490 |
|  | 3 | 77.12.040 |  | 6 | 28.88.010 |
| 1920 | 1 | 77.08.020 |  | 7 | 28.58.515 |
|  | 1 | 43.43.330 |  | 8 | 28.19.601 |
|  | 2 | 43.43.350 |  | 9 | 28.19.602 |
| 21 | 1 | 66.24.160 |  | 10 | 28.58.445 |
|  | 2 | 66.24.200 |  | 11 | 28.67.065 |
|  | 3 | 66.24.210 |  | 12 | 28A.67.070 |
|  | 4 | 66.24.230 |  | 13 | 28A.58.450 |
|  | 5 | 66.24.310 |  | 14 | 28A.58.460 |
|  | 6 | 66.28.030 |  | 15 | 28A.58.480 |
|  | 7 | 66.28 .040 |  | 16 | 28A.58.490 |
|  | 8 | 66.28.050 |  | 17 | 28A.88.010 |
|  | 9 | 66.24.204 |  | 18 | 28A.58.515 |
|  | 10 | 66.24.206 |  | 19 | 28A.21.105 |
|  | 11 | 82.08.150 |  | 20 | 28A. 21.106 |
|  | 12 | 82.08.160 |  | 21 | 28A.58.445 |
|  | 13 | 66.04 .010 |  | 22 | 28A.67.065 |
|  | 14 | 66.28.025 |  | 23 | Constr. |
|  | 15 | Eff. date |  | 24 | Em. |
|  |  | n66.04.010 | 35 | 1 | 26.44.010 |
| 22 | 1 | Special |  | 2 | 26.44.020 |
|  |  | n Title 38 |  | 3 | 26.44.030 |

Parallel Tables: 1969 Extraordinary Session Laws- - RCW

| Chap. | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 80 | 1 | 43.80 .100 | 17 | 35.33.121 | 107 1 | 29.79.200 | 4 | Temporary | 43 | 24.06.215 |
|  | 2 | 43.80 .110 | 18 | 35.33.125 | 2 | 29.79.220 | 5 | Em. | 44 | 24.06.220 |
|  | 3 | 43.80.120 | 19 | 35.33.131 | 3 | Repealer | 1191 | 28.65.010 | 45 | 24.06.225 |
|  | 4 | 43.80 .130 | 20 | 35.33.135 | 108 1 | 70.87.010 | 2 | 28.65.020 | 46 | 24.06.230 |
|  | 5 | 43.80.140 | 21 | 35.33.141 | 2 | 70.87.050 | 3 | 28.65.095 | 47 | 24.06.235 |
|  | 6 | 43.80.150 | 22 | 35.33.145 | 3 | 70.87.130 | 4 | 28.65.040 | 48 | 24.06.240 |
|  | 7 | 43.80.160 | 23 | 35.33.147 | 4 | 70.87.200 | 5 | 28.65.060 | 49 | 24.06.245 |
|  | 8 | Eff. date | 24 | 35.33.151 | 109 | 28.27.010 | 6 | 28.65.080 | 50 | 24.06.250 |
|  |  | 43.80 .900 | 25 | 35.33.170 |  | 28A.27.010 | 7 | 28.65.090 | 51 | 24.06.255 |
|  | 9 | Leg. rev. | 26 | Repealer |  | Constr. | 8 | 28.65.100 | 52 | 24.06.260 |
|  | 10 | Repealer | $96 \quad 1$ | 43.51 .500 |  | Em. | 9 | 28.65.110 | 53 | 24.06.265 |
| 81 | 1 | 35A. 13.035 | 2 | 43.51 .520 | $110 \quad 1$ | 9.86.030 | 10 | 28.65.120 | 54 | 24.06.270 |
|  | 2 | 35A.33.010 | 3 | 43.51 .530 | 2 | Repealer | 11 | 28.65.180 | 55 | 24.06.275 |
|  | 3 | 35A.33.075 | $97 \quad 1$ | 79.01.512 | 111 | 36.93.030 | 12 | 28.65.141 | 56 | 24.06.280 |
|  | 4 | 35A.33.125 | 2 | 79.01.516 | 2 | 36.93.050 | 13 | 28.65.142 | 57 | 24.06.285 |
|  | 5 | 35A. 63.030 | 3 | 79.01.520 | 3 | 36.93.060 | 14 | 28.65.150 | 58 | 24.06.290 |
|  | 6 | 35A. 63.040 | $98 \quad 1$ | 28B.50.221 | 4 | 36.93.080 | 15 | 28.65.153 | 59 | 24.06.295 |
|  | 7 | Eff: date | 2 | Leg. rev. | 5 | 36.93.090 | 16 | 28.65.155 | 60 | 24.06.300 |
|  |  | n35A. 13.035 | $99 \quad 1$ | 68.05 .170 | 6 | 36.93.120 | 17 | 28.65.170 | 61 | 24.06.305 |
| $\begin{aligned} & 82 \\ & 83 \end{aligned}$ | 1 | 18.64.009 | 2 | 68.05.210 | 7 | 36.93.130 | 18 | Repealer | 62 | 24.06.310 |
|  | 1 | 23A.08.060 | 3 | 68.05.220 | 8 | 36.93.150 | 19 | Em. | 63 | 24.06.315 |
|  | 2 | 23A.08.480 | 4 | 68.05.230 | 9 | 36.93.160 | 20 | 28A.65.010 | 64 | 24.06.320 |
|  | 3 | 23A.40.020 | 5 | 68.05.255 | 10 | 36.93.920 | 21 | 28A.65.020 | 65 | 24.06.325 |
|  | 4 | 23A.44.170 | $100 \quad 1$ | 15.80.300 | 1121 | 66.24.410 | 22 | 28A.65.095 | 66 | 24.06.330 |
|  | 5 | Em. | 2 | 15.80.310 | 2 | 66.28.130 | 23 | 28A. 65.040 | 67 | 24.06.335 |
| 84 | 1 | 60.04.020 | 3 | 15.80 .320 | 3 | Repealer | 24 | 28A. 65.060 | 68 | 24.06.340 |
| 85 | 1 | Special | 4 | 15.80.330 | 1131 | 17.10.010 | 25 | 28A. 65.080 | 69 | 24.06.345 |
|  |  | n Title 79 | 5 | 15.80 .340 | 2 | 17.10.020 | 26 | 28A. 65.090 | 70 | 24.06.350 |
|  |  | Sub. Index | 6 | 15.80.350 | 3 | 17.10.030 | 27 | 28A.65.100 | 71 | 24.06.355 |
|  |  | n Title 38 | 7 | 15.80.360 | 4 | 17.10.040 | 28 | 28A.65.110 | 72 | 24.06.360 |
|  |  | Digest | 8 | 15.80.370 | 5 | 17.10.050 | 29 | 28A. 65.120 | 73 | 24.06.365 |
| $\begin{aligned} & 86 \\ & 87 \\ & 88 \\ & 89 \end{aligned}$ | 1 | 38.08 .090 | 9 | 15.80.380 | 6 | 17.10.060 | 30 | 28A.65.180 | 74 | 24.06.370 |
|  | 1 | 36.22.050 | 10 | 15.80.390 | 7 | 17.10.070 | 31 | 28A.65.141 | 75 | 24.06.375 |
|  | 1 | 43.06.055 | 11 | 15.80.400 | 8 | 17.10.080 | 32 | 28A.65.142 | 76 | 24.06.380 |
|  | 1 | 35.10 .200 | 12 | 15.80.410 | 9 | 17.10 .090 | 33 | 28A. 65.150 | 77 | 24.06.385 |
|  | 2 | 35.10 .211 | 13 | 15.80 .420 | 10 | 17.10.100 | 34 | 28A.65.153 | 78 | 24.06.390 |
|  | 3 | 35.10 .215 | 14 | 15.80 .430 | 11 | 17.10.110 | 35 | 28A.65.155 | 79 | 24.06.395 |
|  | 4 | 35.10.217 | 15 | 15.80 .440 | 12 | 17.10.120 | 36 | 28A.65.170 | 80 | 24.06.400 |
|  | 5 | 35.10 .220 | 16 | 15.80.450 | 13 | 17.10.130 | 37 | Repealer | 81 | 24.06.405 |
|  | 6 | 35.10.230 | 17 | 15.80.460 | 14 | 17.10.140 | 38 | Constr. | 82 | 24.06.410 |
|  | 7 | 35.10.240 | 18 | 15.80.470 | 15 | 17.10.150 | 39 | Em. | 83 | 24.06.415 |
|  | 8 | 35.10 .245 | 19 | 15.80.480 | 16 | 17.10.160 | $120 \quad 1$ | 24.06.005 | 84 | 24.06.420 |
|  | 9 | 35.10.250 | 20 | 15.80.490 | 17 | 17.10.170 | 2 | 24.06.010 | 85 | 24.06.425 |
|  | 10 | 35.10.265 | 21 | 15.80 .500 | 18 | 17.10.180 | 3 | 24.06.015 | 86 | 24.06.430 |
|  | 11 | 35.10 .260 | 22 | 15.80 .510 | 19 | 17.10.190 | 4 | 24.06.020 | 87 | 24.06.435 |
|  | 12 | 35.10 .300 | 23 | 15.80.520 | 20 | 17.10.200 | 5 | 24.06.025 | 88 | 24.06.440 |
|  | 13 | 35.10 .310 | 24 | 15.80.530 | 21 | 17.10.210 | 6 | 24.06.030 | 89 | 24.06.445 |
|  | 14 | 35.10.315 | 25 | 15.80.540 | 22 | 17.10.220 | 7 | 24.06.035 | 90 | 24.06.450 |
|  | 15 | 35.10.317 | 26 | 15.80.550 | 23 | 17.10.230 | 8 | 24.06.040 | 91 | 24.06.455 |
|  | 16 | 35.10.320 | 27 | 15.80.560 | 24 | 17.10.240 | 9 | 24.06.045 | 92 | 24.06.460 |
|  | 17 | 35.10 .331 | 28 | 15.80.570 | 25 | 17.10.250 | 10 | 24.06.050 | 93 | 24.06.465 |
|  | 18 | Repealer | 29 | 15.80.580 | 26 | 17.10.900 | 11 | 24.06.055 | 94 | 24.06.470 |
|  | 19 | Sev. | 30 | 15.80 .590 | 27 | Sev. | 12 | 24.06.060 | 95 | 24.06.475 |
|  |  | 35.10 .900 | 31 | 15.80.600 |  | 17.10.910 | 13 | 24.06.065 | 96 | 24.06.480 |
| 9091 | 1 | 9.41 .170 | 32 | 15.80 .610 | 28 | 17.10.260 | 14 | 24.06.070 | 97 | 24.06.485 |
|  | 1 | 75.24.060 | 33 | 15.80 .620 | 11429 | Leg. rev. | 15 | 24.06.075 | 98 | 24.06.490 |
|  | 2 | 75.28.290 | 34 | 15.80 .630 | 1141 | 70.05.050 | 16 | 24.06.080 | 99 | 24.06.495 |
| 92 | 1 | 23A. 28.130 | 35 | 15.80 .640 | 2 | 70.05.051 | 17 | 24.06.085 | 100 | 24.06.500 |
|  | 2 | 23A.40.060 | 36 | 15.80 .650 | 3 | 70.05.053 | 18 | 24.06.090 | 101 | 24.06.505 |
|  | 3 | 23A.40.070 | 37 | 15.80.900 | 4 | 70.05.054 | 19 | 24.06.095 | 102 | 24.06.510 |
|  | 4 | 23A.40.075 | 38 | Eff. date | $115 \quad 5$ | 70.05.055 | 20 | 24.06.100 | 103 | 24.06.515 |
|  | 5 | Repealer |  | 15.80.910 | 1151 | 24.03.080 | 21 | 24.06.105 | 104 | 24.06.900 |
| 93 | 1 | 87.04 .090 | 39 | Sev. | 2 | 24.03.085 | 22 | 24.06.110 | 105 | 24.06.905 |
| 94 | 1 | Vetoed |  | 15.80.920 | 16 | 24.03.230 | 23 | 24.06.115 | 106 | 24.06.520 |
|  | 2 | $67.16 .130$ | 40 | Repealer | $116 \quad 1$ | 81.44 .091 | 24 | 24.06.120 | 107 | 24.06.525 |
|  | 3 | Eff. date | 1011 | Ef. date <br> n75.40.030 | 2 | 81.44 .092 8144.093 | 25 | 24.06.125 | 108 | Sev. |
|  |  | $\text { n } 67.16 .130$ |  | n75.40.030 | 3 | 81.44 .093 | 26 | 24.06.130 |  | $24.06 .910$ |
| 95 | 1 | 35.33.011 | $102 \quad 2$ | 75.40 .030 | 4 | 81.44 .094 | 27 | 24.06.135 | 109 | 24.06.915 |
|  | 2 | 35.33 .020 3533.031 | 102 1 | 15.36.011 | 5 | 81.44 .095 81.44 .096 | 28 | 24.06.140 | 110 | Eff. date <br> 24.06 .920 |
|  | 3 | 35.33 .031 | 2 | Constr. | 6 | 81.44.096 | 29 | 24.06.145 |  | $24.06 .920$ |
|  | 4 | 35.33.041 |  | n 15.36 .011 | 7 | 81.44 .097 | 30 | 24.06.150 | 12111 | Leg. rev. |
|  | 5 | 35.33 .051 | 3 | 15.36 .075 | 8 | 81.44 .0971 | 31 | 24.06.155 | $121 \quad 1$ | 26.16.200 |
|  | 6 | 35.33.055 | 4 | 15.36.600 | 9 | 81.44 .0972 | 32 | 24.06.160 | 122 1 | 7.28.230 |
|  | 7 | 35.33 .057 | 5 | 15.32 .120 | 10 | 81.44 .098 | 33 | 24.06.165 | 1231 | 72.49.010 |
|  | 8 | 35.33 .061 | 6 | 15.36 .540 | 11 | 81.44 .0981 | 34 | 24.06 .170 | 2 | 72.49 .020 |
|  | 9 | 35.33 .071 | 7 | Repealer | 12 | 81.44 .0982 | 35 | 24.06.175 | 3 | Eff. date |
|  | 10 | 35.33 .075 | 1031 | 43.27A. 100 | 13 | 81.44 .099 | 36 | 24.06.180 |  | n72.49.010 |
|  | 11 | 35.33 .081 | 1042 | 43.27A. 060 | 14 | 81.44 .100 | 37 | 24.06 .185 | 124 1 | 84.36 .300 |
|  | 12 | 35.33.091 | 1041 | 82.32 .330 | 11715 | Repealer | 38 | 24.06.190 | 2 | 84.36 .310 |
|  | 13 | 35.33 .101 353.106 | 1051 | 43.59 .030 | $117 \quad 1$ | 47.56 .710 | 39 | 24.06.195 | 3 | 84.36 .320 |
|  | 14 | 35.33 .106 | 1061 | 42.14 .035 | 118 1 | Temporary | 40 | 24.06.200 | 4 | 84.36 .330 |
|  | 15 | 35.33.107 | 2 | 42.14.075 | 2 | Temporary | 41 | 24.06.205 | 5 | 84.56.180 |
|  | 16 | 35.33.111 | 3 | Em. | 3 | Temporary | 42 | 24.06.210 | 6 | Repealer |


[Parallel Tables--p 124]

Parallel Tables: 1969 Extraordinary Session Laws- - RCW

|  | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |  |  | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 3 | 70.94.068 | 2 | 74.08.080 | 50 | 28.57.070 | 133 | 28A.57.255 |  | 6 | Temporary |
|  | 4 | 70.94.069 | 3 | 74.32.051 | 51 | 28.57 .090 | 134 | 28A.57.260 |  |  | n 49.04.100 |
|  | 5 | 70.94.070 | 4 | 74.04.500 | 52 | 28.57 .130 | 135 | 28A.57.290 |  | 7 | Em. |
|  | 6 | 70.94.081 | 5 | 74.04.505 | 53 | 28.57.140 | 136 | 28A.57.300 |  | 8 | Sev. |
|  | 7 | 70.94.091 | 6 | 74.04.510 | 54 | 28.57.150 | 137 | 28A.57.328 |  |  | n 49.04.100 |
|  | 8 | 70.94.092 | 7 | 74.04.515 | 55 | 28.57.170 | 138 | 28A.57.350 | 18 | 1 | 28.48.010 |
|  | 9 | 70.94.093 | 8 | 74.04.520 | 56 | 28.57.180 | 139 | 28A.57.370 |  | 2 | 28.58.340 |
|  | 10 | 70.94.094 | 9 | 74.04.525 | 57 | 28.57 .190 | 140 | 28A.57.390 |  | 3 | 28A.48.010 |
|  | 11 | 70.94.095 | 10 | 74.08.043 | 58 | 28.57.200 | 141 | 28A.58.225 |  | 4 | 28A.61.030 |
|  | 12 | 70.94.096 | 11 | 74.08.044 | 59 | 28.57.240 | 142 | 28A.58.530 |  | 5 | Constr. |
|  | 13 | 70.94.100 | 12 | 74.08.045 | 60 | 28.57.245 | 143 | 28A.67.070 |  | 6 | Em. |
|  | 14 | 70.94.120 | 1731 | 74.04.005 | 61 | 28.57.255 | 144 | 28A.70.110 | 18 | 1 | 36.87.010 |
|  | 15 | 70.94.130 | 2 | 74.04.290 | 62 | 28.57.260 | 145 | 28A. 70.140 |  | 2 | 36.87 .080 |
|  | 16 | 70.94.141 | 3 | 74.04.057 | 63 | 28.57 .290 | 146 | 28A. 71.100 |  | 3 | 36.40.140 |
|  | 17 | 70.94.142 | 4 | 74.04.011 | 64 | 28.57.300 | 147 | 28A. 87.030 |  | 4 | 36.87 .100 |
|  | 18 | 70.94.143 | 5 | 74.08.090 | 65 | 28.57.350 | 148 | 28A.87.050 |  | 5 | 36.87 .110 |
|  | 19 | 70.94.151 | 6 | 74.08.060 | 66 | 28.57.370 | 149 | 28A.87.080 |  | 6 | 36.87.120 |
|  | 20 | 70.94.152 | 7 | 74.08 .390 | 67 | 28.57.390 | 150 | 28A. 87.090 |  | 7 | 36.87 .130 |
|  | 21 | 70.94.170 | 8 | 74.09.180 | 68 | 28.58.530 | 151 | 28A.87.100 |  | 8 | Sev. |
|  | 22 | 70.94.181 | 9 | 74.09.182 | 69 | 28.67 .070 | 152 | 28A.87.110 |  |  | 36.87.900 |
|  | 23 | 70.94.205 | 10 | 74.09.184 | 70 | 28.70.040 | 153 | 28A.87.170 | 186 | 1 | 43.06.200 |
|  | 24 | 70.94.211 | 11 | 74.09.520 | 71 | 28.70.060 | 154 | 28A.88.020 |  | 2 | 43.06.210 |
|  | 25 | 70.94.221 | 12 | 74.09.186 | 72 | 28.70 .110 | 155 | 28B. 40.380 |  | 3 | 43.06.220 |
|  | 26 | 70.94.222 | 13 | 74.12 .010 | 73 | 28.70.140 | 156 | 28A.57.326 |  | 4 | 43.06.230 |
|  | 27 | 70.94.223 | 14 | 74.20 .210 | 74 | 28.71.100 | 157 | Constr. |  | 5 | 43.06.240 |
|  | 28 | 70.94.230 | 15 | 74.20 .220 | 75 | 28.81 .100 | 158 | Em. |  | 6 | 43.06.250 |
|  | 29 | 70.94.231 | 16 | 74.20.101 | 76 | 28.87.030 | 159 | Repealer |  | 7 | 43.06.260 |
|  | 30 | 70.94.240 | 17 | 74.20.292 | 77 | 28.87.050 | 160 | Constr. |  | 8 | 43.06.010 |
|  | 31 | 70.94.260 | 18 | 74.04.300 | 78 | 28.87.070 |  | n 28A. 21.010 |  | 9 | 43.06.270 |
|  | 32 | 70.94.300 | 19 | Repealer | 79 | 28.87.080 | 161 | Sev. |  | 0 | Constr. |
|  | 33 | 70.94.320 |  | n 74.20.100 | 80 | 28.87.090 |  | n28A.21.010 |  |  | n 43.06.200 |
|  | 34 | 70.94.331 | 1741 | 41.56.220 | 81 | 28.87 .100 | 162 | Em. |  | 1 | Sev. |
|  | 35 | 70.94.334 | 1751 | 9.41.025 | 82 | 28.87.110 | 1771 | Approp. |  |  | n43.06.200 |
|  | 36 | 70.94 .380 | 2 | Repealer | 83 | 28.87.170 | 2 | Approp. | 187 | 1 | 43.83 .100 |
|  | 37 | 70.94.385 | 176 1 | 28A.21.010 | 84 | 28.88.020 | 3 | Approp. | 188 | 1 | 42.21 .060 |
|  | 38 | 70.94.390 | 2 | 28A. 21.020 | 85 | 28.63.020 | 4 | Em. | 189 |  | 79.08.1064 |
|  | 39 | 70.94.395 | 3 | 28A.21.030 | 86 | 28.63.022 | 178 1 | 66.08.050 |  | 2 | 79.08.1066 |
|  | 40 | 70.94.400 | 4 | 28A. 21.040 | 87 | 29.21 .080 | 2 | 66.20 .200 |  | 3 | 79.08.1069 |
|  | 41 | 70.94.405 | 5 | 28A. 21.050 | 88 | 29.21 .085 | 3 | 66.24.010 |  | 4 | Repealer |
|  | 42 | 70.94.410 | 6 | 28A. 21.060 | 89 | 29.21 .150 | 4 | 66.24.270 | 190 | 1 | 48.56 .010 |
|  | 43 | 70.94.415 | 7 | 28A. 21.070 | 90 | 29.21 .180 | 5 | 66.24.380 |  | 2 | 48.56 .020 |
|  | 44 | 70.94.420 | 8 | 28A. 21.080 | 91 | 36.16.050 | 6 | 66.24.420 |  | 3 | 48.56 .030 |
|  | 45 | 70.94.510 | 9 | 28A.21.090 | 92 | 36.16.070 | 7 | 66.24.490 |  | 4 | 48.56 .040 |
|  | 46 | Repealer | 10 | 28A.21.100 | 93 | 36.68.030 | 8 | 66.28.080 |  | 5 | 48.56.050 |
|  |  | $70.94 .902$ | 11 | 28A.21.110 | 94 | 36.68.040 | 9 | 66.24.500 |  | 6 | 48.56 .060 |
|  | 47 | 70.94.520 | 12 | 28A. 21.120 | 95 | 41.32 .010 | 10 | Repealer |  | 7 | 48.56 .070 |
|  | 48 | 70.94.530 | 13 | 28A.21.130 | 96 | 41.32 .420 | 11 | Vetoed |  | 8 | 48.56 .080 |
|  | 49 | 70.94.540 | 14 | 28A. 21.140 | 97 | 72.40 .060 | 12 | 66.28.020 |  | 9 | 48.56 .090 |
|  | 50 | 70.94.550 | 15 | 28A.21.150 | 98 | 72.40 .070 | 1791 | 70.100.010 |  | 0 | 48.56 .100 |
|  | 51 | 70.94.560 | 16 | 28A. 21.160 | 99 | 72.40 .080 | 2 | 70.100 .020 |  | 1 | 48.56.110 |
|  | 52 | 70.94.600 | 17 | 28A.21.170 | 100 | 72.40 .100 | 3 | 70.100 .030 |  | 2 | 48.56 .120 |
|  | 53 | 70.94.431 | 18 | 28A.21.180 | 101 | 28A.02.070 | 4 | 70.100.040 |  | 3 | 48.56.130 |
|  | 54 | Em. | 19 | Temporary | 102 | 28A.03.030 | 5 | Leg. rev. |  | 4 | Leg. rev. |
| $169$ | 1 | 46.16.090 | 20 | 28A. 21.190 | 103 | 28A.03.050 | 1801 | 47.28 .050 |  | 5 | Eff. date |
| 170 | 1 | 46.12.181 | 21 | 28A. 21.200 | 104 | 28A. 24.080 | 2 | 47.28 .030 |  |  | 48.56.900 |
|  | 2 | 46.16 .040 | 22 | 28A. 21.210 | 105 | 28A. 27.040 | 3 | 47.56.030 | 191 | 1 | Val. |
|  | 3 | 46.16.060 | 23 | 28A. 21.220 | 106 | 28A. 27.080 | 4 | Repealer |  |  | n35.37.050 |
|  | 4 | 46.16.083 | 24 | 28A. 21.230 | 107 | 28A.27.102 | 181 | Арргор. |  | 2 | Em. |
|  | 5 | 46.16.100 | 25 | 27.16.010 | 108 | 28A.48.010 | 2 | Approp. | 192 | 1 | 3.58 .020 |
|  | 6 | 46.16.111 | 26 | 27.16.020 | 109 | 28A.48.030 | 3 | Approp. | 193 |  | 39.58.010 |
|  | 7 | 46.16.135 | 27 | 27.16.030 | 110 | 28A.48.050 | 4 | Em. |  | 2 | 39.58.020 |
|  | 8 | 46.16.160 | 28 | 27.16.040 | 111 | 28A.48.055 | 1821 | 36.75 .010 |  | 3 | 39.58.030 |
|  | 9 | 46.16.220 | 29 | 27.16.050 | 112 | 28A.48.060 | 2 | 36.32.210 |  | 4 | 39.58.040 |
|  | 10 | 46.16.240 | 30 | 27.16.060 | 113 | 28A.48.090 | 3 | 36.75.060 |  | 5 | 39.58 .050 |
|  | 11 | 46.16.260 | 31 | 28.02.020 | 114 | 28A.48.100 | 4 | 36.75.140 |  | 6 | 39.58 .060 |
|  | 12 | 46.20.070 | 32 | 28.02.070 | 115 | 28A.57.031 | 5 | 36.78.080 |  | 7 | 39.58.070 |
|  | 13 | 46.20.205 | 33 | 28.03.030 | 116 | 28A. 57.032 | 6 | 36.80 .010 |  | 8 | 39.58.080 |
|  | 14 | 46.20.293 | 34 | 28.03.050 | 117 | 28A. 57.033 | 7 | 36.80.020 |  | 9 | 39.58 .090 |
|  | 15 | 46.16.115 | 35 | 28.24.080 | 118 | 28A.57.035 | 8 | 36.80.030 |  | 10 | 39.58.100 |
|  | 16 | 46.12.095 | 36 | 28.24 .110 | 119 | 28A. 57.040 | 9 | 36.80.040 |  | 11 | 39.58.110 |
|  | 17 | Repealer | 37 | 28.27.040 | 120 | 28A. 57.050 | 10 | 36.80.060 |  | 12 | 39.58.120 |
| 171 | 1 | 47.26.120 | 38 | 28.27 .080 | 121 | 28A. 57.070 | 11 | 36.80.070 |  | 13 | 39.58.130 |
|  | 2 | 47.26.130 | 39 | 28.27.102 | 122 | 28A. 57.075 | 12 | 36.82.010 |  | 14 | 43.85 .010 |
|  | 3 | 47.26.140 | 40 | 28.48.010 | 123 | 28A. 57.090 | 13 | 36.82.1 30 |  | 15 | 43.85.030 |
|  | 4 | 47.26.190 | 41 | 28.48.030 | 124 | 28A. 57.130 | 14 | 36.82.160 |  | 16 | 43.85 .040 |
|  | 5 | 47.26.280 | 42 | 28.48.050 | 125 | 28A. 57.140 | 15 | 36.75.040 |  | 17 | 43.85.060 |
|  | 6 | 47.26.450 | 43 | 28.48.055 | 126 | 28A. 57.150 | 18316 | Repealer |  | 18 | 43.85.070 |
|  | 7 | 47.26.460 | 44 | 28.48.060 | 127 | 28A.57.170 | 1831 | Constr. |  | 19 | 43.85.150 |
|  | 8 | Constr. | 45 | 28.48.090 | 128 | 28A. 57.180 |  | n 49.04 .100 |  | 20 | 43.85.170 |
|  |  | 47.26 .930 | 46 | 28.48 .100 | 129 | 28A. 57.190 | 2 | 49.04.100 |  | 21 | 43.85.190 |
|  | 9 | Repealer | 47 | 28.57 .030 | 130 | 28A. 57.200 | 3 | 49.04.110 |  | 22 | 35.38.010 |
|  | 10 | Em. | 48 | 28.57 .040 | 131 | 28A.57.240 | 4 | 49.04.1 20 |  | 23 | 35.38.020 |
| 172 | 1 | 74.08.070 | 49 | 28.57.050 | 132 | 28A.57.245 | 5 | 49.04.130 |  | 24 | 35.38.030 |

Parallel Tables: 1969 Extraordinary Session Laws - - RCW

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 25 | 35.38.040 | 50 | 28.87.080 | 37 | 41.20 .060 | 8 | 46.20.055 | 8 | 19.31.080 |
| 26 | 36.29.020 | 51 | 28.87 .130 | 38 | 41.16.145 | 9 | 46.20.070 | 9 | 19.31 .090 |
| 27 | 36.48.010 | 52 | 28.87.140 | 39 | 41.20 .005 | 10 | 46.20 .100 | 10 | 19.31.100 |
| 28 | 36.48.020 | 53 | 28A.27.102 | 40 | 41.18 .010 | 11 | Vetoed | 11 | 19.31 .110 |
| 29 | 39.58.140 | 54 | 28A.27.104 | 41 | 41.18.190 | 12 | 46.04.700 | 12 | 19.31.120 |
| 30 | Repealer | 55 | 28A.87.010 | 42 | Sev . | 13 | Em. | 13 | 19.31.130 |
| 31 | Leg. rev. | 56 | 28A.87.030 |  | 41.26 .900 | 219 1 | 41.20 .050 | 14 | 19.31.140 |
| 32 | Sev. | 57 | 28A.87.060 | 43 | 41.26.910 | 2 | 41.20 .060 | 15 | 19.31.150 |
|  | n 39.58.010 | 58 | 28A.87.070 | 44 | Approp. | 3 | 41.26.110 | 16 | 19.31.160 |
| 33 | Constr. | 59 | 28A.87.080 |  | n41.26.920 | 4 | 41.26.150 | 17 | 19.31 .170 |
|  | n 39.58.010 | 60 | 28A.87.130 | 45 | Em. | 5 | Sev. | 18 | 19.31.180 |
| 1941 | 69.04.333 | 61 | 28A.87.140 |  | Eff. date |  | n41.26.110 | 19 | 19.31.190 |
| $2$ | 69.04.334 | 62 | Constr. |  | 41.26.920 | 6 | Eff. date | 20 | Par. veto |
| 3 | 69.04.335 | 63 | Em. | 46 | Leg. rev. |  | n41.26.110 |  | 19.31 .200 |
| 1951 | 86.15 .025 | 64 | Repealer | $210 \quad 1$ | 80.04.500 | $220 \quad 1$ | 43.100 .030 | 21 | 19.31 .210 |
| 2 | 86.15 .030 | 2001 | 50.32.025 | 2 | 80.28.210 | 2 | 43.100 .080 | 22 | 19.31 .220 |
| 3 | 86.15 .165 | 2 | Em. | 3 | 80.28.212 | 3 | 43.100 .085 | 23 | 19.31 .230 |
| 4 | 86.16.095 | 201 1 | 50.16 .030 | 4 | 81.12 .010 | 4 | Approp. | 24 | 19.31 .240 |
| $196 \quad 1$ | 28.81.055 | 2021 | 2.12 .035 | 5 | 81.16 .010 | $221 \quad 1$ | 2.06 .010 | 25 | 19.31 .250 |
| 2 | 28B.40.225 | 2 | Em. | 6 | 81.24 .010 | 2 | 2.06.020 | 26 | 19.31.260 |
| 3 | Constr. | 2031 | 74.32.100 | 7 | 81.44.085 | 3 | 2.06.030 | 27 |  |
| 4 | Em. | 2 | 74.32.110 | 8 | 81.53 .060 | 4 | 2.06.040 |  | $19.31 .900$ |
| $197 \quad 1$ | 47.12 .180 | 3 | 74.32.120 | 9 | 81.53 .080 | 5 | 2.06 .050 | 28 | Eff. date |
| 2 | 47.12.200 | 4 | 74.32.130 | 10 | 81.68 .010 | 6 | 2.06.060 |  | 19.31 .910 |
| 3 | 47.12.210 | 2041 | 35.86A. 010 | 11 | 81.77 .080 | 7 | 2.06.070 | 229 1 | 43.22.340 |
| 4 | 47.12 .220 | 2 | 35.86A. 020 | 12 | 81.80 .270 | 8 | 2.06.080 | 2 | Par. veto |
| 5 | 47.12.230 | 3 | 35.86A. 030 | 13 | 81.80 .300 | 9 | 2.06.090 |  | 43.22 .370 |
| 6 | 47.12.242 | 4 | 35.86A. 040 | 14 | 81.80.320 | 10 | 2.06.100 | 3 | 43.22.420 |
| 7 | 47.12.244 | 5 | 35.86A. 050 | 15 | Eff. date | 11 | 29.21 .150 | 4 | 43.22 .345 |
| 8 | Approp. | 6 | 35.86A. 060 | 16 | 81.80 .312 | 12 | Vetoed | $230 \quad 1$ | 43.85 .250 |
|  | $\text { n } 47.12 .244$ | 7 | 35.86A. 070 | 17 | $81.80 .060$ | 13 | Em. | 2 | 43.85.260 |
| 9 | 47.12 .246 | 8 | 35.86A. 080 | $211 \quad 1$ | 35.39 .040 | $222 \quad 1$ | 28.76.420 | 3 | 36.48.160 |
| 10 | 47.12.248 | 9 | 35.86A. 090 | 2 | 41.28 .080 | 2 | 28B.10.280 | 4 | 36.48.170 |
| 1981 | 10.31.100 | 10 | 35.86A. 100 | 3 | 41.28 .085 | 3 | 28B.10.281 | 5 | 36.48.180 |
| 1991 | 3.62.015 | 11 | 35.86A. 110 | 2121 | 43.105 .031 | 4 | Constr. | 6 | 35.38.120 |
| 2 | 3.62 .020 | 12 | 35.86A. 120 | 212 | 43.105 .040 | 5 | Eff. date | 7 | 35.38 .130 |
| 3 | 3.62 .050 | 13 | 35.86.040 | 3 | 43.105 .015 | 6 | n 28A. 10.800 | 8 | 35.38.140 |
| 4 | 3.62 .055 | 14 | 35.86.020 | 4 | 43.105 .070 | 7 | 28B.10.800 | 9 | Par. veto |
| 5 | 3.16.110 | 15 | Sev. | 5 | 1.08.100 | 8 | 28B.10.802 |  | 43.85 .270 |
| 6 | 3.16 .130 |  | n 35.86A. 010 | 6 | Repealer | 9 | Vetoed | 10 | Vetoed |
| 7 | 3.16.160 | 16 | Leg. dir. | 7 | Em. | 10 | 28B. 10.804 | 2311 | Par. veto |
| 8 | 3.28 .070 | 2051 | 14.16.010 |  | Eff. date | 11 | 28B.10.806 |  | $70.54 .110$ |
| 9 | 4.24.180 | 2052 | 14.16.080 |  | n43.105.031 | 12 | 28B. 10.808 | 2 | Em. |
| 10 | 10.04.110 | 2061 | 46.16.320 | 213 1 | 2.08.061 | 13 | 28B. 10.810 | 2321 | Purpose |
| 11 | 10.82.070 | 207 1 | 26.16.205 | 2 | 2.08.064 | 14 | 28B. 10.812 |  | n 39.44.030 |
| 12 | 15.32 .720 | 2 | 26.20.030 | 3 | 2.08.065 | 15 | 28B.10.814 | 2 | 14.08.112 |
| 13 | 15.49.470 | 2081 | 46.52.119 | $214 \quad 1$ | 82.24 .040 | 16 | 28B. 10.816 | 3 | 14.08.114 |
| 14 | 16.28.160 | 2091 | 41.26.010 | 2 | 82.24 .050 | 17 | 28B. 10.818 | 4 | 27.12.223 |
| 15 | 17.21.280 | 2 | 41.26.020 | 2151 | 41.56.140 | 18 | 28B.10.820 | 5 | Vetoed |
| 16 | 18.57.030 | 3 | 41.26.030 | 2 | 41.56.150 | 19 | 28B.10.822 | 6 | 28.76.192 |
| 17 | 18.64.260 | 4 | 41.26.040 | 3 | 41.56.160 | 20 | 28B.10.824 | 7 | 28.76.194 |
| 18 | 18.71 .020 | 5 | 41.26 .050 | 4 | 41.56.170 | 21 | Vetoed | 8 | 28.76.200 |
| 19 | 18.83.051 | 6 | 41.26 .060 | 5 | 41.56.180 | 22 | Vetoed | 9 | 28.77.370 |
| 20 | 19.30.140 | 7 | 41.26 .070 | 6 | 41.56.190 | 23 | Approp. | 10 | 28.77.530 |
| 21 | 36.82.210 | 8 | 41.26 .080 | 7 | 41.56.400 |  | Par. veto | 11 | 28.77.547 |
| 22 | 46.44.045 | 9 | 41.26.090 | 8 | 41.56.405 |  | n 28B.10.800 | 12 | 28.80.530 |
| 23 | 46.68.050 | 10 | 41.26.100 | 9 | 41.56.410 | 24 | Sev. | 13 | 28.80.560 |
| 24 | 46.81 .030 | 11 | 41.26.110 | 10 | 41.56.415 |  | n 28B.10.080 | 14 | 54.24.018 |
| 25 | 46.81 .050 | 12 | 41.26.120 | 11 | 41.56.420 | 25 | Vetoed | 15 | 35.41 .030 |
| 26 | 47.08.030 | 13 | 41.26.130 | 12 | Approp. | 223 | Title 28A | 16 | 35.58.450 |
| 27 | 50.16 .010 | 14 | 41.26 .140 |  | n 41.56 .400 |  | Title 28B | 17 | 35.58 .460 |
| 28 | 66.44.010 | 15 | 41.26 .150 | 13 | 41.06 .340 | $224 \quad 1$ | 84.69.020 | 18 | 35.58 .470 |
| 29 | 67.14.120 | 16 | 41.26.200 | 14 | 28B.16.230 | 2 | 84.36.129 | 19 | 35.61 .170 |
| 30 | 70.20.030 | 17 | 41.26.160 | 15 | Em. | 3 | Em. | 20 | 35.67.080 |
| 31 | 75.08.230 | 18 | 41.26 .190 | $216 \quad 1$ | 84.52 .050 | $225 \quad 1$ | 82.50 .190 | 21 | 35.81 .100 |
| 32 | 76.04.130 | 19 | 41.26 .210 | 2 | 84.52 .065 | 226 | Em. | 22 | 35.82 .140 |
| 33 | 77.12.170 | 20 | 41.26.220 | 3 | 84.56 .020 | 2261 | Par. veto | 23 | 35.89.020 |
| 34 | 78.12.050 | 21 | 41.26 .230 | $417 \quad 4$ | Em. |  | 36.17 .020 | 24 | 35.92.080 |
| 35 | 80.04 .400 | 22 | 41.26 .170 | $217 \quad 1$ | 28.41 .140 | 2 | 36.27.060 | 25 | 35.92.100 |
| 36 | 80.24 .040 | 23 | 41.26.180 | 2 | 28.41.145 | $227 \quad 1$ | Par. veto | 26 | 36.62.070 |
| 37 | 80.24 .050 | 24 | 41.26 .240 | 3 | 28A.41.140 |  | 9.41 .090 | 27 | 36.67.530 |
| 38 | 81.04 .400 | 25 | 41.18 .045 | 4 | 28A.41.145 | 2 | 9.41 .093 | 28 | 36.67.560 |
| 39 | 81.92 .150 | 26 | 41.20 .085 | 5 | Approp. | 3 | 9.41 .095 | 29 | 36.76.090 |
| 40 | 82.36 .420 | 27 | 41.20 .170 | 6 | Constr. | 4 | Par. veto | 30 | 36.76.140 |
| 41 | 88.16 .150 | 28 | 41.18 .100 | 7 | Em. |  | 9.41 .110 | 31 | 39.52.020 |
| 42 | 28.27.102 | 29 | 41.18 .040 |  | Eff: date | 228 1 | 19.31.010 | 32 | 43.21 .340 |
| 43 | 28.27.104 | 30 | 41.18 .060 | 218 1 | 46.81 .010 | 22 | 19.31.020 | 33 | 47.56.140 |
| 44 | 28.27.190 | 31 | 41.18 .130 | 218 | 46.81 .020 | 3 | 19.31 .030 | 34 | 47.60.060 |
| 45 | 28.58.281 | 32 | 41.18 .102 | 3 | 46.81 .030 | 4 | 19.31.040 | 35 | 28.85.350 |
| 46 | 28.87 .010 | 33 | 41.18 .104 | 4 | 46.81 .050 | 5 | Par. veto | 36 | 28.85.390 |
| 47 | 28.87 .030 | 34 | 41.26 .250 | 5 | 46.81 .060 |  | 19.31.050 | 37 | 53.40.030 |
| 48 | 28.87.060 | 35 | 41.26 .260 | 6 | 46.81 .070 | 6 | 19.31.060 | 38 | 53.40.110 |
| 49 | 28.87.070 | 36 | 41.20 .050 | 7 | 46.81 .900 | 7 | 19.31.070 | 39 | 53.40.130 |

[Paralleł Tables_-p 126]

Parallel Tables: 1969 Extraordinary Session Laws ——RCW


| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 9 | 82.30 .080 | 90 | Vetoed | 14 | Em. | 3 | 66.28.025 | 42 | 46.52.112 |
| 10 | 82.30 .090 | 263 1 | 28B.81.010 | 15 | Leg. rev. | 2761 | 28.85.360 | 43 | 46.52.117 |
| 11 | 82.30 .100 | 2 | 28B. 81.020 | $270 \quad 1$ | 35.03 .010 | 277 | 28B.80.010 | 44 | 46.52.108 |
| 12 | 82.30 .110 | 3 | 28B. 81.030 | 2 | 35.03.020 | 2 | 28B.80.020 | 45 | 46.52.115 |
| 13 | 82.30 .120 | 4 | 28B. 81.040 | 3 | 35.03 .030 | 3 | 28B. 80.030 | 46 | 46.61.100 |
| 14 | 82.30 .130 | 5 | 28B. 81.050 | 4 | 35.03.040 | 4 | 28B. 80.040 | 47 | 49.37 .430 |
| 15 | 82.30 .140 | 6 | 28B. 81.060 | 5 | 35.03.050 | 5 | 28B. 80.050 | 48 | 47.40.090 |
| 16 | Par. veto | 7 | 28B.81.070 | 6 | 35.03.005 | 6 | 28B.80.060 | 49 | 9.61 .120 |
|  | $82.30 .150$ | 8 | 28B. 81.080 | 7 | 35.23.220 | 7 | 28B.80.070 | 50 | 9.66.070 |
| 17 | 82.30 .160 | 9 | 28B.81.090 | 8 | 35.24 .090 | 8 | Temporary | 51 | 46.61 .650 |
| 18 | 82.30 .170 | 10 | Vetoed | 9 | 35.27.130 |  | n 28B. 80.040 | 52 | 47.56.658 |
| 19 | 82.30 .180 | 11 | Approp. | 271 | 58.17 .010 | 9 | 28B.80.080 | 53 | 47.56.659 |
| 20 | 82.30 .190 | 12 | Sev. | 2 | 58.17 .020 | 10 | 28B.80.090 | 54 | 46.16.070 |
| 21 | 82.30 .200 |  | 28B.81.900 | 3 | 58.17.030 | 11 | 28B.80.100 | 55 | 46.44.095 |
| 22 | 82.30 .210 | 13 | Repealer | 4 | 58.17.040 | 12 | 28B.80.110 | 56 | Approp. |
| 23 | 82.30 .220 | 2641 | 7.33 .010 | 5 | 58.17.050 | 13 | 28B.80.120 | 57 | 47.16 .220 |
| 24 | 82.30 .230 | 2 | 7.33 .020 | 6 | 58.17.060 | 14 | 28B.80.900 | 58 | 46.04.182 |
| 25 | 82.30 .240 | 3 | 7.33 .030 | 7 | 58.17 .070 | 15 | Sev. | 59 | 46.04.183 |
| 26 | 82.30 .250 | 4 | 7.33 .040 | 8 | 58.17 .080 |  | 28B.80.910 | 60 | 46.44.092 |
| 27 | 82.30 .260 | 5 | 7.33 .050 | 9 | 58.17.090 | 278 | Approp. | 61 | 46.61 .290 |
| 28 | 82.30 .270 | 6 | 7.33 .060 | 10 | 58.17 .100 | 2 | Approp | 62 | Repealer |
| 29 | 82.30 .280 | 7 | 7.33 .070 | 11 | 58.17 .110 | 3 | Approp. | 63 | Eff. date |
| 30 | 82.04.050 | 8 | 7.33 .080 | 12 | 58.17.120 | 4 | Approp. |  | n 46.88.010 |
| 31 | 82.08.020 | 9 | 7.33 .090 | 13 | 58.17 .130 | 5 | Approp. | 64 | Sev. |
| 32 | 82.12 .020 | 10 | 7.33 .100 | 14 | 58.17.140 | 6 | Em. |  | 47.98.045 |
| 33 | 82.04 .230 | 11 | 7.33 .110 | 15 | 58.17.150 | 279 1 | 26.04.165 | 282 1 | Par. veto |
| 34 | 82.04.240 | 12 | 7.33 .120 | 16 | 58.17 .160 | 2 | Par. veto |  | Approp. |
| 35 | 82.04.250 | 13 | 7.33.130 | 17 | 58.17.170 |  | 70.58.200 | 2 | Approp. |
| 36 | 82.04 .260 | 14 | 7.33 .140 | 18 | 58.17 .180 | 280 | Par. veto | 3 | Approp. |
| 37 | 82.04 .270 | 15 | 7.33 .150 | 19 | 58.17 .190 |  | Approp. | 4 | Approp. |
| 38 | 82.04 .280 | 16 | 7.33 .160 | 20 | 58.17 .200 | 2 | Temporary | 5 | Temporary |
| 39 | 82.04.290 | 17 | 7.33 .170 | 21 | 58.17.210 |  | n43.75.030 | 6 | Temporary |
| 40 | Par. veto | 18 | 7.33 .180 | 22 | 58.17 .220 | 3 | Special | 7 | Temporary |
|  | 82.04 .437 | 19 | 7.33 .190 | 23 | 58.17.230 | 4 | Special | 8 | Temporary |
| 41 | 82.04.292 | 20 | 7.33 .200 | 24 | 58.17.240 | 5 | Special | 9 | Temporary |
| 42 | Leg. rev. | 21 | 7.33.210 | 25 | 58.24 .040 | 6 | Special | 10 | Temporary |
| 43 | 82.31 .010 | 22 | 7.33.220 | 26 | 58.17 .250 | 7 | Special | 11 | Temporary |
| 44 | 82.31 .020 | 23 | 7.33 .230 | 27 | 58.17 .260 | 8 | Special | 12 | Temporary |
| 45 | 82.31 .030 | 24 | 7.33 .240 | 28 | 58.17.270 | 9 | Special | 13 | Temporary |
| 46 | 82.31 .040 | 25 | 7.33 .250 | 29 | 58.17 .280 | 10 | Special | 14 | Em. |
| 47 | 82.31 .050 | 26 | 7.33 .260 | 30 | 58.17.165 | 11 | Em. | 2831 | 28A.67.066 |
| 48 | 82.31 .060 | 27 | 7.33 .270 | 31 | 58.17 .290 | 281 | Temporary | 2 | 28A.67.074 |
| 49 | 82.31 .070 | 28 | 7.33 .280 | 32 | 58.17.300 | 2 | Temporary | 3 | 28B. 10.720 |
| 50 | 82.31 .080 | 29 | 7.33 .290 | 33 | 58.17 .900 | 3 | Temporary | 4 | 28A.93.010 |
| 51 | 82.31 .090 | 30 | 7.33 .300 | 34 | 58.08.040 | 4 | Temporary | 5 | 28A.93.020 |
| 52 | 82.31 .100 | 31 | 7.33 .310 | 35 | Sev. | 5 | 47.16.020 | 6 | 28A.93.030 |
| 53 | 82.31 .110 | 32 | 7.33 .320 |  | 58.17 .910 | 6 | 47.39.020 | 7 | 28A.50.551 |
| 54 | 82.31 .120 | 33 | 7.33 .330 | 36 | Repealer | 7 | 47.16.050 | 8 | Temporary |
| 55 | 82.31 .130 | 34 | 7.33 .340 | 272 1 | 79.24.650 | 8 | 47.20.200 |  | n 28A.03.030 |
| 56 | 82.31 .140 | 35 | 50.20 .045 | 272 | 79.24.652 | 9 | 47.20 .390 | 9 | Temporary |
| 57 | 82.31 .150 | $265 \quad 36$ | Repealer | 3 | 79.24 .654 | 10 | Approp. | 10 | Temporary |
| 58 | 82.31 .160 | $265 \quad 1$ | 44.30 .010 | 4 | 79.24.656 | 11 | Approp. | 11 | 28A.58.610 |
| 59 | 82.31 .170 | 2 | 44.30.015 | 5 | 79.24 .658 | 12 | Approp. | 12 | Leg. rev. |
| 60 | 84.36.125 | 3 | 44.30 .020 | 6 | 79.24.660 | 13 | 47.16 .014 | 13 | 28A.02.061 |
| 61 | 84.36 .127 | 4 | 44.30 .025 | 7 | 79.24.662 | 14 | Approp. | 14 | Repealer |
| 62 | 84.36 .128 | 5 | 44.30 .030 | 8 | 79.24.664 | 15 | Temporary | 15 | 28.02.070 |
| 63 | 84.36.129 | 6 | 44.30 .035 | 9 | 79.24.666 | 16 | Temporary | 16 | 28.04.060 |
| 64 | 84.52 .051 | 7 | 44.30.040 | 10 | Repealer | 17 | Approp. | 17 | Repealer |
| 65 | 84.52 .050 | 8 | 44.30 .045 | 11 | Sev. | 18 | 81.53 .275 | 18 | 28.67.076 |
| 66 | 74.04.150 | 9 | 44.30.050 |  | 79.24.668 | 19 | Vetoed | 19 | Repealer |
| 67 | Savings | 10 | 44.30 .055 | 27312 | Em. | 20 | Approp. | 20 | 28.85.170 |
| 68 | 82.30 .290 | 11 | 44.30 .060 | 2731 | 79.24.6421 | 21 | 46.29.625 | 21 | 28.85.580 |
| 69 | Constr. | 12 | 44.30.065 | 2 | 79.24.6422 | 22 | 46.37.160 | 22 | 28.85.140 |
| 70 | Vetoed | 13 | 44.30 .070 | 3 | 79.24.630 | 23 | 82.36.280 | 23 | Repealer |
| 71 72 | Eff. date | 26614 | 44.30.075 | 4 | 79.24.632 | 24 | 82.40.010 | 24 | 28A.02.070 |
| 72 73 | Vetoed | 266 1 | 28B.10.315 | 5 | 79.24.634 | 25 | 46.68.030 | 25 | 28A.04.060 |
| 73 | Vetoed | 2 | Approp. | 6 | 79.24 .636 | 26 | 35.84.060 | 26 | Repealer |
| 74 | Vetoed | 267 3 | Em. | 7 | 79.24 .638 | 27 | 82.36.275 | 27 | 28A. 58.100 |
| 75 | Vetoed | 267 1 | 79.01.216 | 8 | 79.24.640 | 28 | 82.40 .047 | 28 | 28B.50.170 |
| 76 | Vetoed | 268 1 | 28B. 10.290 | 9 | 79.24.642 | 29 | 82.40.046 | 29 | 28B.50.580 |
| 77 | Vetoed | 269 1 | 41.04 .005 | 10 | 79.24.645 | 30 | 46.44.091 | 30 | 28B.50.140 |
| 78 79 | Vetoed | 2 | 41.04 .010 | 11 | 79.24 .570 | 31 | 46.44.096 | 31 | Repealer |
| 79 | Vetoed | 3 | 28.77 .070 | 12 | 79.24.580 | 32 | 46.88.010 | 32 | 28B.50.850 |
| 80 | Vetoed | 4 | 28.80.060 | 13 | Sev. | 33 | 46.85.190 | 33 | 28B.50.851 |
| 81 82 | Vetoed | 5 | 28B.40.361 |  | 79.24.647 | 34 | 46.01.050 | 34 | 28B. 50.852 |
| 82 83 | Vetoed | 6 | 41.20 .050 | 14 | Em. | 35 | 46.01 .055 | 35 | 28B.50.855 |
| 83 84 | Vetoed | 7 | 41.16 .220 | $274 \quad 1$ | 82.50 .160 | 36 | Approp. | 36 | 28B.50.856 |
| 84 85 | Vetoed Vetoed | 8 | 28B. 15.380 | 27 | 83.56 .030 | 37 | Par. veto | 37 | 28B. 50.857 |
| 85 86 | Vetoed | 9 | 28B.40.361 | 3 | Repealer |  | Temporary | 38 | 28B. 50.860 |
| 86 | Vetoed | 10 | 28B.10.290 | 4 | Eff. date | 38 | 46.12.101 | 39 | 28B.50.861 |
| 87 88 | Vetoed | 11 | Repealer |  | n82.56.030 | 39 | 46.52.104 | 40 | 28B. 50.862 |
| 88 89 | Vetoed | 12 | Repealer | 2751 | 66.28.020 | 40 | 46.52.106 | 41 | 28B. 50.863 |
| 89 | Vetoed | 13 | Constr. | 2 | 66.24.160 | 41 | 46.52.111 | 42 | 28B.50.864 |

[Parallel Tables--p 128]

| Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: |
| 43 | 28B. 50.867 |
| 44 | 28B.50.868 |
| 45 | 28B.50.869 |
| 46 | 28B.50.571 |
| 47 | 28B.50.572 |
| 48 | 28B. 50.573 |
| 49 | 28B.50.574 |
| 50 | 28B.50.575 |
| 51 | 28B.50.145 |
| 52 | 28B.50.245 |
| 53 | 28B.50.246 |
| 54 | Constr. |
| 55 | Leg. rev. |
| 56 | 29.21.060 |
| 57 | 29.21.150 |
| 58 | 29.21.180 |
| 59 | Sev. |
| 284 | n28A.02.061 |
| $284 \quad 2$ | 90.48.290 |
| 3 | 90.22.010 |
| 4 | 90.22.020 |
| 5 | 90.22 .030 |
| 6 | 90.22.040 |
| 7 | 43.27A. 190 |
| 8 | 43.27A. 200 |
| 9 | 43.27 A .210 |
| 10 | 43.27A. 075 |
| 11 | 43.27A. 220 |
| 12 | 90.14.031 |
| 13 | 90.14.041 |
| 14 | 90.14 .051 |
| 15 | 90.14 .061 |
| 16 | 90.14 .071 |
| 17 | 90.14 .081 |
| 18 | 90.14.091 |
| 19 | 90.14.101 |
| 20 | 90.14.111 |
| 21 | 90.14.121 |
| 22 | Leg. rev. |
| 23 | Repealer |
| 24 | Sev. |
|  | n90.48.290 |

## 1970 EXTRAORDINARY SESSION LAWS




Parallel Tables: 1970 Extraordinary Session Laws-—RCW

[Parallel Tables——p 132]
$\left.\begin{array}{ccc}\hline & & \text { Chap. Sec. } \\ \text { Cev. Code } \\ \text { of Wash. }\end{array}\right]$

## 1971 REGULAR SESSION LAWS


[Parallel Tables——p 134]

Parallel Tables: 1971 Regular Session Laws-—RCW


## 1971 EXTRAORDINARY SESSION LAWS


[Parallel Tables--p 136]

Parallel Tables: 1971 Extraordinary Session Laws- - RCW


Parallel Tables: 1971 Extraordinary Session Laws——RCW

[Parallel Tables--p 138]

Parallel Tables: 1971 Extraordinary Session Laws——RCW


Parallel Tables: 1971 Extraordinary Session Laws——RCW

[Parallel Tables--p 140]

Parallel Tables: 1971 Extraordinary Session Laws——RCW


Parallel Tables: 1971 Extraordinary Session Laws-—RCW

[Parallel Tables——p 142]

Parallel Tables: 1971 Extraordinary Session Laws-—RCW


| Chap. | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: |
| 1 | 1 | 43.78.080 |
| 2 | 1 | Repealer |
| 3 | 1 | 28A.21.110 |
| 4 | 1 | 73.04.130 |
| 5 | 1 | 46.04.552 |
|  | 2 | 46.16.010 |
|  | 3 | Em. |
| 6 | 1 | 38.52.005 |
|  | 2 | 38.52.006 |
|  | 3 | 38.52.007 |
| 7 | 1 | 72.62.010 |
|  | 2 | 72.62.020 |
|  | 3 | 72.62.030 |
|  | 4 | 72.62.040 |
|  | 5 | 72.62.050 |
|  | 6 | Leg. dir. |
| 8 | 1 | 15.63.240 |
|  | 2 | Em. |
| 9 | 1 | 18.64.080 |
|  | 2 | Em. |
| 10 | 1 | 28A. 13.020 |
|  | 2 | 28A. 27.010 |
|  | 3 | 28A.58.100 |
|  | 4 | Em. |
| 11 | 1 | 41.06.070 |
|  | 2 | Em. |
| 12 | 1 | 43.08.020 |
|  | 2 | Em. |
| 13 | 1 | 81.92.110 |
|  | 2 | Repealer |
|  | 3 | Em. |
| 14 | 1 | 28A.41.145 |
|  |  | Constr. |
|  | 2 | n28A.41.145 |
| 15 | 1 | 28A. 10.080 |
| 16 | 1 | 52.16.070 |
| 17 | 1 | 28A.09.200 |
|  | 2 | 28B. 10.265 |
|  | 3 | Eff. date |
| 18 | 1 | 2.32 .210 |
| 1920 | 1 | 41.04.250 |
|  | 1 | 36.18.020 |
| 20 | 2 | 36.18.025 |
|  | 3 | Eff. date |
|  |  | n 36.18 .020 |
| 21 | 1 | 26.08.080 |
| 22 | 1 | 81.80 .400 |
|  | 2 | 81.80 .410 |
|  | 3 | Sev. |
|  |  | n81.80.400 |
| 23 | 1 | 28B. 10.840 |
|  | 2 | 28B.10.842 |
|  | 3 | 28B.10.844 |
|  | 4 | Em. |
| 24 | 1 | 82.36 .020 |
|  | 2 | 46.68.100 |
|  | 3 | 47.60.530 |
|  | 4 | 47.60.540 |
|  | 5 | 47.60.150 |
|  | 6 | 47.60.290 |
|  | 7 | 47.60 .440 |
|  | 8 | 47.60.325 |
|  | 9 | Repealer |
|  | 10 | Em. |
| 25 | 1 | 28B.10.310 |
|  | 2 | 28B. 30.730 |
|  | 3 | Em. |
| 26 | 1 | 28A.65.170 |



| Chap. | Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 57 |  | n43.99.020 |  | 7 | 44.64.080 |
|  | 3 | Em. |  | 8 | 44.64 .090 |
|  | 1 | 2.36 .050 |  | 9 | 44.64.100 |
|  | 2 | 4.44 .100 |  | 10 | 44.64 .110 |
|  | 3 | 4.44 .120 |  | 11 | 44.60.030 |
|  | 4 | 4.44 .380 |  | 12 | Repealer |
|  | 5 | 36.18.020 |  | 13 | 44.64.120 |
|  | 6 | 4.44.390 |  | 14 | 44.64 .910 |
| 58 | 1 | 64.08.090 |  | 15 | 44.64.920 |
| 59 | 1 | 72.68.031 |  | 16 | 44.64.930 |
|  | 2 | 72.68.032 |  | 17 | 44.64 .900 |
|  | 3 | 72.68.035 | 83 | 1 | 11.80 .010 |
|  | 4 | 72.68.037 |  | 2 | 11.80 .120 |
|  | 5 | Repealer |  | 3 | 11.80.130 |
| 60 | 1 | 73.04.110 | 84 | 1 | 84.64.030 |
| 61 | 1 | 29.21.350 |  | 2 | 84.64 .050 |
|  | 2 | 29.21 .360 |  | 3 | 84.68.010 |
|  | 3 | 29.21 .370 |  | 4 | 84.64 .145 |
|  | 4 | 29.21.380 | 85 | 1 | 28A.41.160 |
|  | 5 | 29.21 .390 | 86 | 1 | 70.79.030 |
|  | 6 | 29.21.400 |  | 2 | 70.79 .090 |
|  | 7 | 29.21 .410 | 87 | 1 | 82.44.150 |
|  | 8 | Sev. |  | 2 | Em. |
|  |  | n 29.21 .350 | 88 | 1 | 70.74.142 |
| 62 | 1 | 36.88.090 |  | 2 | 70.74.137 |
| 63 | 1 | 28A.57.195 |  | 3 | 70.74.295 |
|  | 2 | 28A.57.196 |  | 4 | 70.74.297 |
|  | 3 | Em. |  | 5 | 70.74.010 |
| 64 | 1 | 43.75 .105 |  | 6 | 70.74.020 |
| 65 | 1 | 51.08.030 |  | 7 | 70.74.030 |
| 66 | 1 | 2.48.030 |  | 8 | 70.74.050 |
| 67 | 1 | 9.95.052 | 89 | 1 | 36.01.100 |
|  | 2 | Repealer | 90 | 1 | 27.12.305 |
| 68 | 1 | 9.95 .080 | 91 | 1 | 39.12.022 |
| 69 | 1 | Special | 92 | 1 | n 51.44.100 |
|  |  | n Title 79 |  | 2 | 51.44.100 |
|  |  | Sub. Index | 93 | 1 | 43.31 .831 |
| 70 | 1 | 48.48.045 |  | 2 | 43.31 .832 |
| 71 | 1 | 46.20.100 |  | 3 | 43.31 .833 |
|  | 2 | Em. |  | 4 | 43.31 .834 |
| 72 | , | 72.66.100 | 94 | 1 | 36.69.010 |
| 73 | 1 | 83.24.035 |  | 2 | 36.69.130 |
| 74 | 1 | 43.08.066 |  | 3 | 36.69.350 |
| 75 | 1 | 9.45.240 |  | 4 | 36.69.360 |
|  | 2 | 10.79.015 |  | 5 | 36.69.370 |
| 76 | 1 | 43.125 .010 |  | 6 | 36.69.380 |
|  | 2 | 43.125 .020 |  | 7 | 36.69.390 |
|  | 3 | 43.125 .030 |  | 8 | 36.69.400 |
|  | 4 | 43.125 .040 |  | 9 | 36.69.410 |
|  | 5 | 43.125 .050 | 95 | 1 | 39.33.010 |
|  | 6 | Approp. | 96 | 1 | 72.42 .010 |
|  | 7 | 43.125 .900 |  | 2 | Par. veto |
|  | 8 | Leg. dir. |  |  | 72.42 .020 |
| 77 | 1 | 70.96.095 |  | 3 | 72.42 .030 |
|  | 2 | 70.96.096 |  | 4 | 72.42 .040 |
| 78 | 1 | 51.48.105 |  | 5 | 72.42 .050 |
| 79 | 1 | 21.20 .320 |  | 6 | 72.42 .060 |
| 80 | 1 | 11.52 .016 |  | 7 | 72.42 .070 |
|  | 2 | 11.52.024 |  | 8 | 72.42.080 |
|  | 3 | Em. |  | 9 | Vetoed |
| 81 | 1 | 39.34.030 |  | 10 | Leg. dir. |
|  | 2 | Em. | 97 | 1 | 36.16.032 |
| 82 | 1 | 44.64.010 |  | 2 | Vetoed |
|  | 2 | 44.64.020 |  | 3 | Em. |
|  | 3 | 44.64.030 | 98 | 1 | Leg. dir. |
|  | 4 | 44.64.040 |  | 2 | 29.83 .010 |
|  | 5 | 44.64.060 |  | 3 | 29.83.020 |
|  | 6 | 44.64.070 |  | 4 | 29.83.030 |

[Parillel Tables--p 144]

Parallel Tables: 1972 Extraordinary Session Laws - - RCW


| Chap. | Sec. | Rev. Code of Wash. | Cha | Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2 | 43.08.130 |  |  | 43.43.790 |  | 27 | Approp. |
|  | 3 | 43.08.135 |  | 20 | 43.43 .795 |  | 28 | Approp. |
|  | 4 | Temporary |  | 21 | 43.43.800 |  | 29 | Approp. |
|  | 5 | Temporary |  | 22 | Sev. |  | 30 | Approp. |
|  | 6 | Temporary |  |  | 43.43 .910 |  | 31 | Approp. |
|  | 7 | Temporary |  | 23 | 43.43.810 |  | 32 | Approp. |
|  | 8 | Approp. |  | 24 | Repealer |  | 33 | Approp. |
|  | 9 | Em. |  | 25 | 43.43.820 |  | 34 | Approp. |
|  | 10 | Temporary |  | 26 | Leg. dir. |  | 35 | Approp. |
| 146 | 1 | 28A.48.010 |  | 27 | Approp. |  | 36 | Approp. |
|  | 2 | 28A.41.175 |  | 28 | Em. |  | 37 | Approp. |
|  | 3 | Eff. date | 15 | 1 | 67.32.080 |  | 38 | Approp. |
|  |  | n 28A.48.010 |  | 2 | 46.09.010 |  | 39 | Approp. |
| 147 | 1 | 41.32.480 |  | 3 | 46.09.020 |  | 40 | Approp. |
|  | 2 | 41.32 .4932 |  | 4 | 46.09.030 |  | 41 | Approp. |
|  | 3 | 41.32 .4943 |  | 5 | 46.09.040 |  | 42 | Approp. |
|  | 4 | 41.32.680 |  | 6 | 46.09.050 |  | 43 | Approp. |
|  | 5 | 41.32.583 |  | 7 | 46.09.060 |  | 44 | Approp. |
|  | 6 | Approp. |  | 8 | 46.09.070 |  | 45 | Approp. |
|  | 7 | Approp. |  | 9 | 46.09.080 |  | 46 | Approp. |
|  | 8 | Temporary |  | 10 | 46.09.090 |  | 47 | Approp. |
|  | 9 | Eff. date |  | 11 | 46.09.110 |  | 48 | Approp. |
|  |  | n41.32.480 |  | 12 | 46.09.120 |  | 49 | Approp. |
|  | 10 | Sev. |  | 13 | 46.09.150 |  | 50 | Approp. |
|  |  | n41.32.480 |  | 14 | 46.09.160 |  | 51 | Approp. |
| 148 | 1 | 82.04.291 |  | 15 | 46.09.170 |  | 52 | Approp. |
|  | 2 | 84.33 .080 |  | 16 | 46.09.190 |  | 53 | Approp. |
|  | 3 | 84.33 .090 |  | 17 | 4.24 .210 |  | 54 | Approp. |
|  | 4 | 84.33.050 |  | 18 | 46.09.220 |  | 55 | Approp. |
|  | 5 | 84.33 .120 |  | 19 | 46.09.230 |  | 56 | Approp. |
|  | 6 | 84.33 .140 |  | 20 | 46.10.040 |  | 57 | Em. |
|  | 7 | 84.33.180 |  | 21 | 46.10.070 | 156 | 1 | 49.66.010 |
|  | 8 | Repealer |  | 22 | 46.10 .080 |  | 2 | 49.66.020 |
| 149 | 1 | 28B.15.012 |  | 23 | 46.10.110 |  | 3 | 49.66.030 |
|  | 2 | 28B. 15.013 |  | 24 | 46.10 .120 |  | 4 | 49.66.040 |
|  | 3 | 28B. 15.620 |  | 25 | 46.10.185 |  | 5 | 49.66.050 |
|  | 4 | Em. |  | 26 | Approp. |  | 6 | 49.66.060 |
| 150 | 1 | 36.35.010 |  |  | n 46.09.010 |  | 7 | 49.66.070 |
|  | 2 | 36.35.020 |  | 27 | Repealer |  | 8 | 49.66.080 |
|  | 3 | 36.35.090 |  | 28 | Em. |  | 9 | 49.66.090 |
|  | 4 | 36.35.030 | 154 | 1 | 73.34.010 |  | 10 | 49.66.100 |
|  | 5 | 36.35.040 |  | 2 | 73.34.020 |  | 11 | 49.66.110 |
|  | 6 | 36.35.050 |  | 3 | 73.34 .030 |  | 12 | 49.66 .120 |
|  | 7 | 36.35.060 |  | 4 | 73.34.040 |  | 13 | Sev. |
|  | 8 | 36.35.070 |  | 5 | 73.34 .050 |  |  | 49.66.900 |
|  | 9 | 36.35.080 |  | 6 | 73.34.060 |  | 14 | Leg. dir. |
|  | 10 | Leg. dir. |  | 7 | 73.32.130 | 157 | 1 | 28A.47.440 |
| 151 | 1 | 41.40 .010 |  | 8 | Approp. |  | 2 | 73.32 .130 |
|  | 2 | 41.40 .100 |  |  | n73.34.010 |  | 3 | 82.24.020 |
|  | 3 | 41.40.170 |  | 9 | 73.34 .080 |  | 4 | 82.24 .080 |
|  | 4 | 41.40 .180 |  | 10 | 73.34.090 |  | 5 | 82.24.130 |
|  | 5 | 41.40.185 |  | 11 | 73.34.100 |  | 6 | Par. veto |
|  | 6 | Par. veto |  | 12 | 73.34.110 |  |  | 82.24 .250 |
|  |  | 41.40 .190 |  | 13 | 73.34.120 |  | 7 | 82.24 .260 |
|  | 7 | 41.40.193 |  | 14 | Sev. |  |  | Sev. |
|  | 8 | 41.40.210 |  |  | 73.34.900 |  |  | n82.24.020 |
|  | 9 | 41.40 .220 | 155 | 1 | Approp. |  | 9 | Em. |
|  | 10 | 41.40.235 |  | 2 | Approp. |  |  |  |
|  | 11 | 41.40 .250 |  | 3 | Approp. |  |  |  |
|  | 12 | 41.40.270 |  | 4 | Approp. |  |  |  |
|  | 13 | 41.40 .330 |  | 5 | Approp. |  |  |  |
|  | 14 | 41.40.361 |  | 6 | Approp. |  |  |  |
|  | 15 | Repealer |  | 7 | Approp. |  |  |  |
|  | 16 | Em. |  | 8 | Approp. |  |  |  |
| 152 | 1 | 43.43 .700 |  | 9 | Approp. |  |  |  |
|  | 2 | 43.43 .705 |  | 10 | Approp. |  |  |  |
|  | 3 | 43.43 .710 |  | 11 | Approp. |  |  |  |
|  | 4 | 43.43.715 |  | 12 | Approp. |  |  |  |
|  | 5 | 43.43.720 |  | 13 | Approp. |  |  |  |
|  | 6 | 43.43.725 |  | 14 | Approp. |  |  |  |
|  | 7 | 43.43 .730 |  | 15 | Approp. |  |  |  |
|  | 8 | 43.43.735 |  | 16 | Approp. |  |  |  |
|  | 9 | 43.43 .740 |  | 17 | Approp. |  |  |  |
|  | 10 | 43.43 .745 |  | 18 | Approp. |  |  |  |
|  | 11 | 43.43 .750 |  | 19 | Approp. |  |  |  |
|  | 12 | 43.43.755 |  | 20 | Approp. |  |  |  |
|  | 13 | 43.43.760 |  | 21 | Approp. |  |  |  |
|  | 14 | 43.43.765 |  | 22 | Approp. |  |  |  |
|  | 15 | 43.43 .770 |  | 23 | Par. veto |  |  |  |
|  | 16 | 43.43 .775 |  |  | Approp. |  |  |  |
|  | 17 | 43.43 .780 |  | 24 | Approp. |  |  |  |
|  | 18 | 43.43.785 |  | 25 | Approp. |  |  |  |
|  | 19 | Par. veto |  | 26 | Approp. |  |  |  |

[Parallel Tables-—p 140]

## 1973 REGULAR SESSION LAWS

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 42.17.010 | 61 | 50.16.030 | 17 | Constr. | 3 | 28A.24.120 | 60 | 1 | 47.17.217 |
| 2 | 42.17 .020 | 2 | Em. |  | n72.66.010 | 461 | 28A.31.050 | 61 | 1 | 74.13 .106 |
| 3 | 42.17 .030 | $7 \quad 1$ | Approp. | 18 | Leg. dir. | 2 | 28A.41.130 |  | 2 | 74.13 .142 |
| 4 | 42.17 .040 | 2 | Temporary | 19 | Repealer | 3 | Eff. date | 62 | 1 | 28B. 10.200 |
| 5 | 42.17 .050 | 3 | Temporary | 211 | Leg. dir. | 4 | Repealer |  | 2 | 28B. 10.250 |
| 6 | 42.17 .060 | 4 | Em. | 2 | $9.95 \mathrm{B}$. | 5 | Sev . |  | 3 | 28B. 10.510 |
| 7 | 42.17 .070 | 81 | Temporary | 3 | 9.95 B .020 |  | n28A.31.050 |  | 4 | 28B. 10.822 |
| 8 | 42.17 .080 | 2 | Approp. | 4 | 9.95 B .030 | 6 | Em. |  | 5 | 28B. 10.824 |
| 9 | 42.17 .090 | 3 | Approp. | 5 | 9.95 B .040 | 47 1 | 28A.57.230 |  | 6 | 28B. 16.230 |
| 10 | 42.17 .100 | 4 | Approp. | 6 | Eff. date | 2 | 28A.57.240 |  | 7 | 28B. 20.100 |
| 11 | 42.17 .110 | 5 | Approp. |  | $9.95 \mathrm{B.900}$ | 3 | 28A.57.250 |  | 8 | 28B. 20.412 |
| 12 | 42.17 .120 | 6 | Approp. | 221 | 2.42 .010 | 4 | 28A.57.255 |  | 9 | 28B. 20.456 |
| 13 | 42.17 .130 | 7 | Approp. | 2 | 2.42 .020 | 5 | 28A.57.260 |  | 10 | 28B. 30.100 |
| 14 | 42.17 .140 | 8 | Approp. | 3 | 2.42 .030 | 6 | Sev . |  | 11 | 28B. 40.100 |
| 15 | 42.17 .150 | 9 | Approp. | 4 | 2.42 .040 |  | n 28A.57.230 |  | 12 | 28B. 50.030 |
| 16 | 42.17 .160 | 10 | Em. | 5 | 2.42 .050 | 48 | 18.53.165 |  | 13 | 28B. 50.050 |
| 17 | 42.17 .170 | $9 \quad 1$ | 43.75 .200 | 6 | Leg. dir. | 2 | 18.53 .170 |  | 14 | 28B. 50.060 |
| 18 | 42.17 .180 | 2 | 43.75 .205 | 231 | 41.40 .450 | 3 | 18.53.175 |  | 15 | 28B.50.070 |
| 19 | 42.17 .190 | 3 | 43.75 .215 | 241 | 56.08.100 | 4 | 18.53.180 |  | 16 | 28B.50.090 |
| 20 | 42.17.200 | 4 | 43.75 .220 | 2 | 57.08.100 | 5 | 18.53.185 |  | 17 | 28B.50.100 |
| 21 | 42.17 .210 | 5 | 43.75 .225 | $25 \quad 1$ | 11.08.185 | 6 | 18.53.190 |  | 18 | 28B.50.130 |
| 22 | 42.17 .220 | 6 | 43.75 .230 | 261 | Special | 7 | Sev. |  | 19 | 28B.50.140 |
| 23 | 42.17 .230 | 7 | 43.75 .235 |  | n Title 79 |  | 18.53.901 |  | 20 | 28B.50.170 |
| 24 | 42.17 .240 | 8 | Repealer |  | Sub. Index | 49 | 28A.58.450 |  | 21 | 28B.50.200 |
| 25 | 42.17 .250 | 9 | Sev. | 27 | 43.85.241 | 2 | 28A.67.070 |  | 22 | 28B.50.551 |
| 26 | 42.17.260 |  | 43.75 .900 | 2 | 43.08.190 | 3 | 28A.58.515 |  | 23 | 28B.50.570 |
| 27 | 42.17.270 | 10 | Eff. date | 3 | 43.08.200 | 4 | Em. |  | 24 | 28B.50.864 |
| 28 | 42.17 .280 |  | 43.75 .910 | 28 1 | 23A.08.305 | $50 \quad 1$ | 58.09.010 |  | 25 | Repealer |
| 29 | 42.17 .290 | $10 \quad 1$ | 43.08.120 | 29 1 | 26.24.090 | 2 | 58.09.020 |  | 26 | Savings |
| 30 | 42.17 .300 | 11 1 | 15.28.010 | 301 | 49.26.010 | 3 | 58.09.030 |  |  | n 28B.10.200 |
| 31 | 42.17 .310 | 12 1 | 43.77 .020 | 2 | 49.26.020 | 4 | 58.09.040 |  | 27 | Em. |
| 32 | 42.17 .320 | 2 | 43.77 .030 | 3 | 49.26.030 | 5 | 58.09.050 |  | 28 | Sev. |
| 33 | 42.17 .330 | 131 | 43.19 .510 | 4 | 49.26.040 | 6 | 58.09.060 |  |  | n 28B. 10.200 |
| 34 | 42.17 .340 | 14 1 | 36.23.065 | 5 | Sev. | 7 | 58.09.070 | 63 | 1 | 28A.09.200 |
| 35 | 42.17 .350 | 2 | 36.23.070 |  | 49.26.900 | 8 | 58.09.080 |  | 2 | 28B.10.265 |
| 36 | 42.17.360 | 151 | 46.72 .040 | 6 | Leg. dir. | 9 | 58.09 .090 |  | 3 | Eff. date |
| 37 | 42.17.370 | 2 | 46.72 .050 | $31 \quad 1$ | 15.32 .430 | 10 | 58.09.100 | 64 | 1 | 43.37 .010 |
| 38 | 42.17.380 | 161 | 36.18 .020 | 321 | 28A.02.061 | 11 | 58.09.110 |  | 2 | 43.37 .030 |
| 39 | 42.17 .390 | $17 \quad 1$ | 24.44 .010 | 2 | Repealer | 12 | 58.09.120 |  | 3 | 43.37.040 |
| 40 | 42.17 .400 | 17 | 24.44.020 | 331 | 40.04.040 | 13 | 58.09.130 |  | 4 | 43.37 .050 |
| 41 | 42.17 .410 | 3 | 24.44.030 | 2 | 40.04.090 | 14 | 58.09.140 |  | 5 | 43.37.060 |
| 42 | 42.17 .420 | 4 | 24.44.040 | 3 | 40.04.100 | 15 | Sev. |  | 6 | 43.37.080 |
| 43 | 42.17 .430 | 5 | 24.44.050 | 341 | 39.34.020 |  | 58.09.900 |  | 7 | 43.37 .090 |
| 44 | 42.17 .440 | 6 | 24.44.060 | 351 | 27.32.010 | 16 | Leg. dir. |  | 8 | 43.37 .100 |
| 45 | 42.17 .450 | 7 | Sev. | 2 | 27.32.020 | $51 \quad 1$ | 28A. 27.010 |  | 9 | 43.37.110 |
| 46 | Sev. |  | 24.44.900 | 361 | 36.45.030 | 2 | 28A.04.135 |  | 10 | 43.37.120 |
|  | 42.17 .910 | 8 | 24.44.070 | $37 \quad 1$ | 2.12.060 | 3 | 49.12.123 |  | 11 | 43.37 .140 |
| 47 | Constr. | 9 | 24.44.080 | 2 | Em. | 4 | Repealer |  | 12 | 43.37 .150 |
|  | 42.17 .920 | 10 | 24.44.090 | $38 \quad 1$ | 36.18.020 | 5 | Sev. |  | 13 | 43.37.160 |
| 48 | 42.17 .930 | 11 | Leg. dir. | 2 | Em. |  | n 28A. 27.010 |  | 14 | 43.37.170 |
| 49 | Eff. date | 18 1 | 2.52 .010 | $39 \quad 1$ | 36.40.040 | 521 | 28A.58.115 |  | 15 | 43.37.180 |
|  | 42.17 .900 | 191 | 28A.57.357 | 2 | Em. | 531 | 67.08.015 |  | 16 | 43.37 .190 |
| 50 | 42.17 .940 | $20 \quad 1$ | 43.43.745 | $40 \quad 1$ | 51.52.110 | 541 | 40.10.010 |  | 17 | 43.37 .900 |
| 21 | 84.52 .050 | 2 | 72.66.010 | 412 | Em. | 2 | 40.10 .020 |  | 18 | Eff. date |
| 31 | 84.52.052 | 3 | 72.66.012 | 411 | 73.32.130 | 3 | 40.14 .040 |  |  | 43.37.910 |
| 2 | Em. | 4 | 72.66.014 | 2 | Em. | 4 | 40.14 .060 |  | 19 | Repealer |
| 41 | 29.13 .010 | 5 | 72.66.016 | 421 | 82.38 .080 | 5 | 40.14.070 | 65 | 1 | 36.68.610 |
| 2 | 29.13 .047 | 6 | 72.66.018 | 2 | Em. | 6 | Sev. |  | 2 | 36.68.620 |
| 3 | 29.13 .075 | 7 | 72.66.022 | $43 \quad 1$ | 43.10 .010 |  | n40.10.010 | 66 |  | 42.30.070 |
| 4 | 29.39.030 | 8 | 72.66.024 | 2 | 43.10 .115 | 551 | Repealer |  | 2 | 42.30 .110 |
| 5 | 29.42.030 | 9 | 72.66.026 | 3 | 43.10 .120 | 2 | Constr. |  | 3 | 42.30.120 |
| 6 | 29.42.040 | 10 | 72.66.028 | 4 | 43.10 .125 |  | n36.95.170 |  | 4 | 42.30.140 |
| 7 | 29.42.050 | 11 | 72.66.032 | 5 | 43.10 .130 | $56 \quad 1$ | 29.39.010 | 67 | 1 | 35A.33.060 |
| 8 | 29.80.010 | 12 | 72.66.034 | 6 | ${ }_{\text {Sev. }}$ | 57 58 | Repealer |  | 2 | 35.33 .061 |
| 9 | 29.81 .100 | 13 | 72.66 .036 |  | $n 43.10 .010$ | 58 59 | Repealer | 68 | 1 | 72.05.152 |
| 10 | Em. | 14 | 72.66.038 | $44 \quad 1$ | 4.92 .010 | $59 \quad 1$ | 41.56 .110 |  | 2 | 72.05.154 |
| $5 \quad 1$ | 46.20.391 | 15 | 72.66.042 | $45 \quad 1$ | 28A.24.055 | 2 | 41.56.122 |  | 3 | Eff. date |
| 5 2 | Em. | 16 | 72.66.044 | 2 | 28A.24.110 | 3 | 41.56.125 |  |  | $\text { n } 72.05 .152$ |

Parallel Tables: 1973 Regular Session Laws-—RCW

[Parallel Tables--p 148]

| Chap. | Sec. | Rev. Code of Wash. | Chap. | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | 7 | 26.37.010 |  | 6 | 11.86.050 |
|  | 8 | 26.37.015 |  | 7 | 11.86.060 |
|  | 9 | 26.28.110 |  | 8 | 11.86 .070 |
|  | 10 | 26.32.300 |  | 9 | 11.86.080 |
|  | 11 | 26.32.310 |  | 10 | 11.86 .090 |
|  | 12 | Em. | 149 | 1 | 84.36.301 |
|  | 13 | Sev. |  | 2 | 84.36 .300 |
|  |  | n 26.32.030 | 150 | 1 | 87.03.820 |
| 135 | 1 | 9.96A. 010 |  | 2 | 58.17 .310 |
|  | 2 | 9.96A. 020 | 151 | 1 | 48.12 .180 |
|  | 3 | 9.96A. 030 |  | 2 | 48.13 .010 |
|  | 4 | 9.96A. 040 |  | 3 | 48.13.160 |
|  | 5 | 9.96A. 050 |  | 4 | 48.13 .220 |
|  | 6 | Leg. dir. |  | 5 | 48.13 .290 |
|  | 7 | Eff. date | 152 | 1 | 74.04.060 |
|  |  | 9.96A. 900 |  | 2 | 74.04.062 |
| 136 | 1 | Leg. dir. |  | 3 | Sev. |
|  | 2 | 76.42.010 |  |  | n74.04.060 |
|  | 3 | 76.42.020 | 153 | 1 | Vetoed |
|  | 4 | 76.42.030 |  | 2 | 29.07.092 |
|  | 5 | 76.42.040 |  | 3 | Vetoed |
|  | 6 | 76.42.050 | 154 | 1 | Par. veto |
|  | 7 | 76.42.060 |  |  | 41.06 .150 |
|  | 8 | 76.42.070 |  | 2 | Par. veto |
| 137 | 1 | 42.18 .130 |  |  | 28B.16.100 |
|  | 2 | 42.18 .290 | 155 | 1 | 90.48.010 |
|  | 3 | 42.18 .300 |  | 2 | 90.48.120 |
|  | 4 | Repealer |  | 3 | 90.48.160 |
| 138 | 1 | 28A.58.247 |  | 4 | 90.48.260 |
| 139 | 1 | 70.95B. 010 |  | 5 | 90.48.262 |
|  | 2 | 70.95B. 020 |  | 6 | Vetoed |
|  | 3 | 70.95B. 030 |  | 7 | Temporary |
|  | 4 | 70.95B. 040 |  | 8 | 90.48.140 |
|  | 5 | 70.95B. 050 |  | 9 | 90.48.144 |
|  | 6 | 70.95B. 060 |  | 10 | Repealer |
|  | 7 | 70.95B. 070 |  | 11 | Em. |
|  | 8 | 70.95B. 080 |  |  |  |
|  | 9 | 70.95B. 090 |  |  |  |
|  | 10 | 70.95B. 100 |  |  |  |
|  | 11 | 70.95B. 110 |  |  |  |
|  | 12 | 70.95B. 120 |  |  |  |
|  | 13 | 70.95B. 130 |  |  |  |
|  | 14 | 70.95B. 140 |  |  |  |
|  | 15 | 70.95B. 150 |  |  |  |
|  | 16 | Leg. dir. |  |  |  |
|  | 17 | Eff. date |  |  |  |
|  |  | 70.95B. 900 |  |  |  |
| 140 | 1 | 29.36.060 |  |  |  |
|  | 2 | 29.36.065 |  |  |  |
| 141 | 1 | 49.60.010 |  |  |  |
|  | 2 | 49.60.020 |  |  |  |
|  | 3 | 49.60 .030 |  |  |  |
|  | 4 | 49.60.040 |  |  |  |
|  | 5 | 49.60.176 |  |  |  |
|  | 6 | 49.60.178 |  |  |  |
|  | 7 | 49.60.120 |  |  |  |
|  | 8 | 49.60.130 |  |  |  |
|  | 9 | 49.60.175 |  |  |  |
|  | 10 | 49.60.180 |  |  |  |
|  | 11 | 49.60 .190 |  |  |  |
|  | 12 | 49.60 .200 |  |  |  |
|  | 13 | 49.60.222 |  |  |  |
|  | 14 | 49.60.225 |  |  |  |
| 142 | 1 | 20.01.130 |  |  |  |
|  | 2 | 20.01.570 |  |  |  |
|  | 3 | 16.65.235 |  |  |  |
| 143 | 1 | 41.20 .030 |  |  |  |
|  | 2 | 41.20 .170 |  |  |  |
| 144 | 1 | 43.79 .260 |  |  |  |
|  | 2 | 43.79 .270 |  |  |  |
|  | 3 | 43.79 .280 |  |  |  |
|  | 4 | 43.79 .282 |  |  |  |
|  | 5 | Repealer |  |  |  |
| 145 | 1 | 49.44.120 |  |  |  |
| 146 | 1 | 24.06.445 |  |  |  |
| 147 | 1 | 51.32.060 |  |  |  |
|  | 2 | 51.32.070 |  |  |  |
|  | 3 | Em. |  |  |  |
| 148 | 1 | Leg. dir. |  |  |  |
|  | 2 | 11.86 .010 |  |  |  |
|  | 3 | 11.86.020 |  |  |  |
|  | 4 | 11.86.030 |  |  |  |
|  | 5 | 11.86.040 |  |  |  |

## 1973 1ST EXTRAORDINARY SESSION LAWS

| Chap. | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: |
| 1 | 1 | 46.44.130 |
|  | 2 | 46.44.140 |
|  | 3 | 46.44.0941 |
| 2 | 1 | 70.89.005 |
|  | 2 | 70.89.010 |
|  | 3 | 70.89.021 |
|  | 4 | 70.89.031 |
|  | 5 | 70.89.050 |
|  | 6 | 70.89.060 |
|  | 7 | 70.89 .070 |
|  | 8 | 70.89 .040 |
|  | 9 | Repealer |
|  | 10 | 70.89.910 |
| 3 | 1 | 28A.41.180 |
|  | 2 | Em. |
| 4 | 1 | 18.71.095 |
|  | 2 | 18.71 .096 |
| 5 | 1 | Leg. dir. |
|  | 2 | 70.39.010 |
|  | 3 | 70.39.020 |
|  | 4 | 70.39 .030 |
|  | 5 | 70.39 .040 |
|  | 6 | 70.39.050 |
|  | 7 | 70.39 .060 |
|  | 8 | 70.39 .070 |
|  | 9 | 70.39.080 |
|  | 10 | 70.39 .090 |
|  | 11 | 70.39 .100 |
|  | 12 | 70.39.110 |
|  | 13 | 70.39.120 |
|  | 14 | 70.39.130 |
|  | 15 | 70.39.140 |
|  | 16 | 70.39.150 |
|  | 17 | 70.39.160 |
|  | 18 | 70.39.170 |
|  | 19 | 70.39.180 |
|  | 20 | 70.39.190 |
|  | 21 | 70.39 .200 |
|  | 22 | Sev. |
|  |  | 70.39 .900 |
|  | 23 | Constr. |
|  |  | 70.39 .910 |
| 67 | 1 | 53.08 .170 |
|  | 1 | 54.44.010 |
|  | 2 | 54.44 .020 |
|  | 3 | 54.44.030 |
|  | 4 | 54.44 .040 |
|  | 5 | 54.44 .050 |
|  | 6 | 54.44.060 |
|  | 7 | Em. |
|  |  | n 54.44.010 |
|  | 8 | Sev . |
|  |  | 54.44.901 |
| 8 | 1 | 31.12 .020 |
|  | 2 | 31.12.160 |
|  | 3 | 31.12 .180 |
|  | 4 | 31.12.205 |
|  | 5 | 31.12 .190 |
|  | 6 | 31.12 .210 |
|  | 7 | 31.12.220 |
|  | 8 | 31.12 .240 |
|  | 9 | 31.12.245 |
|  | 10 | 31.12.260 |
|  | 11 | 31.12.270 |
|  | 12 | 31.12.280 |
|  | 13 | 31.12.290 |
|  | 14 | 31.12 .320 |
|  | 15 | 31.12.440 |

[Parallel Tables - -p 150]

Parallel Tables: 1973 1st Extraordinary Session Laws——RCW


Parallel Tables: 1973 1st Extraordinary Session Laws——RCW


Parallel Tables: 1973 1st Extraordinary Session Laws - - RCW


Parallel Tables: 1973 1st Extraordinary Session Laws - - RCW

[Parallel Tables_-p 154]

Parallel Tables: 1973 1st Extraordinary Session Laws - - RCW

| Chap. |  | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |  | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 208 | 1 | 18.73.010 | 10 | Par. veto |  | 22 | 9.46.220 |
|  | 2 | 18.73.020 |  | 84.34.065 |  | 23 | 9.46.230 |
|  | 3 | 18.73.030 | 11 | Par. veto |  | 24 | 9.46.240 |
|  | 4 | Par. veto |  | 84.34 .145 |  | 25 | 9.46.250 |
|  |  | 18.73 .040 | 12 | 84.34.108 |  | 26 | 9.46.260 |
|  | 5 | 18.73 .050 | 13 | 84.34.111 |  | 27 | 9.46.270 |
|  | 6 | 18.73.060 | 14 | 84.34.121 |  | 28 | 9.46.280 |
|  | 7 | 18.73.070 | 15 | 84.34.150 |  | 29 | Repealer |
|  | 8 | 18.73 .080 | 16 | 84.34.131 |  | 30 | Leg. dir. |
|  | 9 | 18.73 .090 | 17 | Par. veto |  | 31 | Sev. |
|  | 10 | 18.73.100 |  | 84.34.141 |  |  | 9.46.900 |
|  | 11 | Par. veto | 18 | 84.34 .160 | 219 | 1 | 43.105 .010 |
|  |  | 18.73.110 | 19 | 84.34.155 |  | 2 | 43.105 .016 |
|  | 12 | 18.73.120 | 20 | Sev. |  | 3 | 43.105 .020 |
|  | 13 | 18.73.130 |  | 84.34 .921 |  | 4 | n43.105.032 |
|  | 14 | 18.73.140 | 21 | Repealer |  | 5 | Par. veto |
|  | 15 | 18.73.150 | 2131 | 70.30.061 |  |  | 43.105 .032 |
|  | 16 | 18.73.160 | 2 | Par. veto |  | 6 | 43.105 .041 |
|  | 17 | 18.73 .170 |  | 70.33.020 |  | 7 | 43.105 .043 |
|  | 18 | 18.73.180 | 3 | 70.33 .030 |  | 8 | 43.105 .045 |
|  | 19 | 18.73.190 | 4 | 70.33.040 |  | 9 | 43.105 .060 |
|  | 20 | Sev. $18.73 .900$ | 5 | Par. veto 70.35 .040 |  | 10 | Sev. <br> 43.105 .900 |
|  | 21 | 18.73.200 | 214 | 49.60.010 |  | 11 | Em. |
|  | 22 | Eff. dates | 2 | 49.60.020 |  | 12 | Repealer |
|  |  | 18.73.910 | 3 | 49.60.030 | 220 | 1 | n75.12.010 |
|  | 23 | Leg. dir. | 4 | 49.60 .120 |  | 2 | Par. veto |
| 209 | 1 | 66.08 .070 | 5 | 49.60.130 |  |  | 75.12 .010 |
|  | 2 | Vetoed | 6 | Par. veto | 221 | 1 |  |
|  | 3 | 66.16.040 |  | 49.60 .180 |  |  | $83.20 .030$ |
|  | 4 | 66.20.160 | 7 | Vetoed |  | 2 | 83.20 .040 |
|  | 5 | 66.20.170 | 8 | 49.60.190 | 222 | 1 | Par. veto |
|  | 6 | 66.20.180 | 9 | 49.60.200 |  |  | Approp. |
|  | 7 | 66.20.190 | 2151 | Approp. |  | 2 | Approp. |
|  | 8 | 66.20 .200 | 2 | Approp. |  | 3 | Par. veto |
|  | 9 | 66.20.210 | 3 | Vetoed |  |  | Approp. |
|  | 10 | 66.24 .010 | 4 | Em. |  | 4 | Approp. |
|  | 11 | 66.24.025 | 216 1 | Par. veto |  | 5 | Approp. |
|  | 12 | 66.24 .120 |  | 67.16.012 |  | 6 | Approp. |
|  | 13 | 66.24.206 | 2 | Vetoed |  | 7 | Approp. |
|  | 14 | 66.24.270 | 3 | 67.16.140 |  | 8 | Approp. |
|  | 15 | 66.24.330 | 4 | 67.16.150 |  | 9 | Sev. |
|  | 16 | 66.24.370 | 5 | 67.16.160 |  | 10 | Em. |
|  | 17 | 66.24.380 | 6 | Vetoed |  |  |  |
|  | 18 | 66.24.500 | 7 | Vetoed |  |  |  |
|  | 19 | 66.44.320 | 217 1 | Par. veto |  |  |  |
|  | 20 | Repealer |  | 43.83 .110 |  |  |  |
|  | 21 | Sev. | 2 | 43.83.112 |  |  |  |
|  |  | n66.08.070 | 3 | 43.83.114 |  |  |  |
|  | 22 | Eff. date | 4 | Par. veto |  |  |  |
|  |  | n66.08.070 |  | 43.83.116 |  |  |  |
| 210 | 1 | Temporary | 5 | 43.83.118 |  |  |  |
|  | 2 | 44.40.090 | 6 | 43.83.120 |  |  |  |
|  | 3 | Par. veto | 7 | 43.83.122 |  |  |  |
|  |  | 44.40 .100 | 8 | 43.83 .124 |  |  |  |
|  | 4 | 44.40.110 | 9 | Sev. |  |  |  |
|  | 5 | Temporary |  | 43.83 .126 |  |  |  |
|  | 6 | Temporary | 10 | Em. |  |  |  |
|  | 7 | Approp. | 218 1 | Par. veto |  |  |  |
|  | 8 | Temporary |  | 9.46.010 |  |  |  |
|  | $\begin{array}{r}9 \\ \hline\end{array}$ | Temporary | 2 | Par. veto |  |  |  |
|  | 10 | Em. |  | 9.46.020 |  |  |  |
| 211 | 1 | 70.110 .010 | 3 | Par. veto |  |  |  |
|  | 2 | 70.110 .020 |  | 9.46.030 |  |  |  |
|  | 3 | 70.110 .030 | 4 | 9.46 .040 |  |  |  |
|  | 4 | 70.110 .040 | 5 | 9.46.050 |  |  |  |
|  | 5 | 70.110 .050 | 6 | 9.46.060 |  |  |  |
|  | 6 | 70.110 .060 | 7 | Par. veto |  |  |  |
|  | 7 | 70.110 .070 |  | 9.46.070 |  |  |  |
|  | 8 | 70.110 .080 | 8 | 9.46 .080 |  |  |  |
|  | 9 | 70.110 .900 | 9 | 9.46 .090 |  |  |  |
|  | 10 | Sev. | 10 | 9.46.100 |  |  |  |
|  |  | 70.110 .910 | 11 | 9.46.110 |  |  |  |
|  | 11 | Leg. dir. | 12 | 9.46.120 |  |  |  |
| 212 | 1 | 84.34 .010 | 13 | 9.46.130 |  |  |  |
|  | 2 | 84.34 .020 | 14 | 9.46.140 |  |  |  |
|  | 3 | 84.34 .030 | 15 | 9.46.150 |  |  |  |
|  | 4 | 84.34 .035 | 16 | 9.46.160 |  |  |  |
|  | 5 | 84.34 .037 | 17 | 9.46 .170 |  |  |  |
|  | 6 | 84.34.050 | 18 | 9.46.180 |  |  |  |
|  | 7 | 84.34.060 | 19 | 9.46.190 |  |  |  |
|  | 8 | 84.34 .070 | 20 | 9.46.200 |  |  |  |
|  | 9 | 84.34.080 | 21 | 9.46.210 |  |  |  |

## 1973 2ND EXTRAORDINARY SESSION LAWS

| Chap. | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: |
| 1 | 1 | 1.16.050 |
|  | 2 | 42.04.060 |
| 2 | 1 | 69.50.401 |
|  | 2 | 69.50.410 |
| 3 | 1 | 49.66.010 |
|  | 2 | 49.66.020 |
|  | 3 | 49.66.030 |
|  | 4 | 49.66.050 |
|  | 5 | 49.66.070 |
|  | 6 | 49.66.080 |
|  | 7 | 49.66.090 |
|  | 8 | 49.66.120 |
| 4 | 1 | 28A.41.130 |
|  | 2 | Temporary <br> 28A.41.210 |
|  | 3 | Eff. dates |
|  |  | n84.52.043 |
|  | 4 | 70.12.010 |
|  | 5 | 73.08.080 |
|  | 6 | Eff. date |
|  |  | n84.52.043 |
|  | 7 | Em. |
|  |  | n 84.52.043 |
| 5 | 1 | 84.69 .050 |
|  | 2 | 84.69.060 |
|  | 3 | 84.69.070 |
|  | 4 | 84.69.100 |
|  | 5 | Em. |
| 6 | 1 | 9.91 .120 |
|  | 1 | 50.04.310 |
|  | 2 | 50.04.323 |
|  | 3 | 50.20.130 |
|  | 4 | Applic. |
|  |  | n 50.04.310 |
| 8 | 1 | 84.40.080 |
|  | 2 | 84.40.085 |
| 9 | 1 | 49.46.020 |
| 10 | 1 | 74.04.600 |
|  | 2 | 74.04.610 |
|  | 3 | 74.04.620 |
|  | 4 | 74.04.630 |
|  | 5 | 74.04.640 |
|  | 6 | 74.04.650 |
|  | 7 | Em. |
| 11 | 1 | 70.94.775 |
|  | 2 | Em. |
| 12 | 1 | 47.01.141 |
|  | 2 | 47.01.160 |
|  | 3 | 47.01.220 |
|  | 4 | 47.05.030 |
|  | 5 | 47.05.040 |
|  | 6 | 47.05.050 |
|  | 7 | 47.05.070 |
|  | 8 | Repealer |
| 13 | 1 | 2.36 .063 |
|  | 2 | 2.36 .093 |
| 14 | 1 | 41.40 .195 |
|  | 2 | 41.40.280 |
|  | 3 | 43.43.270 |
|  | 4 | Non-op. |
|  | 5 | Em. |
| 15 | 1 | 46.44.080 |
| 16 | 1 | 49.12.005 |
|  | 2 | 49.12.010 |
|  | 3 | 49.12.020 |
|  | 4 | 43.22 .280 |
|  | 5 | 49.12.041 |
|  | 6 | 49.12.091 |


| Chap. | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: |
|  | 7 | 49.12.101 |
|  | 8 | 49.12.105 |
|  | 9 | 49.12.161 |
|  | 10 | 49.12 .035 |
|  | 11 | 43.22.260 |
|  | 12 | 43.22.270 |
|  | 13 | 49.12.110 |
|  | 14 | 49.12.050 |
|  | 15 | 49.12.121 |
|  | 16 | 49.12.170 |
|  | 17 | 49.12.185 |
|  | 18 | 49.12.187 |
|  | 19 | Repealer |
|  | 20 | Sev. <br> 49.12 .900 |
|  | 21 | Em. |
| 17 | 1 | 43.06.130 |
|  | 2 | 43.06.140 |
|  | 3 | 43.88.205 |
| 18 | 1 | 47.12.270 |
|  | 2 | Em. |
| 19 | 1 | 90.58.140 |
|  | 2 | Em. |
| 20 | 1 | 43.43.040 |
| 21 | 1 | 28A.57.312 |
|  | 2 | 28A.57.342 |
|  | 3 | 28A. 57.344 |
|  | 4 | 28A.57.358 |
|  | 5 | 28A.57.425 |
|  | 6 | 28A.57.435 |
|  | 7 | 29.21.180 |
|  | 8 | 29.21.210 |
|  | 9 | 29.21.230 |
|  | 10 | 28A.57.357 |
|  | 11 | Sev. |
|  |  | n 28A.57.312 |
| 22 | 1 | 46.64.070 |
| 23 | 1 | 26.09.020 |
|  | 2 | Em. |
| 24 | 1 | 72.23 .070 |
|  | 2 | 71.05.030 |
|  | 3 | 71.05.090 |
|  | 4 | 71.05.100 |
|  | 5 | 71.05.120 |
|  | 6 | 71.05.400 |
|  | 7 | 71.05.410 |
| 25 | 1 | Temporary |
|  | 2 | Temporary |
| 26 | 1 | 47.56.720 |
|  | 2 | Temporary |
|  | 3 | Eff. date |
|  |  | n47.56.720 |
| 27 | 1 | Non-op. |
|  | 2 | Non-op. |
| 28 | 1 | Approp. |
|  | 2 | Em. |
| 29 | 1 | 43.21 D. 010 |
|  | 2 | 43.21 D .020 |
|  | 3 | 43.21 D. 030 |
|  | 4 | 43.21D. 040 |
|  | 5 | 43.21 D. 050 |
|  | 6 | 43.21 D .060 |
|  | 7 | 43.21 D .070 |
|  | 8 | 43.21 D .080 |
|  | 9 | Exp. date $43.21 \text { D. } 900$ |
|  | 10 | Constr. |
|  |  | 43.21 D. 905 |

$\left.\begin{array}{|ccc}\text { Chap. } & \text { Sec. } & \text { Rev. Code } \\ \text { of Wash. }\end{array}\right]$
$\left.\begin{array}{|ccc} & & \text { Rev. Code } \\ \text { Chap. } & \text { Sec. } & \text { of Wash. } \\ \hline & 3 & \text { 43.130.030 }\end{array}\right]$

| Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: |
| 41 | Eff. date |
|  | 84.36.905 |
|  | Vetoed |
|  | Vetoed |
|  | Vetoed |
|  | Par. veto |
|  | 9.46.070 |
| 5 | Vetoed |
| 6 | Vetoed |
| 7 | Vetoed |
| 8 | 9.46.285 |
| 9 | Vetoed |
| 10 | Vetoed |
| 11 | Em. |
| INITIATIVE NO. 282 |  |
| 1 | $n 43.03 .010$ |
| 2 | 43.03.010 |
| 3 | 2.04.090 |
| 4 | 2.06.060 |
| 5 | 2.08 .090 |
| 6 | 3.58 .010 |
| 7 | Sev. |
|  | n43.03.010 |

## 1974 EXTRAORDINARY SESSION LAWS



Parallel Tables: 1974 Extraordinary Session Laws-—RCW

[Parallel Tables——p 158]

Parallel Tables: 1974 Extraordinary Session Laws-—RCW


Parallel Tables: 1974 Extraordinary Session Laws-—RCW


## 1975 REGULAR SESSION LAWS

$\left.\begin{array}{ccc}\text { Chap. Sec. } & \text { Rev. Code } \\ \text { of Wash. }\end{array}\right\}$




Parallel Tables: 1975 1st Extraordinary Session Laws——RCW

1975 1ST EXTRAORDINARY SESSION LAWS


| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 15 | 46.90 .136 | 98 | 46.90.540 | 4 | 18.53.060 | 2 | 21.20.040 | 931 | 16.67.120 |
| 16 | 46.90.139 | 99 | 46.90.545 | 5 | 18.53.070 | 3 | 21.20 .050 | 94 | 36.18 .040 |
| 17 | 46.90.142 | 100 | 46.90.550 | 6 | 18.53 .100 | 4 | 21.20 .070 | $95 \quad 1$ | 11.88 .005 |
| 18 | 46.90.145 | 101 | 46.90.555 | 7 | 18.53.140 | 5 | 21.20 .080 | 2 | 11.88 .010 |
| 19 | 46.90.148 | 102 | 46.90.560 | 8 | 18.53 .190 | 6 | 21.20 .090 | 3 | 11.88 .020 |
| 20 | 46.90.151 | 103 | 46.90.565 | 9 | 18.54.050 | 7 | 21.20 .110 | 4 | 11.88 .030 |
| 21 | 46.90.154 | 104 | 46.90.600 | 10 | 18.54.070 | 8 | 21.20.120 | 5 | 11.88 .040 |
| 22 | 46.90.157 | 105 | 46.90.610 | 11 | 18.54.080 | 9 | 21.20 .130 | 6 | 11.88 .125 |
| 23 | 46.90.160 | 106 | 46.90.620 | 12 | 18.54.140 | 10 | 21.20.140 | 7 | 11.88 .045 |
| 24 | 46.90 .163 | 107 | 46.90.630 | 13 | 18.53.155 | 11 | 21.20 .230 | 8 | 11.88 .035 |
| 25 | 46.90.166 | 108 | 46.90.640 | 14 | 18.53.200 | 12 | 21.20.240 | 9 | 11.88 .090 |
| 26 | 46.90.169 | 109 | 46.90 .650 | 15 | 18.53.040 | 13 | 21.20 .260 | 10 | 11.88 .100 |
| 27 | 46.90.172 | 110 | 46.90.660 | 16 | Repealer | 14 | 21.20.270 | 11 | 11.88.105 |
| 28 | 46.90.175 | 111 | 46.90 .700 | 17 | Sev. | 15 | 21.20.280 | 12 | 11.88.107 |
| 29 | 46.90.178 | 112 | 46.90 .710 |  | 18.53.911 | 16 | 21.20 .310 | 13 | 11.88 .110 |
| 30 | 46.90.181 | 113 | 46.90.720 | $70 \quad 1$ | 18.37.010 | 17 | 21.20 .320 | 14 | 11.88.120 |
| 31 | 46.90.184 | 114 | 46.90.730 | 2 | 18.37.020 | 18 | 21.20.325 | 15 | 11.88.130 |
| 32 | 46.90.187 | 115 | 46.90 .740 | 3 | 18.37.040 | 19 | 21.20 .330 | 16 | 11.88 .140 |
| 33 | 46.90.190 | 116 | 46.90.900 | 4 | Repealer | 20 | 21.20.340 | 17 | 11.88.150 |
| 34 | 46.90.200 | 117 | 46.90.910 | $71 \quad 1$ | 18.106.010 | 21 | 21.20 .360 | 18 | 11.92 .010 |
| 35 | 46.90.205 | 118 | 46.90.920 | 2 | 18.106.020 | 22 | 21.20.380 | 19 | 11.92 .035 |
| 36 | 46.90.210 | 119 | 46.90.930 | 3 | 18.106.040 | 23 | 21.20 .390 | 20 | 11.92 .040 |
| 37 | 46.90.215 | 120 | Sev. | 4 | Repealer | 24 | 21.20.430 | 21 | 11.92 .050 |
| 38 | 46.90.220 |  | 46.90 .940 | 72 1 | 42.24 .035 | 25 | 21.20 .450 | 22 | 11.92 .056 |
| 39 | 46.90.225 | 121 | 46.90.950 | 73 1 | 41.04.235 | 26 | 21.20 .335 | 23 | 11.92.060 |
| 40 | 46.90 .230 | 122 | Leg. dir. | $74 \quad 1$ | 70.88.070 | 27 | 21.20.235 | 24 | 11.92 .090 |
| 41 | 46.90.235 | $55 \quad 1$ | 68.46.010 | 751 | Approp. | 28 | Repealer | 25 | 11.92.100 |
| 42 | 46.90 .240 | 561 | 35.22 .620 | 2 | Em. | $85 \quad 1$ | 42.28 .030 | 26 | 11.92.110 |
| 43 | 46.90 .245 | 2 | 35.22.630 | 761 | 2.36 .150 | 2 | 42.28 .060 | 27 | 11.92.115 |
| 44 | 46.90 .250 | 3 | 35.22 .640 | 77 1 | 39.58 .010 | 3 | 42.28.070 | 28 | 11.92.120 |
| 45 | 46.90.255 | 4 | 35.22.650 | 2 | 39.58.040 | 4 | 42.28 .090 | 29 | 11.92 .130 |
| 46 | 46.90.260 | 5 | Leg. dir. | 3 | 39.58.050 | 5 | 42.28.035 | 30 | 11.92.150 |
| 47 | 46.90.265 | $57 \quad 1$ | 54.16 .230 | 4 | 39.58.103 | $86 \quad 1$ | 56.32.010 | 31 | 11.92.160 |
| 48 | 46.90.270 | 2 | 54.16.240 | 5 | 39.58.105 | 2 | 56.32.020 | 32 | 11.92.170 |
| 49 | 46.90.275 | 3 | 54.16 .250 | 6 | 39.58.108 | 3 | 56.32.030 | 33 | 11.92.180 |
| 50 | 46.90.300 | 4 | 54.16.260 | 7 | 43.85.010 | 4 | 56.32.040 | 34 | 11.92.185 |
| 51 | 46.90 .330 | 5 | 54.16.270 | 78 1 | 28A.03.300 | 5 | 56.32.050 | $96 \quad 1$ | 47.12.060 |
| 52 | 46.90.335 | 6 | Leg. dir. | 2 | 28A.03.310 | 6 | 56.32.080 | 2 | 47.12.070 |
| 53 | 46.90.340 | 58 1 | 51.52 .050 | 3 | 28A.03.320 | 7 | 56.32.100 | 3 | 47.12 .080 |
| 54 | 46.90.345 | 2 | 51.52.060 | 4 | Sev. | 8 | 56.32.110 | 4 | 47.12.130 |
| 55 | 46.90 .350 | 3 | 51.52 .070 |  | n28A.03.300 | 9 | 56.32.115 | 5 | 47.12.150 |
| 56 | 46.90.355 | 4 | 51.52.106 | 5 | Em. | 87 1 | 30.46.010 | 6 | 47.12.290 |
| 57 | 46.90.360 | 591 | 4.24.230 | 79 1 | 51.12.035 | 2 | 30.46.020 | 97 1 | 18.52.040 |
| 58 | 46.90.365 | 60 1 | Repealer | $80 \quad 1$ | Leg. dir. | 3 | 30.46.030 | 2 | 18.52.120 |
| 59 | 46.90.370 | 2 | 28A.03.051 | 2 | 31.12A. 005 | 4 | 30.46.040 | 3 | Em. |
| 60 | 46.90.375 | 3 | Eff. date | 3 | 31.12A. 010 | 5 | 30.46.050 | $98 \quad 1$ | 28A.47.803 |
| 61 | 46.90.380 |  | n28A.03.051 | 4 | 31.12A. 020 | 6 | 30.46.060 | 2 | 28A.47.820 |
| 62 | 46.90.400 | 611 | 9.54.090 | 5 | 31.12A. 030 | 7 | 30.46.070 | 3 | Eff. date |
| 63 | 46.90 .403 | - 2 | 9.54.115 | 6 | 31.12A. 040 | 8 | 30.46.080 |  | n 28A.47.803 |
| 64 | 46.90 .406 | 3 | Repealer | 7 | 31.12A. 050 | 9 | 30.46.090 | $99 \quad 1$ | 18.51 .050 |
| 65 | 46.90.409 | 4 | Repealer | 8 | 31.12A. 060 | 10 | 30.46.100 | 2 | 18.51 .060 |
| 66 | 46.90.412 | 62 1 | 82.38 .030 | 9 | 31.12A. 070 | 11 | Leg. dir. | 3 | 18.51.007 |
| 67 | 46.90.415 | 63 1 | 46.44.150 | 10 | 31.12A. 080 | 12 | Em. | 4 | 18.51.190 |
| 68 | 46.90.418 | 64 1 | 56.08.070 | 11 | 31.12A. 090 | $88 \quad 1$ | 28B. 20.750 | 5 | 18.51.200 |
| 69 | 46.90.421 | 2 | 57.08.050 | 12 | 31.12A. 100 | 2 | 28B. 20.751 | 6 | 18.51 .210 |
| 70 | 46.90.424 | 65 1 | 28B.57.010 | 13 | 31.12A. 110 | 3 | 28B. 20.752 | 7 | 18.51 .220 |
| 71 | 46.90.427 | 2 | 28B. 57.020 | 14 | 31.12A. 120 | 4 | 28B. 20.753 | 8 | 18.51.280 |
| 72 | 46.90.430 | 3 | 28B. 57.030 | 15 | 31.12A. 130 | 5 | 28B. 20.754 | 9 | 18.51 .290 |
| 73 | 46.90.433 | 4 | 28B. 57.040 | 16 | 31.12A. 140 | 6 | 28B. 20.755 | 10 | 18.51 .230 |
| 74 | 46.90 .436 | 5 | 28B. 57.050 | 17 | 31.12A. 900 | 7 | 28B. 20.756 | 11 | 18.51 .240 |
| 75 | 46.90.439 | 6 | 28B. 57.060 | 18 | Constr. | 8 | 28B. 20.757 | 12 | 18.51.250 |
| 76 | 46.90 .442 | 7 | 28B. 57.070 |  | 31.12A. 910 | 9 | 28B. 20.758 | 13 | 18.51.260 |
| 77 | 46.90.445 | 8 | 28B. 57.080 | 19 | 31.12A. 920 | 10 | 28B. 20.759 | 14 | 18.51 .270 |
| 78 | 46.90.448 | 9 | 28B. 57.090 | 20 | Sev. | 11 | Leg. dir. | 15 | 18.51 .055 |
| 79 | 46.90.451 | 10 | 28B.57.100 |  | 31.12A. 940 | 12 | Sev. | 16 | 18.51.065 |
| 80 | 46.90.454 | 11 | Leg. dir. | 21 | Eff. date |  | n 28B. 20.750 | $100 \quad 17$ | Repealer |
| 81 | 46.90.457 | 12 | Approp. |  | 31.12A.930 | $89 \quad 13$ | Em. | $100 \quad 1$ | 46.68.110 |
| 82 | 46.90.460 |  | n 28B.57.010 | 81 | 43.84 .150 | $89 \quad 1$ | 29.68.070 | 1012 | 46.68.120 |
| 83 84 | 46.90 .463 46.90 .466 | 13 | Sev. n8B. S7.010 | $82 \quad 1$ | 43.101 .080 43.101 .150 | $90 \quad 2$ | n 29.68.070 82.04.050 | $101 \begin{aligned} & 1 \\ & \\ & 1\end{aligned}$ | 76.14 .050 76.14 .051 |
| 84 | 46.90 .466 |  | n 28B.57.010 | $83 \quad 2$ | 43.101 .150 33.46 .010 | $90 \quad 1$ | 82.04 .050 8204.190 | $102 \quad 2$ | 76.14.051 |
| 85 | 46.90.469 | 14 | Em. | $83 \quad 1$ | 33.46 .010 | 2 | 82.04 .190 | 1021 | 77.12 .150 |
| 86 | 46.90.472 | $66 \quad 1$ | 28A.58.242 | 2 | 33.46.020 | 3 | 82.04.280 | 1032 | 77.12.160 |
| 87 | 46.90 .475 | 2 | 28A.58.243 | 3 | 33.46 .030 3360 | 4 | Applic. | 1031 | 43.101 .080 |
| 88 89 | 46.90 .478 46.90 .481 | 3 4 | Repealer | 4 5 | 33.46 .040 33.46 .050 | 5 | Eff. date 082.04 .050 | 1041 | 60.28 .010 |
| 89 90 | 46.90.481 | 4 | Sev . | 5 | 33.46 .050 33.46 .060 |  | n 82.04.050 | 1052 | 60.28 .020 |
| 90 91 | 46.90 .500 46.90 .505 |  | n 28A.58.242 | 6 | 33.46 .060 33.46 .070 | $91 \quad 1$ | 43.79 .423 | 1051 | 28B. 15.225 |
| 91 92 | 46.90 .505 46.90 .510 | $67 \quad 1$ | 50.44.040 Em. | 7 | 33.46 .070 33.46 .080 | 92 | Vetoed 19.28 .120 | $106 \quad 1$ | 70.94 .092 70.94 .097 |
| 92 93 | 46.90 .510 46.90 .515 | $\begin{array}{rr} \\ 68 & 1 \\ \end{array}$ | Em. 66.44 .190 | 8 9 | 33.46 .080 33.46 .090 | $\begin{array}{ll}92 & 1 \\ & 2\end{array}$ | 19.28.120 | $107 \quad \begin{aligned} & 2 \\ & 1\end{aligned}$ | 70.94 .097 43.51 .215 |
| 94 | 46.90.520 | 2 | Repealer | 10 | 33.46.100 | 3 | 19.28.125 | 107 | 79.08.015 |
| 95 | 46.90.525 | 691 | 18.53 .005 | 11 | 33.46.110 | 4 | Sev. | 1081 | 70.112 .010 |
| 96 | 46.90.530 | - 2 | 18.53 .010 | 8412 | Leg. dir. |  | n 19.28.120 | 2 | 70.112 .020 |
| 97 | 46.90.535 | 3 | 18.53.020 | 841 | 21.20.005 | 5 | Em. | 3 | 70.112 .030 |

Parallel Tables: 1975 1st Extraordinary Session Laws-—RCW

[Parallel Tables——p 164]

Parallel Tables: 1975 1st Extraordinary Session Laws- - RCW


Parallel Tables: 1975 1st Extraordinary Session Laws——RCW

| Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 3 | 9.46.030 | 9A.56.100 | 9A.56.100 | 4 | 2.08 .090 | 31 | Approp. | 111 | Approp. |
| 4 | 9.46 .070 | 9A.56.110 | 9A.56.110 | 5 | 3.58 .010 | 32 | Par. veto | 112 | Approp. |
| 260 |  | 9A.56.120 | 9A.56.120 | 6 | Approp. |  | Approp. | 113 | Approp. |
| 9A.04.010 | 9A.04.010 | 9A.56.130 | 9A.56.1 30 | 7 | Sev. | 33 | Approp. | 114 | Approp. |
| 9A.04.020 | 9A.04.020 | 9A.56.140 | 9A.56.140 |  | n 43.03.010 | 34 | Approp. | 115 | Approp. |
| 9A.04.030 | 9A.04.030 | 9A.56.150 | 9A.56.150 | 8 | Eff. date | 35 | Approp. | 116 | Approp. |
| 9A.04.040 | 9A.04.040 | 9A.56.160 | 9A.56.160 |  | $n 43.03 .010$ | 36 | Approp. | 117 | Approp. |
| 9A.04.050 | 9A.04.050 | 9A.56.170 | 9A.56.170 | 264 | 23A.08.325 | 37 | Approp. | 118 | Approp. |
| 9A. 04.060 | 9A.04.060 | 9A.56.180 | 9A.56.180 | 2 | 23A.08.350 | 38 | Approp. | 119 | Approp. |
| 9A.04.070 | 9A.04.070 | 9A. 56.190 | 9A.56.190 | 3 | 23A.08.410 | 39 | Approp. | 120 | Approp. |
| 9A.04.080 | 9A.04.080 | 9A.56.200 | 9A.56.200 | 4 | 23A.08.470 | 40 | Approp. | 121 | Approp. |
| 9A.04.090 | 9A.04.090 | 9A.56.210 | 9A.56.210 | 5 | 23A.08.130 | 41 | Approp. | 122 | Approp. |
| 9A.04.100 | 9A.04.100 | 9A.60.010 | 9A.60.010 | 265 1 | 32.08.210 | 42 | Approp. | 123 | Approp. |
| 9A.04.110 | 9A.04.110 | 9A.60.020 | 9A.60.020 | 266 1 | 31.08.175 | 43 | Approp. | 124 | Approp. |
| 9A.08.010 | 9A.08.010 | 9A.60.030 | 9A.60.030 | 2 | 48.01 .010 | 44 | Approp. | 125 | Approp. |
| 9A.08.020 | 9A.08.020 | 9A. 60.040 | 9A.60.040 | 3 | 48.05.185 | 45 | Approp. | 126 | Approp. |
| 9A.08.030 | 9A.08.030 | 9A.60.050 | 9A.60.050 | 4 | 48.07 .090 | 46 | Approp. | 127 | Approp. |
| 9A. 12.010 | 9A.12.010 | 9A.64.010 | 9A.64.010 | 5 | 48.10 .070 | 47 | Approp. | 128 | Approp. |
| 9A.16.010 | 9A.16.010 | 9A.64.020 | 9A.64.020 | 6 | 48.15 .090 | 48 | Approp. | 129 | Approp. |
| 9A.16.020 | 9A.16.020 | 9A.68.010 | 9A.68.010 | 7 | 48.17 .060 | 49 | Approp. | 130 | Approp. |
| 9A.16.030 | 9A. 16.030 | 9A.68.020 | 9A.68.020 | 8 | 48.17 .560 | 50 | Approp. | 131 | Approp. |
| 9A. 16.040 | 9A.16.040 | 9A. 68.030 | 9A.68.030 | 9 | 48.20 .015 | 51 | Approp. | 132 | Approp. |
| 9A.16.050 | 9A.16.050 | 9A.68.040 | 9A.68.040 | 10 | 48.21 .190 | 52 | Approp. | 133 | Approp. |
| 9A.16.060 | 9A. 16.060 | 9A.68.050 | 9A.68.050 | 11 | 48.24 .030 | 53 | Approp. | 134 | Approp. |
| 9A.16.070 | 9A.16.070 | 9A.72.010 | 9A.72.010 | 12 | 48.20 .052 | 54 | Approp. | 135 | Approp. |
| 9A.16.080 | 9A.16.080 | 9A. 72.020 | 9A.72.020 | 13 | 48.34 .090 | 55 | Approp. | 136 | Approp. |
| 9A.16.090 | 9A.16.090 | 9A. 72.030 | 9A.72.030 | 14 | 48.44.240 | 56 | Approp. | 137 | Approp. |
| 9A. 20.010 | 9A.20.010 | 9A. 72.040 | 9A.72.040 | 15 | n48.20.450 | 57 | Approp. | 138 | Approp. |
| 9A. 20.020 | 9A. 20.020 | 9A. 72.050 | 9A.72.050 | 16 | 48.20 .450 | 58 | Approp. | 139 | Approp. |
| 9A. 20.030 | 9A. 20.030 | 9A. 72.060 | 9A.72.060 | 17 | 48.20 .460 | 59 | Approp. | 140 | Approp. |
| 9A. 20.040 | 9A. 20.040 | 9A. 72.070 | 9A.72.070 | 18 | 48.20 .470 | 60 | Approp. | 141 | Approp. |
| 9A. 28.010 | 9A.28.010 | 9A. 72.080 | 9A.72.080 | 19 | 48.20 .480 | 61 | Approp. | 142 | Approp. |
| 9A. 28.020 | 9A.28.020 | 9A. 72.090 | 9A.72.090 | 20 | 48.21 .200 | 62 | Approp. | 143 | Approp. |
| 9A. 28.030 | 9A.28.030 | 9A. 72.100 | 9A.72.100 | 21 | Sev. | 62A | Approp. | 144 | Approp. |
| 9A. 28.040 | 9A.28.040 | 9A.72.110 | 9A.72.110 |  | n 31.08 .175 | 63 | Par. veto | 145 | Approp. |
| 9A. 32.010 | 9A.32.010 | 9A.72.120 | 9A.72.120 | 267 1 | 47.20 .660 |  | Approp. | 146 | Approp. |
| 9A.32.020 | 9A.32.020 | 9A. 72.130 | 9A.72.130 | 2 | 47.20 .662 | 64 | Approp. | 147 | Vetoed |
| 9A. 32.030 | 9A.32.030 | 9A. 72.140 | 9A.72.140 | 3 | 47.20.664 | 65 | Approp. | 148 | Par. veto |
| 9A.32.040 | 9A.32.040 | 9A. 72.150 | 9A.72.150 | 4 | 47.26.281 | 66 | Approp. |  | Approp. |
| 9A.32.050 | 9A.32.050 | 9A.76.010 | 9A.76.010 | 5 | Em. | 67 | Approp. | 149 | Approp. |
| 9A.32.060 | 9A.32.060 | 9A.76.020 | 9A.76.020 | 268 1 | 44.40 .020 | 68 | Approp. | 150 | Vetoed |
| 9A. 32.070 | 9A. 32.070 | 9A.76.030 | 9A.76.030 | 2 | 44.40 .120 | 69 | Approp. | 151 | Approp. |
| 9A.36.010 | 9A.36.010 | 9A.76.040 | 9A.76.040 | 3 | 44.40.040 | 70 | Approp. | 152 | Approp. |
| 9A.36.020 | 9A.36.020 | 9A.76.050 | 9A.76.050 | 4 | n 44.40.020 | 71 | Approp. | 153 | Approp. |
| 9A.36.030 | 9A.36.030 | 9A.76.060 | 9A.76.060 | 5 | 44.40 .125 | 72 | Vetoed | 154 | Approp. |
| 9A.36.040 | 9A.36.040 | 9A.76.070 | 9A.76.070 | 6 | 44.40 .130 | 73 | Approp. | 155 | Approp. |
| 9A.36.050 | 9A.36.050 | 9A.76.080 | 9A.76.080 | 7 | 44.40.100 | 74 | Approp. | 156 | Approp. |
| 9A.36.060 | 9A.36.060 | 9A.76.090 | 9A.76.090 | 8 | 44.40.110 | 75 | Approp. | 157 | Approp. |
| 9A.36.070 | 9A.36.070 | 9A.76.100 | 9A.76.100 | 9 | Repealer | 76 | Approp. | 158 | Approp. |
| 9A.40.010 | 9A.40.010 | 9A.76.110 | 9A.76.110 | 10 | Em. | 77 | Approp. | 159 | Approp. |
| 9A. 40.020 | 9A.40.020 | 9A.76.120 | 9A.76.120 | 269 1 | Temporary | 78 | Approp. | 160 | Approp. |
| 9A.40.030 | 9A.40.030 | 9A.76.130 | 9A.76.130 | 2 | Approp. | 79 | Approp. | 161 | Approp. |
| 9A. 40.040 | 9A.40.040 | 9A.76.140 | 9A.76.140 | 3 | Approp. | 80 | Approp. | 162 | Approp. |
| 9A.40.050 | 9A.40.050 | 9A.76.150 | 9A.76.150 | 4 | Approp. | 81 | Approp. | 163 | Approp. |
| 9A.48.010 | 9A.48.010 | 9A.76.160 | 9A.76.160 | 5 | Approp. | 82 | Approp. | 164 | Approp. |
| 9A.48.020 | 9A.48.020 | 9A.76.170 | 9A.76.170 | 6 | Approp. | 83 | Approp. | 165 | Approp. |
| 9A.48.030 | 9A.48.030 | 9A.76.180 | 9A.76.180 | 7 | Approp. | 84 | Approp. | 166 | Approp. |
| 9A.48.040 | 9A.48.040 | 9A.80.010 | 9A.80.010 | 8 | Approp. | 85 | Approp. | 167 | Approp. |
| 9A.48.050 | 9A.48.050 | 9A.84.010 | 9A.84.010 | 9 | Approp. | 86 | Approp. | 168 | Approp. |
| 9A.48.060 | 9A.48.060 | 9 A .84 .020 | 9A.84.020 | 10 | Approp. | 87 | Approp. | 169 | Approp. |
| 9A.48.070 | 9A.48.070 | 9A.84.030 | 9A.84.030 | 11 | Par. veto | 88 | Approp. | 170 | Approp. |
| 9A.48.080 | 9A.48.080 | 9A.84.040 | 9A.84.040 |  | Approp. | 89 | Approp. | 171 | Approp. |
| 9A.48.090 | 9A.48.090 | 9A.88.010 | 9A.88.010 | 12 | Approp. | 90 | Approp. | 172 | Approp. |
| 9A. 48.100 | 9A.48.100 | 9 A .88 .020 | 9A.88.020 | 13 | Approp. | 91 | Approp. | 173 | Par. veto |
| 9A.52.010 | 9A.52.010 | 9A.88.030 | 9A.88.030 | 14 | Approp. | 92 | Approp. |  | Approp. |
| 9A. 52.020 | 9A.52.020 | 9A.88.050 | 9 A .88 .050 | 15 | Approp. | 93 | Approp. | 174 | Approp. |
| 9A. 52.030 | 9A.52.030 | 9A.88.060 | 9A.88.060 | 16 | Approp. | 94 | Approp. | 175 | Approp. |
| 9A.52.040 | 9A.52.040 | 9A.88.070 | 9A.88.070 | 17 | Approp. | 95 | Approp. | 176 | Approp. |
| 9A.52.050 | 9A. 52.050 | 9 A .88 .080 | 9A.88.080 | 18 | Approp. | 96 | Approp. | 177 | Approp. |
| 9A. 52.060 | 9A.52.060 | 9A.88.090 | 9A.88.090 | 19 | Approp. | 97 | Approp. | 178 | Approp. |
| 9A.52.070 | 9A.52.070 | 9 A .88 .100 | 9A.88.100 | 20 | Approp. | 98 | Approp. | 179 | Approp. |
| 9A.52.080 | 9A.52.080 | 9A.92.010 | Repealer | 21 | Par. veto | 99 | Approp. | 180 | Approp. |
| 9A. 52.090 | 9A.52.090 |  | 9A.98.010 |  | Approp. | 100 | Approp. | 181 | Approp. |
| 9A.52.100 | 9A.52.100 | 9A.92.020 | Savings | 22 | Approp. | 101 | Approp. | 182 | Approp. |
| 9A.56.010 | 9A.56.010 |  | 9A.98.020 | 23 | Approp. | 102 | Approp. | 183 | Approp. |
| 9A.56.020 | 9A.56.020 | 9A.92.900 | Leg. dir. | 24 | Approp. | 103 | Approp. | 184 | Approp. |
| 9A.56.030 | 9A. 56.030 |  | n9A.04.010 | 25 | Approp. | 104 | Approp. | 185 | Approp. |
| 9A.56.040 | 9A. 56.040 | $261 \quad 1$ | 2.32 .240 | 26 | Approp. | 105 | Approp. | 186 | Approp. |
| 9A.56.050 | 9A.56.050 | 262 2 | 4.88.330 | 27 | Approp. | 106 | Approp. | 187 | Temporary |
| 9A.56.060 | 9A.56.060 | 262 1 | 28A.04.133 | 28 | Par. veto | 107 | Approp. | 188 | Temporary |
| 9A.56.070 | 9A.56.070 | 263 1 | 43.03 .010 |  | Approp. | 108 | Approp. | 189 | Vetoed |
| 9A.56.080 | 9A.56.080 | 2 | 2.04 .090 | 29 | Approp. | 109 | Approp. | 190 | Temporary |
| 9A.56.090 | 9A.56.090 | 3 | 2.06.060 | 30 | Approp. | 110 | Approp. | 191 | Vetoed |

Parallel Tables: 1975 1st Extraordinary Session Laws_-RCW

|  | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 192 | Temporary | 11 | 28A. 21.040 | 94 | 28A.57.200 | 20 | Approp. | 63 | 82.24 .110 |
|  | 193 | Approp. | 12 | 28A. 21.050 | 95 | 28A.57.240 | 21 | Approp. | 64 | 82.24 .120 |
|  | 194 | Temporary | 13 | 28A. 21.060 | 96 | 28A.57.245 | 22 | Temporary | 65 | 82.24 .140 |
|  | 195 | Vetoed | 14 | 28A. 21.070 | 97 | 28A.57.255 | 23 | Temporary | 66 | 82.24.180 |
|  | 196 | Temporary | 15 | 28A. 21.080 | 98 | 28A.57.290 | 24 | Temporary | 67 | 82.24 .190 |
|  | 197 | Temporary | 16 | 28A. 21.086 | 99 | 28A.57.300 | 25 | Temporary | 68 | 82.24 .210 |
|  | 198 | Temporary | 17 | 28A. 21.088 | 100 | 28A.57.326 | 26 | Temporary | 69 | 82.24 .220 |
|  | 199 | Temporary | 18 | 28A. 21.090 | 101 | 28A.57.328 | 27 | Temporary | 70 | 82.26 .010 |
|  | 200 | Temporary | 19 | 28A. 21.092 | 102 | 28A.57.355 | 28 | Temporary | 71 | 82.26 .020 |
|  | 201 | Temporary | 20 | 28A. 21.095 | 103 | 28A.57.356 | 29 | Temporary | 72 | 82.26 .050 |
|  | 202 | Temporary | 21 | 28A. 21.100 | 104 | 28A. 57.357 | 30 | Sev. | 73 | 82.26 .060 |
|  | 203 | Temporary | 22 | 28A. 21.105 | 105 | 28A.57.358 | 31 | Em. | 74 | 82.26.080 |
|  | 204 | Temporary | 23 | 28A. 21.106 | 106 | 28A.57.390 | 277 1 | 19.98.010 | 75 | 82.26 .090 |
|  | 205 | Temporary | 24 | 28A. 21.110 | 107 | 28A.57.415 | 2 | 18.98.020 | 76 | 82.26 .110 |
|  | 206 | Temporary | 25 | 28A.21.111 | 108 | 28A.58.100 | 3 | 19.98.030 | 77 | 82.32 .030 |
|  | 207 | Temporary | 26 | 28A. 21.112 | 109 | 28A.58.103 | 4 | 19.98.040 | 78 | 82.32 .105 |
|  | 208 | Sev. | 27 | 28A. 21.113 | 110 | 28A.58.150 | 5 | Leg. dir. | 79 | 82.32.110 |
|  | 209 | Em. | 28 | 28A. 21.120 | 111 | 28A.58.225 | 6 | Eff. date | 80 | 82.32 .120 |
| 270 | 1 | 35.58.272 | 29 | 28A. 21.130 | 112 | 28A.58.530 |  | 19.98.900 | 81 | 82.32 .130 |
|  | 2 | 35.58 .278 | 30 | 28A. 21.135 | 113 | 28A.58.560 | 7 | Sev. | 82 | 82.32 .140 |
|  | 3 | 35.95 .020 | 31 | 28A. 21.140 | 114 | 28A.58.603 |  | 19.98 .910 | 83 | 82.32 .200 |
|  | 4 | 35.95.040 | 32 | 28A. 21.160 | 115 | 28A.58.620 | 278 1 | 11.08.160 | 84 | 82.32 .230 |
|  | 5 | 36.57.080 | 33 | 28A. 21.170 | 116 | 28A.58.630 | 278 | 11.08 .170 | 85 | 82.32.235 |
|  | 6 | 82.14 .045 | 34 | 28A. 21.180 | 117 | 28A.59.080 | 3 | 11.08.180 | 86 | 82.32 .240 |
|  | 7 | 35.58.2721 | 35 | 28A. 21.195 | 118 | 28A.59.150 | 4 | 11.08.200 | 87 | 82.32 .260 |
|  | 8 | 35.58.2794 | 36 | 28A. 21.200 | 119 | 28A.60.070 | 5 | 11.08.210 | 88 | 82.32 .270 |
|  | 9 | 36.57.100 | 37 | 28A. 21.220 | 120 | 28A.60.186 | 6 | 11.08.220 | 89 | 82.32 .290 |
|  | 10 | 36.57.110 | 38 | 28A. 21.300 | 121 | 28A.60.210 | 7 | 11.08.230 | 90 | 82.32 .300 |
|  | 11 | 36.57A. 010 | 39 | 27.16.010 | 122 | 28A.65.080 | 8 | 11.08 .240 | 91 | 82.32 .310 |
|  | 12 | 36.57A. 020 | 40 | 27.16.020 | 123 | 28A.65.100 | 9 | 11.08.260 | 92 | 82.32 .320 |
|  | 13 | 36.57A. 030 | 41 | 27.16.030 | 124 | 28A.65.110 | 10 | 11.76.220 | 93 | 82.32 .360 |
|  | 14 | 36.57A. 040 | 42 | 27.16.040 | 125 | 28A.65.120 | 11 | 11.76.240 | 94 | 82.44 .040 |
|  | 15 | 36.57A. 050 | 43 | 27.16.050 | 126 | 28A.65.150 | 12 | 11.76.245 | 95 | 82.44.120 |
|  | 16 | 36.57A. 060 | 44 | 27.16.060 | 127 | 28A.65.153 | 13 | 19.91.080 | 96 | 82.48 .090 |
|  | 17 | 36.57A. 070 | 45 | 28A.02.070 | 128 | 28A.65.180 | 14 | 19.91.130 | 97 | 82.50 .170 |
|  | 18 | 36.57A. 080 | 46 | 28A.03.028 | 129 | 28A.66.060 | 15 | 19.91.140 | 98 | 83.04.023 |
|  | 19 | 36.57A. 090 | 47 | 28A.03.030 | 130 | 28A.66.100 | 16 | 19.91.150 | 99 | 83.05 .010 |
|  | 20 | 36.57A. 100 | 48 | 28A.03.050 | 131 | 28A.67.040 | 17 | 19.91.180 | 100 | 83.05 .040 |
|  | 21 | 36.57A. 110 | 49 | 28A.04.040 | 132 | 28A.67.060 | 18 | 23.01.226 | 101 | 83.05.050 |
|  | 22 | 36.57A. 120 | 50 | 28A.04.120 | 133 | 28A.67.070 | 19 | 30.20 .100 | 102 | 83.05.060 |
|  | 23 | 36.57A. 130 | 51 | 28A.04.145 | 134 | 28A.70.110 | 20 | 32.12.110 | 103 | 83.12.020 |
|  | 24 | 36.57A. 140 | 52 | 28A. 13.020 | 135 | 28A. 70.130 | 21 | 36.38.020 | 104 | 83.14 .010 |
|  | 25 | 36.57A. 150 | 53 | 28A.14.050 | 136 | 28A. 70.140 | 22 | 35.42 .090 | 105 | 83.14 .030 |
|  | 26 | 36.57A. 160 | 54 | 28A. 24.080 | 137 | 28A. 70.160 | 23 | 39.08.010 | 106 | 83.14.040 |
|  | 27 | Approp. | 55 | 28A. 24.150 | 138 | 28A. 70.170 | 24 | 43.38 .040 | 107 | 83.14 .050 |
|  | 28 | Repealer | 56 | 28A. 27.040 | 139 | 28A. 71.100 | 25 | 43.62 .040 | 108 | 83.16 .020 |
|  | 29 | Leg. dir. | 57 | 28A. 27.080 | 140 | 28A.87.030 | 26 | 43.83.030 | 109 | 83.16 .070 |
|  | 30 | Sev. | 58 | 28A. 27.102 | 141 | 28A.87.050 | 27 | 43.83.064 | 110 | 83.24 .010 |
|  |  | n 35.58.272 | 59 | 28A. 35.030 | 142 | 28A.87.080 | 28 | 43.83.074 | 111 | 83.28.010 |
|  | 31 | Eff. date | 60 | 28A.41.160 | 143 | 28A.87.090 | 29 | 43.83 .094 | 112 | 83.28 .020 |
|  |  | n 35.58.272 | 61 | 28A.44.060 | 144 | 28A.87.100 | 30 | 54.28.030 | 113 | 83.32 .010 |
| 271 | 1 | 47.42.040 | 62 | 28A.44.070 | 145 | 28A.87.110 | 31 | 54.28 .040 | 114 | 83.36.010 |
|  | 2 | 47.42.102 | 63 | 28A.44.080 | 146 | 28A.87.170 | 32 | 54.28.050 | 115 | 83.36.020 |
|  | 3 | 47.42.062 | 64 | 28A.44.085 | 147 | 28B. 40.380 | 33 | 62A.6-104 | 116 | 83.36.030 |
|  | 4 | 47.42.063 | 65 | 28A.44.090 | 148 | 28B.50.551 | 34 | 62A.6-107 | 117 | 83.36.040 |
|  | 5 | 47.42.065 | 66 | 28A.44.100 | 149 | 41.32 .010 | 35 | 72.19 .100 | 118 | 83.36.050 |
|  | 6 | Em. | 67 | 28A.48.010 | 150 | 41.32 .420 | 36 | 72.99.040 | 119 | 83.36.060 |
| 272 | 1 | 47.20 .645 | 68 | 28A.48.030 | 151 | 72.40 .060 | 37 | 72.99 .120 | 120 | 83.44.030 |
|  | 2 | 47.20 .647 | 69 | 28A.48.050 | 152 | 72.40 .070 | 38 | 72.99 .200 | 121 | 83.44.040 |
|  | 3 | 47.20 .649 | 70 | 28A.48.055 | 153 | 72.40 .080 | 39 | 82.04.020 | 122 | 83.44.050 |
|  | 4 | 47.20 .651 | 71 | 28A.02.201 | 154 | 72.40 .100 | 40 | 82.04 .090 | 123 | 83.44.070 |
|  | 5 | 47.20 .653 | 72 | 28A.48.090 | 155 | 28A. 21.900 | 41 | 82.04.300 | 124 | 83.48 .010 |
|  | 6 | Sev. | 73 | 28A.48.100 | 276156 | Vetoed | 42 | 82.04 .450 | 125 | 83.56.080 |
|  |  | 47.20 .900 | 74 | 28A.56.030 | 2761 | Temporary | 43 | 82.04 .470 | 126 | 83.56.090 |
|  | 7 | Em. | 75 | 28A.56.040 | 2 | Temporary | 44 | 82.04.480 | 127 | 83.56.100 |
| 273 | 1 | 73.34 .020 | 76 | 28A.56.050 | 3 | Approp. | 45 | 82.04 .490 | 128 | 83.56 .110 |
|  | 2 | 73.34.090 | 77 | 28A.56.060 | 4 | Approp. | 46 | 82.08 .040 | 129 | 83.56 .130 |
|  | 3 | 73.34.120 | 78 | 28A. 57.020 | 5 | Approp. | 47 | 82.08 .060 | 130 | 83.56.140 |
|  | 4 | Vetoed | 79 | 28A.57.031 | 6 | Approp. | 48 | 82.08.080 | 131 | 83.56.150 |
|  | 5 | Approp. | 80 | 28A. 57.032 | 7 | Approp. | 49 | 82.08 .090 | 132 | 83.56.170 |
| 274 | 1 | 41.04.260 | 81 | 28A.57.033 | 8 | Approp. | 50 | 82.08 .100 | 133 | 83.56.180 |
|  | 2 | 41.04.250 | 82 | 28A.57.040 | 9 | Approp. | 51 | 82.08.120 | 134 | 83.56.200 |
|  | 3 | Approp. | 83 | 28A. 57.050 | 10 | Approp. | 52 | 82.12 .010 | 135 | 83.56.210 |
| 275 | 1 | 28A. 21.010 | 84 | 28A. 57.070 | 11 | Approp. | 53 | 82.12 .050 | 136 | 83.56.220 |
|  | 2 | Vetoed | 85 | 28A. 57.075 | 12 | Approp. | 54 | 82.12 .060 | 137 | 83.56.240 |
|  | 3 | 28A. 21.030 | 86 | 28A. 57.080 | 13 | Approp. | 55 | 82.12 .070 | 138 | 83.56.250 |
|  | 4 | 28A. 21.0302 | 87 | 28A. 57.090 | 14 | Approp. | 56 | 82.16 .070 | 139 | 83.56.270 |
|  | 5 | 28A. 21.0303 | 88 | 28A.57.130 | 15 | Approp. | 57 | 82.20 .020 | 140 | 83.56.280 |
|  | 6 | 28A. 21.0304 | 89 | 28A.57.140 | 16 | Approp. | 58 | 82.20 .030 | 141 | 83.56.310 |
|  | 7 | 28A. 21.0305 | 90 | 28A. 57.150 | 17 | Approp. | 59 | 82.20 .040 | 142 | 83.56.320 |
|  | 8 | 28A. 21.0306 | 91 | 28A. 57.170 | 18 | Approp. | 60 | 82.20 .060 | 143 | 83.60.010 |
|  | 9 | 28A. 21.035 | 92 | 28A. 57.180 | 19 | Par. veto | 61 | 82.24 .030 | 144 | 83.60.040 |
|  | 10 | 28A. 21.037 | 93 | 28A.57.190 |  | Approp. | 62 | 82.24 .090 | 145 | 83.60.050 |

Parallel Tables: 1975 1st Extraordinary Session Laws_-RCW

|  | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. | Chap | Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 146 | 83.60 .060 | 7 | Temporary | 15 | 41.59 .140 | 30 | 84.38 .050 |  |  | 42.17.911 |
|  | 147 | 84.08.010 | 8 | Sev. | 16 | 41.59 .150 | 31 | 84.38 .060 | 295 | 1 | 43.83B. 200 |
|  | 148 | 84.08.020 | 9 | Em. | 17 | 41.59 .160 | 32 | 84.38 .070 |  | 2 | Vetoed |
|  | 149 | 84.08.040 | 280 1 | 18.108 .010 | 18 | 41.59 .170 | 33 | 84.38 .080 |  | 3 | 43.83B. 210 |
|  | 150 | 84.08.060 | $280 \quad 2$ | 18.108 .020 | 19 | Constr. | 34 | 84.38 .090 |  | 4 | Vetoed |
|  | 151 | 84.08.070 | 3 | 18.108 .030 |  | 41.59 .910 | 35 | 84.38 .100 |  | 5 | 43.83B. 220 |
|  | 152 | 84.08.080 | 4 | 18.108.040 | 20 | Constr. | 36 | 84.38 .110 |  | 6 | Vetoed |
|  | 153 | 84.08.090 | 5 | 18.108.050 |  | 41.59 .920 | 37 | 84.38 .120 |  | 7 | Vetoed |
|  | 154 | 84.08.110 | 6 | 18.108.060 | 21 | 28A.01.130 | 38 | 84.38 .130 |  | 8 | Vetoed |
|  | 155 | 84.08.120 | 7 | 18.108 .070 | 22 | 28A.67.065 | 39 | 84.38 .140 |  | 9 | Vetoed |
|  | 156 | 84.08.130 | 8 | Vetoed | 23 | 41.59 .180 | 40 | 84.38 .150 |  | 10 | Vetoed |
|  | 157 | 84.08.140 | 9 | 18.108 .080 | 24 | Constr. | 41 | 84.38.160 |  | 11 | Vetoed |
|  | 158 | 84.08.190 | 10 | 18.108.090 |  | 41.59 .930 | 42 | 84.38 .170 |  | 12 | Vetoed |
|  | 159 | 84.12 .200 | 11 | 18.108 .100 | 25 | Sev. | 43 | 84.38 .180 |  | 13 | Vetoed |
|  | 160 | 84.12 .220 | 12 | 18.108.110 |  | 41.59 .950 | 44 | Leg. dir. |  | 14 | 43.83B. 230 |
|  | 161 | 84.12 .230 | 13 | 18.108.120 | 26 | Eff. dates | 45 | Sev. |  | 15 | Vetoed |
|  | 162 | 84.12 .240 | 14 | 18.108 .130 |  | 41.59 .940 |  | 82.04 .050 |  | 16 | Approp. |
|  | 163 | 84.12 .250 | 15 | 18.108.140 | 27 | Leg. dir. | 46 | Eff. dates |  | 17 | Sev. |
|  | 164 | 84.12.260 | 16 | 18.108 .150 | 28 | Repealer |  | n82.04.050 |  |  | 43.83B. 900 |
|  | 165 | 84.12 .270 | 17 | 18.108.160 | 289 1 | 49.46.010 | 292 | 43.31 .090 |  | 18 | Leg. dir. |
|  | 166 | 84.12 .300 | 18 | 18.108.170 | 2 | 49.46.020 | 2 | 43.31 .790 |  | 19 | Em. |
|  | 167 | 84.12 .310 | 19 | 18.108.180 | 3 | 49.46 .130 | 3 | 43.31 .810 | 296 | 1 | 41.58 .005 |
|  | 168 | 84.12 .330 | 20 | 18.108 .190 | 4 | 49.46.140 | 4 | 43.31 .820 |  | 2 | Vetoed |
|  | 169 | 84.12 .340 | 21 | 18.108 .200 | 5 | Eff. date | 5 | 43.31 .830 |  | 3 | Vetoed |
|  | 170 | 84.12.360 | 22 | 18.108.210 |  | 49.46.920 | 6 | 43.31 .840 |  | 4 | 41.58 .020 |
|  | 171 | 84.12 .370 | 23 | Sev. | 2901 | Leg. dir. | 7 | 43.31 .850 |  | 5 | 41.58 .030 |
|  | 172 | 84.12 .390 | 23 | 18.108.900 | 2 | 48.46.010 | 8 | 43.31 .832 |  | 6 | 41.58 .040 |
|  | 173 | 84.16.010 | 24 | Leg. dir. | 3 | 48.46.020 | 9 | Vetoed |  | 7 | 41.58 .050 |
|  | 174 | 84.16 .020 | $281 \quad 1$ | 46.52 .118 | 4 | 48.46.030 | 293 1 | 43.09.310 |  | 8 | 28A.72.020 |
|  | 175 | 84.16.030 | 2 | 46.52.119 | 5 | 48.46.040 | 2 | 43.62.050 |  | 9 | 28A. 72.060 |
|  | 176 | 84.16.032 | 3 | 46.52.1192 | 6 | 48.46.050 | 3 | Vetoed |  | 10 | 28A. 72.080 |
|  | 177 | 84.16.034 | 4 | 46.52.1194 | 7 | 48.46.060 | 4 | Vetoed |  | 11 | 28A. 72.100 |
|  | 178 | 84.16.036 | 5 | 46.52.1196 | 8 | 48.46.070 | 5 | 43.88 .090 |  | 12 | 28B. 52.020 |
|  | 179 | 84.16.040 | 6 | 46.52.1198 | 9 | 48.46.080 | 6 | 43.88 .110 |  | 13 | 28B. 52.060 |
|  | 180 | 84.16.050 | 7 | Leg. dir. | 10 | 48.46.090 | 7 | 43.88.115 |  | 14 | 28B.52.080 |
|  | 181 | 84.16 .090 | 8 | Sev. | 11 | 48.46.100 | 8 | 43.88.160 |  | 15 | 41.56 .030 |
|  | 182 | 84.16.100 |  | n46.52.118 | 12 | 48.46.110 | 9 | 43.88.195 |  | 16 | 41.56.050 |
|  | 183 | 84.16.130 | 9 | Vetoed | 13 | 48.46.1 20 | 10 | 43.88.205 |  | 17 | 41.56 .060 |
|  | 184 | 84.24 .010 | 2821 | 19.27.080 | 14 | 48.46.130 | 11 | 43.88 .230 |  | 18 | 41.56 .070 |
|  | 185 | 84.24.030 | 2 | 19.27.060 | 15 | 48.46.140 | 12 | Vetoed |  | 19 | 41.56 .080 |
|  | 186 | 84.24 .040 | 2831 | 69.28 .400 | 16 | 48.46.1 50 | 13 | 44.28 .060 |  | 20 | 41.56 .090 |
|  | 187 | 84.24 .050 | 2 | Vetoed | 17 | 48.46.160 | 14 | 44.28 .080 |  | 21 | 41.56 .100 |
|  | 188 | 84.28 .006 | 3 | 69.28.410 | 18 | 48.46.170 | 15 | 44.28 .085 |  | 22 | 41.56 .122 |
|  | 189 | 84.28 .020 | 4 | 69.28.420 | 19 | 48.46.180 | 16 | 44.28 .100 |  | 23 | 41.56 .125 |
|  | 190 | 84.28.050 | 5 | 69.28.430 | 20 | 41.04.233 | 17 | 44.28 .140 |  | 24 | 41.56.160 |
|  | 191 | 84.28 .060 | 6 | 69.28.440 | 21 | 48.46.200 | 18 | 44.28 .150 |  | 25 | 41.56 .170 |
|  | 192 | 84.28 .063 | 7 | 69.28.450 | 22 | 48.46.210 | 19 | 44.40.025 |  | 26 | 41.56 .180 |
|  | 193 | 84.28.065 | 8 | Repealer | 23 | 48.46.220 | 20 | 46.68.041 |  | 27 | 41.56 .190 |
|  | 194 | 84.28 .160 | 284 1 | 28A.58.113 | 24 | Constr. | 21 | Par. veto |  | 28 | 41.56 .440 |
|  | 195 | 84.40.320 | 2 | 28A.58.120 |  | 48.46.900 |  | Repealer |  | 29 | 41.56.450 |
|  | 196 | 84.40.330 | 3 | 28A.58.115 | 25 | 48.46.905 | 22 | Sev. |  | 30 | 41.56.480 |
|  | 197 | 84.41 .060 | 4 | Sev. | 26 | Sev. |  | 43.88.902 |  | 31 | 43.22 .260 |
|  | 198 | 84.41 .070 |  | n28A.58.113 |  | 48.46.910 | 23 | Eff. date |  | 32 | 43.22.270 |
|  | 199 | 84.41.080 | 5 | Vetoed | 27 | 48.46.920 |  | 43.88.910 |  | 33 | 47.64.010 |
|  | 200 | 84.41 .090 | $285 \quad 1$ | 30.42.110 | $291 \quad 1$ | 70.12.010 | $294 \quad 1$ | 42.17.010 |  | 34 | 47.64.030 |
|  | 201 | 84.41 .110 | 2 | 30.42.120 | 2 | 70.12.025 | 2 | 42.17.020 |  | 35 | 47.64.040 |
|  | 202 | 84.41 .120 | 3 | 30.42.160 | 3 | 70.32 .010 | 3 | 42.17 .040 |  | 36 | 49.08.010 |
|  | 203 | 84.41 .130 | 4 | Vetoed | 4 | 70.33 .040 | 4 | 42.17 .060 |  | 37 | 49.08.020 |
|  | 204 | 84.41.140 | 2861 | 51.32 .073 | 5 | 82.04.050 | 5 | 42.17.065 |  | 38 | 53.18.030 |
|  | 205 | 84.44 .090 | 2 | 51.32 .075 | 6 | 82.04.120 | 6 | 42.17 .080 |  | 39 | $R$ epealer |
|  | 206 | 84.48.120 | 3 | 51.32.220 | 7 | 82.04.260 | 7 | 42.17 .090 |  | 40 | Leg. dir. |
|  | 207 | 84.48 .130 | 4 | Vetoed | 8 | 82.04.443 | 8 | 42.17 .120 | 297 | 1 | 46.16.380 |
|  | 208 | 84.68.120 | 2871 | 46.61 .506 | 9 | 82.04.460 | 9 | 42.17.160 |  | 2 | 46.61 .580 |
|  | 209 | 84.68 .130 | 2 | 46.61 .515 | 10 | 82.08 .030 | 10 | 42.17 .170 |  | 3 | Vetoed |
|  | 210 | 84.68.140 | 3 | 46.61 .520 | 11 | 82.12 .030 | 11 | 42.17.180 |  |  |  |
|  | 211 | 84.72.010 | 4 | 46.20.308 | 12 | 84.36.020 | 12 | 42.17.190 |  |  |  |
|  | 212 | 84.72.020 | 5 | 46.61 .540 | 13 | 84.36 .032 | 13 | 42.17 .240 |  |  |  |
|  | 213 | 84.72 .030 | 6 | Repealer | 14 | 84.36 .381 | 14 | 42.17.260 |  |  |  |
|  | 214 | 90.50 .040 | 7 | Em. | 15 | 84.36.383 | 15 | 42.17.270 |  |  |  |
|  | 215 | Sev. | 288 1 | 41.59 .900 | 16 | 84.36.387 | 16 | 42.17 .290 |  |  |  |
|  |  | n11.08.160 | 2 | 41.59 .010 | 17 | 84.36 .470 | 17 | 42.17.310 |  |  |  |
|  | 216 | Vetoed | 3 | 41.59 .020 | 18 | 84.36.815 | 18 | 42.17 .320 |  |  |  |
|  | 217 | Constr. | 4 | Vetoed | 19 | 84.36 .825 | 19 | 42.17 .330 |  |  |  |
|  |  | $\mathrm{n} 11.08 .160$ | 5 | 41.59 .040 | 20 | 84.36.865 | 20 | 42.17.340 |  |  |  |
| 279 | 1 | Par. veto | 6 | 41.59 .050 | 21 | 84.69.020 | 21 | 42.17 .155 |  |  |  |
|  |  | Approp. | 7 | 41.59.060 | 22 | 84.36 .480 | 22 | 42.17.315 |  |  |  |
|  | 2 | Par. veto | 8 | 41.59 .070 | 23 | 84.36.045 | 23 | 42.17 .350 |  |  |  |
|  |  | Approp. | 9 | 41.59 .080 | 24 | Repealer | 24 | Vetoed |  |  |  |
|  | 3 | Par, veto | 10 | 41.59 .090 | 25 | Temporary | 25 | 42.17 .370 |  |  |  |
|  |  | Approp. | 11 | 41.59 .100 | 26 | 84.38 .010 | 26 | 42.17 .380 |  |  |  |
|  |  | Approp. | 12 | 41.59 .110 | 27 | 84.38 .020 | 27 | 42.17.400 |  |  |  |
|  | 5 | Approp. | 13 | 41.59 .120 | 28 | 84.38 .030 | 28 | Em. |  |  |  |
|  | 6 | Approp. | 14 | 41.59.130 | 29 | 84.38.040 | 29 | Sev. |  |  |  |

[Parallel Tables——p 168]

## 1975-'76 2ND EXTRAORDINARY SESSION LAWS



Parallel Tables: 1975-'76 2nd Extraordinary Session Laws——RCW

[Parallel Tables——p 170]

Parallel Tables: 1975-'76 2nd Extraordinary Session Laws- - RCW

| Chap. Sec. | Rev. Code of Wash. |  |  | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |  | Sec. | Rev. Code of Wash. | Chap. Sec. | Rev. Code of Wash. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7 | 43.21F. 070 |  |  | 42.17.912 | 31 | 28A.66.070 |  | 7 | Em. | 46 | Approp. |
| 8 | Vetoed |  | 17 | Em. | 32 | 28A.66.100 | 129 | 1 | 29.04.130 | 47 | Approp. |
| 9 | Vetoed | 113 | 1 | 43.03 .010 | 33 | 84.52.020 |  | 2 | 29.04.140 | 48 | Approp. |
| 10 | 41.06 .078 |  | 2 | Approp. | 34 | Repealer |  | 3 | 29.04.040 | 49 | Approp. |
| 11 | 43.31 .300 | 114 | 1 | 28A.67.072 | 35 | Leg. dir. |  | 4 | Vetoed | 50 | Approp. |
| 12 | 70.98.010 |  | 2 | 28A.58.450 | 36 | Vetoed |  | 5 | Eff. date | 51 | Арргор. |
| 13 | 70.98.020 |  | 3 | 28A.67.065 | 37 | Sev. |  |  | n29.04.130 | 52 | Approp. |
| 14 | 70.98.210 |  | 4 | 28A.67.070 |  | n 28A. 65.400 |  | 6 | Sev. | 53 | Approp. |
| 15 | 43.21G. 010 |  | 5 | 28A.58.455 | 119 1 | 48.14 .021 |  |  | n29.04.130 | 54 | Approp. |
| 16 | 43.21G. 020 |  | 6 | 28A.58.480 | 2 | 48.18.290 | 130 | 1 | 82.08.020 | 55 | Approp. |
| 17 | 43.21G. 030 |  | 7 | 28A.58.490 | 3 | 48.30.140 |  | 2 | 82.12.020 | 56 | Approp. |
| 18 | 43.21G. 040 |  | 8 | 28A.58.515 | 4 | 48.30.150 |  | 3 | 82.04.2901 | 57 | Approp. |
| 19 | 43.21G. 050 |  | 9 | 28A.67.073 | 5 | 48.32A. 080 |  | 4 | Eff: date | 58 | Approp. |
| 20 | 43.21G. 060 |  | 10 | 28A.58.137 | 6 | 48.56.080 |  |  | n82.08.020 | 59 | Approp. |
| 21 | 43.21G. 070 |  | 11 | Savings | 7 | 48.30.300 | 131 | 1 | 74.38.010 | 60 | Approp. |
| 22 | 43.21G. 080 |  |  | n 28A.58.137 | 8 | Repealer |  | 2 | 74.38.020 | 61 | Approp. |
| 23 | 43.21G. 090 |  | 12 | Sev. | 120 1 | 29.21 .010 |  | 3 | 74.38.030 | 62 | Vetoed |
| 24 | 43.21G. 100 |  |  | n 28A.58.137 | 2 | 29.21 .015 |  | 4 | 74.38 .040 | 63 | Approp. |
| 25 | 43.06.010 | 115 | 1 | 43.60A. 010 | 3 | 29.21.060 |  | 5 | 74.38 .050 | 64 | Sev. |
| 26 | 43.06.200 |  | 2 | 43.60A. 020 | 4 | 29.21 .140 |  | 6 | 74.38.060 | 65 | Em. |
| 27 | 43.06.210 |  | 3 | 43.60A. 030 | 5 | 29.21.150 |  | 7 | 74.38 .900 |  |  |
| 28 | Vetoed |  | 4 | 43.60A. 040 | 6 | 29.21.160 |  | 8 | Vetoed |  |  |
| 29 | 80.50 .010 |  | 5 | 43.60A. 050 | 7 | 35.20.150 |  | 9 | Approp. |  |  |
| 30 | 80.50 .020 |  | 6 | 43.60A. 060 | 8 | 3.34.050 |  | 10 | Sev. |  |  |
| 31 | 80.50 .030 |  | 7 | 41.06.077 | 9 | 29.21 .350 |  |  | 74.38 .905 |  |  |
| 32 | 80.50 .040 |  | 8 | 43.60A. 070 | 10 | 29.21 .360 | 132 | 1 | 43.83 I .010 |  |  |
| 33 | 80.50 .050 |  | 9 | 43.60A. 900 | 11 | 29.21 .370 |  | 2 | 43.831.020 |  |  |
| 34 | 80.50 .060 |  | 10 | 43.60A. 901 | 12 | 29.21.380 |  | 3 | 43.83 I .030 |  |  |
| 35 | 80.50 .070 |  | 11 | 43.60A. 902 | 13 | 29.21 .385 |  | 4 | 43.83 I .040 |  |  |
| 36 | 80.50 .100 |  | 12 | 43.60A. 903 | 14 | 29.01.180 |  | 5 | 43.83 I .050 |  |  |
| 37 | 80.50 .110 |  | 13 | 43.60A. 904 | 15 | Repealer |  | 6 | 43.83 I .060 |  |  |
| 38 | 80.50 .120 |  | 14 | 43.60A. 080 | 16 | Sev. |  | 7 | Leg. dir. |  |  |
| 39 | 80.50 .170 |  | 15 | Savings |  | n 29.21 .010 |  | 8 | Sev. |  |  |
| 40 | 80.50.175 |  |  | 43.60A. 905 | 17 | Em. |  |  | 43.831 .900 |  |  |
| 41 | 90.48.262 |  | 16 | 43.60A.906 | 121 1 | 81.68 .010 |  | 9 | Em. |  |  |
| 42 | 80.50.800 |  | 17 | Constr. | 122 1 | 41.60 .020 | 133 | 1 | Temporary |  |  |
| 43 | Repealer |  |  | 43.60A. 907 | 2 | 41.60.040 |  | 2 | Approp. |  |  |
| 44 | Leg. dir. |  | 18 | Leg. dir. | 3 | 41.60 .050 |  |  | Par. veto |  |  |
| 45 | Sev. |  | 19 | 43.17 .010 | 4 | 41.60 .070 |  |  | Approp. |  |  |
|  | $\text { n43.21F. } 010$ |  | 20 | 43.17.020 | 5 | 41.60 .080 |  | 4 | Approp. |  |  |
| 46 | Eff. date |  | 21 | 43.61 .030 | 6 | Constr. |  | 5 | Approp. |  |  |
|  | n 43.21F. 010 |  | 22 | 43.61 .040 |  | 41.60 .900 |  | 6 | Approp. |  |  |
| 1091 | 48.31 .280 |  | 23 | 43.61 .050 | 7 | Approp. |  | 7 | Approp. |  |  |
| 2 | 48.32.020 |  | 24 | 43.61 .070 | 8 | 41.60 .905 |  | 8 | Approp. |  |  |
| 109 | 48.32.030 |  | 25 | Sev. | 9 | Sev. |  | 9 | Approp. |  |  |
|  | 48.32.040 |  |  | 43.60A. 908 |  | 41.60 .910 |  | 10 | Approp. |  |  |
|  | 48.32.050 | 116 | 1 | 43.43.250 | 123 1 | 43.84 .090 |  | 11 | Approp. |  |  |
|  | 48.32 .060 | 117 | 1 | 43.21 H .010 | 2 | 73.32 .040 |  | 12 | Approp. |  |  |
|  | 48.32 .080 |  | 2 | 43.21 H .020 | 3 | 73.34 .040 |  | 13 | Approp. |  |  |
|  | 48.32.160 |  | 3 | 43.21 H. 030 | 4 | 73.34.060 |  | 14 | Approp. |  |  |
|  | 48.30.075 |  | 4 | Sev. | 5 | 73.34.100 |  | 15 | Approp. |  |  |
|  | 48.31 .185 |  |  | 43.21 H. 900 | 6 | 73.34.110 |  | 16 | Approp. |  |  |
| 11 | 48.32.145 |  | 5 | Leg. dir. |  | 82.04 .291 |  | 17 | Approp. |  |  |
| 12 | Vetoed | 118 | 1 | 28A. 65.400 | $2[8]$ | 84.33 .080 |  | 18 | Approp. |  |  |
| 110 | 43.105 .100 |  | 2 | 28A.65.405 | 3[9] | Exp. date |  | 19 | Approp. |  |  |
|  | 43.105 .110 |  | 3 | 28A. 65.410 |  | n43.84.090 |  | 20 | Approp. |  |  |
|  | 43.105 .120 |  | 4 | 28A.65.415 |  | Em. |  | 21 | Approp. |  |  |
|  | 43.105.130 |  | 5 | 28A.65.420 | 124 1 | 28A.65.495 |  | 22 | Approp. |  |  |
|  | Leg. dir. |  | 6 | 28A. 65.425 | 2 | Em. |  | 23 | Approp. |  |  |
|  | Eff. date |  | 7 | 28A. 65.430 | $125 \quad 1$ | 43.83H.010 |  | 24 | Approp. |  |  |
|  | n 43.105 .100 |  | 8 | 28A.65.435 | 2 | 43.83 H .020 |  |  | Par. veto |  |  |
| 111 | 29.13 .010 |  | 9 | 28A. 65.440 | 3 | 43.83 H .030 |  | 25 | Approp. |  |  |
|  | 29.13.020 |  | 10 | 28A. 65.445 | 4 | 43.83H. 040 |  | 26 | Approp. |  |  |
|  | Sev . |  | 11 | 28A.65.450 | 5 | 43.83H. 050 |  | 27 | Approp. |  |  |
|  | n 29.13 .010 |  | 12 | 28A.65.455 | 6 | 43.83H. 060 |  | 28 | Approp. |  |  |
|  | n 29.13 .010 |  | 13 | 28A. 65.460 | 7 | Repealer |  |  | Par. veto |  |  |
| 112 | 29.18 .040 |  | 14 | 28A. 65.465 | 8 |  |  | 29 |  |  |  |
|  | 29.79 .490 |  | 15 | 28A.65.470 |  | 43.83H. 900 |  | 30 | Vetoed |  |  |
|  | 42.17 .090 |  | 16 | 28A. 65.475 | 9 | Em. |  | 31 | Approp. |  |  |
|  | 42.17 .100 |  | 17 | 28A. 65.480 | 126 1 | 28B.14.010 |  | 32 | Approp. |  |  |
|  | 42.17 .110 |  | 18 | 28A.65.485 | 2 | Em. |  | 33 | Approp. |  |  |
|  | 42.17 .130 |  | 19 | 28A. 65.490 | 127 1 | 84.36 .820 |  | 34 | Approp. |  |  |
|  | 42.17 .240 |  | 20 | 28A.65.495 | 2 | 84.36.825 |  | 35 | Approp. |  |  |
|  | 42.17 .350 |  | 21 | 1.16.030 | 3 | 84.36.830 |  | 36 | Approp. |  |  |
|  | 42.17 .067 |  | 22 | 28A.01.020 | 4 | 84.36.833 |  | 37 | Approp. |  |  |
|  | 42.17.245 |  | 23 | 28A.03.350 | 5 | Em. |  | 38 | Approp. |  |  |
|  | 42.17 .392 |  | 24 | 28A.44.080 | 128 1 | 37.14 .010 |  | 39 | Approp. |  |  |
|  | 42.17 .395 |  | 25 | 28A.44.085 | 2 | 37.14.020 |  | 40 | Approp. |  |  |
|  | 42.17 .397 |  | 26 | 28A.44.090 | 3 | 37.14 .030 |  | 41 | Approp. |  |  |
|  | 42.17.195 |  | 27 | 28A.48.010 | 4 | 37.14.040 |  | 42 | Approp. |  |  |
|  | Constr. |  | 28 | 28A.48.100 | 5 | 37.14.050 |  | 43 | Approp. |  |  |
|  | 42.17 .945 |  | 29 | Repealer | 6 | Sev. |  | 44 | Approp. |  |  |
| 16 | Sev. |  | 30 | 28A.58.150 |  | 37.14.900 |  | 45 | Approp. |  |  |

# DISPOSITION OF FORMER RCW SECTIONS 

## Title 1 <br> GENERAL PROVISIONS

## Chapter 1.12

RULES OF CONSTRUCTION
1.12.030 Common law not superseded. [1897 c 17 § 1; Code 1881 § 1; 1877 p 3 § 1 ; 1862 p 83 § 1 ; RRS § 143.] Now codified as RCW 4.04.010.

## Title 2

## COURTS OF RECORD

## Chapter 2.04 <br> SUPREME COURT

2.04.060 Seal of court. [1890 p 324 § 17; RRS § 7.] Repealed by 1971 c 81 § 183.
2.04.120 Two departments——Quorum. [1909 c 24 § 3; 1905 c 5 § 2; 1890 p 322 § 5; RRS § 8.] Repealed by 1971 c 81 § 183.
2.04.130 Selection of chief justice. [1890 p 321 § 2; RRS § 11041.] Repealed by 1971 c 81 § 183.
2.04.140 Acting chief justice. [1909 c 24 § 6; RRS § 12.] Repealed by 1971 c $81 \S 183$.

## Chapter 2.08 <br> SUPERIOR COURTS

2.08.130 Judges to wear gowns. [1909 c 206 § 1, part; RRS § 11054, part.] Now codified in RCW 2.04.110.

## Chapter 2.16

ASSOCIATION OF SUPERIOR COURT JUDGES
2.16.030 Distribution of work——Relief of congestion--Visitation. [1955 c 38 § 8; 1933 ex.s. c 58 § 3; RRS § $11051-3$.] Repealed by 1957 c 259 § 12.
2.16.060 Expense of attendance. [1957 c 259 § $10 ; 1955$ c 38 § 11 ; 1933 ex.s. c 58 § 6; RRS § 11051-6.] Repealed by 1973 c 106 § 40.

Chapter 2.32
COURT CLERKS, REPORTERS AND BAILIFFS
2.32.010 Appointment of supreme court clerk and reporter. [1890 p 324 § 13; Code 1881 § 2174; RRS § 11055.] Repealed by 1971 c 81 § 183.
2.32.020 Oath and bond of clerk of supreme court. [Code 1881 § 2175; 1863 p 417 § 2; 1854 p 366 § 2; RRS § 11056.] Repealed by 1971 c 81 § 183.
2.32.030 Office——Records——Clerk of supreme court. [Code 1881 § 2176; 1854 p 366 § 3; RRS § 11057.] Repealed by 1971 c 81 § 183.
2.32.040 Deputies. [1891 c 57 §4; RRS § 78.] Repealed by 1971 c 81 § 183.
2.32.080 Fee——Forma pauperis. [1947 c 192 § 1; Rem. Supp. 1947 § 1754-1.] Repealed by 1971 c 81 § 183.
2.32.100 Duty of supreme court reporter. [1890p320§ 1; RRS § 11058.] Repealed by 1971 c 81 § 183.
2.32.150 Salary of reporter. [1909 c 148 § 1 ; 1897 c 30 § 1; 1891 c 58 § $1 ; 1890$ p 320 § 6; RRS § 11063.] Repealed by 1971 c 81 § 183.
2.32.190 Superior court reporters--Appointment--Terms-Oath and bond. [1945 c 154 § 1, part; 1943 c 69 § 1, part; 1921 c 42 § 1, part; 1913 c 126 § 1, part; Rem. Supp. § 42-1, part.] Now codified in RCW 2.32.180.
2.32.320 Additional filing fee-—Stenographers' costs. [1943 c 69 § 3; 1939 c 178 § 2; 1913 c 126 § 4; Rem. Supp. 1943 § 42-4.] Repealed by 1959 c 263 § 14.
2.32.340 Bailiffs of supreme court-Compensation. [1890 p 331 § 1; RRS § 10971.] Repealed by 1971 c 81 § 183.
2.32.350 Bailiffs of supreme court-—Payment of compensation. [1890 p 331 § 2; RRS § 10972.] Repealed by 1971 c 81 § 183.

Chapter 2.36<br>JURIES

2.36.030 Grand jury defined. [1891 c 48 § 3; RRS § 91.] Repealed by 1971 ex.s. c $67 \S 20$. Later enactment, see RCW 10.27.020.
2.36.031 Grand jury-—How summoned. [1951 c 90 § 1.] Repealed by 1971 ex.s. c 67 § 20. Later enactment, see RCW 10.27.030.
2.36.033 Duration of grand jury. [1951 c 90 § 2.] Repealed by 1971 ex.s. c 67 § 20. Later enactment, see RCW 10.27.110.
2.36.040 Grand jury, how drawn. [1911 c 57 § 5; RRS § 98.] Repealed by 1971 ex.s. c $67 \S 20$. Later enactment, see RCW 10.27.040.

## Chapter 2.50 <br> LEGAL AID

2.50.030 Application to certain counties. [1939 c 93 § 3; RRS § 10007-203. Formerly RCW 74.36.030.] Repealed by 1973 1st ex.s c 69 § 1.

## Title 3

JUSTICES OF THE PEACE AND CONSTABLES
Chapter 3.12
JUSTICES AND CONSTABLES IN CITIES
3.12.100 Power of clerks. [1909 c 145 § 4; RRS § 7576.] Repealed by 1955 c 11 § 20.

## Chapter 3.14 <br> JUSTICE COURT DISTRICTS

3.14.010 Justice court district committee-_Formation of districts. [1953 c 206 § 1 ; 1951 c 156 § 8.] Repealed by 1955 c 7 § 1.
3.14.030 Qualification of district justice-Certificate. [1951 c 156 § 11.] Repealed by 1955 c 7 § 1.
3.14.040 Salary of district justice——Other activities. [1953 c 206 § 6; 1951 c 156 § 12.] Repealed by 1955 c 7 § 1.

Chapter 3.20
JURISDICTION AND VENUE
3.20.130 Venue, criminal actions--Justice of peace districts. [1951 c 156 § 16.] Repealed by 1953 c 206 § 3.

## Chapter 3.34

## JUSTICES OF THE PEACE

3.34.065 Justices and district court judges in second class or larger counties——Required to be lawyers. [1973 1st ex.s. c 14 § 3.] Repealed by 1975 lst ex.s. c 197 § 1.

Chapter 3.62
INCOME OF COURT
3.62.030 Disposition of fees. [1961 c 299 § 107.] Repealed by 1969 ex.s. c 199 § 64.

Title 4
CIVIL PROCEDURE
Chapter 4.16 LIMITATION OF ACTIONS
4.16.120 Actions limited to three months. [Code 1881 § 32; RRS § 164.] Repealed by 1955 c 41 § 1 .
4.16.140 Special provisions for action on penalty. [Code 1881 § 31; 1877 p 9 § 31 ; 1854 p 364 § 6; RRS § 163.] This section now codified as RCW 4.16.115.

## Chapter 4.20 <br> SURVIVAL OF ACTIONS

4.20.040 Survival as to other actions. [Code 1881 § 718; 1877 p 146 § 722; 1869 p 165 § 659; RRS § 967.] Repealed by 1961 c 137 § 2.

Repeal and saving: "Section 659, page 165, Laws of 1869, section 722, page 146, Laws of 1877, section 718, Code 1881 and RCW 4.20.040; section 1, chapter 73, Laws of 1953 and RCW 4.20.045; section 149, chapter 156, Laws of 1917 and RCW 11.48.100; section 150 , chapter 156, Laws of 1917 and RCW 11.48.110 are each repealed: Provided, That all causes of action arising or surviving under any of these statutes prior to the effective date of their repeal shall survive and be enforceable as though these statutes were in full force and effect." [1961 c 137 § 2.] This applies to the repeal of RCW 4.20.040, $4.20 .045,11.48 .100$ and 11.48 .110 which were repealed by 1961 c 137 § 2.
4.20.045 Death of tort feasor. [1953 c 73 § 1.] Repealed by 1961 c 137 § 2.
Repeal and saving: See note following RCW 4.20.040.

## Chapter 4.24

## SPECIAL RIGHTS OF ACTION AND SPECIAL IMMUNITIES

4.24.030 Action by woman for her own seduction. [1971 ex.s. c 292 § 60; Code 1881 § $11 ; 1877$ p 5 § 11; 1869 p 5 § $11 ; 1854$ p 220 § 497; RRS § 186.] Repealed by 1973 lst ex.s. c 154 § 121.
4.24.100 Action for injuries caused by intoxicated person. [1905 c 62 § 1; Code 1881 § 2059; 1879 p 132 § 1 ; RRS § 7348.] Repealed by 1955 c 372 § 1.
4.24.110 Owner may recover money paid for act of tenant. [Code 1881 § 2061; 1879 p 133 § 3; RRS § 7350.] Repealed by 1957 c 7 § 10.
4.24.120 Action for falsely charging sex crimes. [Code 1881 § 747; 1877 p 152 § 752 ; 1854 p 219 § 487; RRS § 294.] Repealed by 1973 1st ex.s. c 154 § 121.

## Chapter 4.40 ISSUES

4.40.040 Multiple issues in same action. [1893 c 127 § 30, part; Code 1881 § 203; 1877 p 42 § 207; 1854 p 164 § 182 ; RRS § 311 , part.] Now codified in RCW 4.40.030.

## Chapter 4.56 <br> JUDGMENTS_-GENERALLY

4.56.130 All other judgments are on the merits. [1929 c 89 § 1 , part; RRS § 409.] Now codified in RCW 4.56.120.
4.56.140 Effect of judgment of nonsuit. [1929 c 89 § 1, part; RRS § 410.] Now codified in RCW 4.56.1 20.
4.56.220 Extension of lien prohibited. [1929 c 60 § 7, part; RRS § 460. Prior: 1897 c 39 § 2.] Now codified in RCW 4.56.210.

## Chapter 4.80 <br> EXCEPTIONS

4.80.060 Bill of exceptions--Statement of facts. [1893 c 60 § 8; RRS § 388.] Superseded and abrogated by Rules of court: Appealrule 65 (effective January 3, 1956), and Appeal-rule 35, therein cited; also see Pleading—_rule 17. Statute subsequently repealed by 1957 c 7 § 10 .
4.80.070 Settlement of bill or statement of facts. [1893 c 60 § 9 ; RRS § 389.] Superseded and abrogated by Rules of court: Appeal rule 65 (effective January 3, 1956), and Appeal-rule 36, therein cited; also see Pleading rule 17. Statute subsequently repealed by 1957 c 7 § 10.
4.80.080 Written evidence, bow certified. [1893 c 60 § 10 ; RRS § 390.] Superseded and abrogated by Rules of court: Appeal—rule 65 (effective January 3, 1956), and Appeal-rules 34, 35, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.80.090 Certification by judge. [1893 c 60 § 11; RRS § 391.] Superseded and abrogated by Rules of court: Appeal—_rule 65 (effective January 3, 1956), and Appeal-rule 37, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.80.100 Certification on death or change of trial judge. [1929 c 17 § 1 ; 1893 c 60 § 12; RRS § 392.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appeal_rule 38, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.80.110 Return of copy for preparation of brief. [1893 c 60 § 14; RRS § 394.] Superseded and abrogated by Rules of court: Appeal rule 65 (effective January 3, 1956), and Appeal-rule 40, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.80.120 Record on appeal. [1893 c 60 § 15; RRS § 395.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal-rule 35, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.80.130 Consolidated cases-—Certification. [1893 c 60 § 16; RRS § 396.] Superseded and abrogated by Rules of court: Appealrule 65 (effective January 3, 1956), and Appeal-rule 39, therein cited. Statute subsequently repealed by 1957 c 7 § 10.

## Chapter 4.88 <br> APPEALS

4.88.010 When allowed. [1901 c 31 § 1 ; 1893 c 61 § 1 ; RRS § 1716.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal-rule 14, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.020 Designation of parties. [1893 c 61 § 2; RRS § 1717.] Superseded and abrogated by Rules of court: Appeal—rule 65 (effective January 3, 1956), and Appeal-rule 18, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.030 Manner of taking-—Notice of appeal. [1893 c 61 § 4; RRS § 1719.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal-rules 33 (4), 33 (1), 32, 33 (3), $15,22,14,16,17,2$, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.88.040 Who may join in notice. [1893 c 61 § 5; RRS § 1720.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal-rule 33, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.050 Appeal bond. [1893 c 61 § 6; RRS § 1721.] Superseded and abrogated by Rules of court: Appeal——rule 65 (effective January 3, 1956), and Appeal-rule 22, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.060 Requirements of bond--Supersedeas. [1893 c 61 § 7; RRS § 1722.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal_rule 25, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.070 Justification of sureties. [1927 c 153 § 1 ; 1893 c 61 § 10 ; RRS § 1725.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal-rule 26, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.080 Exception to sureties——Determination. [1927 c 153 § 2; 1893 c 61 § 11 ; RRS § 1726.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appealrule 27, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.090 Execution countermanded by stay bond. [1893 c 61 § 12 ; RRS § 1727.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal——rule 30, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.100 Application for additional security. [1893 c 61 § 13; RRS § 1728.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal_rule 29, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.110 Replacement of defective bond. [1915 c 104 § 9; RRS § 1730-9.] Superseded and abrogated by Rules of court: Appeal—_rule 65 (effective January 3, 1956), and Appeal-rule 28, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.88.120 Order of serving and filing immaterial. [1915 c 104 § 7; RRS § 1730-7.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal-rule 4, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.130 Effect of chapter. [1915 c 104 § 2; 1913 c 116 § 2; RRS § 1730-2.] Superseded and abrogated by Rules of court: Appealrule 65 (effective January 3, 1956), and Appeal-rules 1, 34-40, 46, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.140 Jurisdiction, effect of appeal upon. [1893 c $61 \S 16$; RRS § 1731.] Superseded and abrogated by Rules of court: Appeal—rule 65 (effective January 3, 1956), and Appeal-rule 15, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.150 Motion to dismiss. [1893 c 61 § 18; RRS § 1733.] Superseded and abrogated by Rules of court: Appeal——rule 65 (effective January 3, 1956), and Appeal-rule 51, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.88.160 Hearing and disposition of motion. [1899 c 49 § 1; 1893 c 61 § 19; RRS § 1734.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appeal-rule 52, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.170 Second appeal. [1893 c 61 § 20; RRS § 1735.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appeal—rule 20, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.88.180 What may be reviewed. [1893 c 61 § 21; RRS § 1736.] Superseded and abrogated by Rules of court: Appeal_-rule 65 (effective January 3, 1956), and Appeal—rules 17, 43; Pleading rule 11 , therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.190 Power of supreme court upon appeal. [1893 c 61 § 22; RRS § 1737.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal-rule 16, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.200 Award of damages-Increased damages when appeal taken for delay. [1893 c 61 § 23; RRS § 1738.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal_rule 62, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.210 Judgment against appellant and sureties. [1893 c 61 § 24; RRS § 1739.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal-rule 31, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.220 Rehearing——Remittitur. [1893 c 61 § 25; RRS § 1740.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appeal-rules 2, 50; Business of supreme court-rule 15 , therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.230 Effect of judgment. [1893 c 61 § 26; RRS § 1741.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal-rule 60, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.240 Effect of reversal——Writ of restitution. [1893 c 61 § 27; RRS § 1742.] Superseded and abrogated by Rules of court: Ap-peal-rule 65 (effective January 3, 1956), and Appeal——rule 61, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.250 Death of party does not affect appeal. [1893 c 61 § 28 ; RRS § 1743.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal_rule 21, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.270 Transcript of judgment——Effect. [1893 c 61 § 35; RRS § 1751.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal-rule 59, therein cited. Statute subsequently repealed by 1957 c 7 § 10.
4.88.280 Appeal to be heard on merits. [1893 c 61 § 36; RRS § 1752.] Superseded and abrogated by Rules of court: Appeal_rule 65 (effective January 3, 1956), and Appeal-rule 63, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.88.290 Rules and regulations. [1893 c 61 § 37; RRS § 1753.] Repealed by 1955 c 37 § 1.
4.88.300 Method exclusive. [1893 c 61 § 38; RRS § 1754.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appeal-rule 1, therein cited. Statute subsequently repealed by 1957 c 7 § 10 .
4.88.310 Temporary injunction to remain in force, when. [1893 c 61 § 8; RRS § 1723.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appeal—rule 24, therein cited; see also Appeal——rules 14 (3), 25. Statute subsequently repealed by 1957 c 7 § 10.
4.88.320 Injunction where appeal is to United States supreme court. [1893 c 61 § 9; RRS § 1724.] Superseded and abrogated by Rules of court: Appeal-rule 65 (effective January 3, 1956), and Appealrule 64, therein cited. Statute subsequently repealed by 1957 c 7 § 10.

## Title 5

## EVIDENCE

## Chapter 5.04 <br> ADVERSE PARTY--EXAMINATION

5.04.020 Interrogatories in lieu of examination. [Code 1881 § 404; 1877 p 89 § 406; 1869 p 107 § 399; 1854 p 189 § 306; RRS § 1226.] Superseded and abrogated by Rules of court: Pleading_rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.04.030 Answers to interrogatories. [1897 c 100 § 1; Code 1881 § 405; 1854 p 189 § 307; RRS § 1227.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading_rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.04.040 Interrogatories no bar to examination as witness or taking of deposition. [1891 c 19 § 4; Code 1881 § 406; 1877 p 89 § 408; 1869 p 107 § 401 ; 1854 p 189 § 308; RRS § 1228.] Superseded and abrogated by Rules of court: Pleading_rule 44, and Pleading_rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.04.050 Testimony not conclusive. [1891 c 19 § 5; Code 1881 § 407; 1877 p 89 § 409; 1869 p 107 § 402 ; 1854 p 189 § 309 ; RRS § 1229.] Superseded and abrogated by Rules of court: Pleading_rule 44, and Pleading_rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.04.060 Penalty for failure to testify or answer interrogatories. [1891 c 19 § 6; Code 1881 § 408; 1877 p 89 § 410; 1869 p 107 § 403; 1854 p 190 § 310; RRS § 1230.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c $50 \S 1$.

## Chapter 5.08 <br> DEPOSITIONS——GENERAL PROVISIONS

5.08.010 Time of taking. [1927 c 96 § 1; Code 1881 §410; 1877 p 90 § 412; RRS § 1232.] Superseded and abrogated by Rules of court: Pleading_rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.08.020 Commission to take——Notice. [1925 ex.s. c 37 § 2, part; 1891 c 19 § 10; Code 1881 §§ 413, 414; 1877 p 90 § 415 ; 1873 p 114 § 412; 1869 p $111 \S 415$; 1854 p 193 § 323; RRS § 240, part.] Superseded and abrogated by Rules of court: Pleading_rule 44, and Pleading_rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.08.030 Notice when adverse party is absent or nonresident of state. [1891 c 19 § 11; Code 1881 § 415; RRS § 1240.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Plead-ing-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.08.040 Taking and certification of. [1891 c 19 § 12; Code 1881 § 416; 1877 p 91 § 418; 1854 p 191 § 315; RRS § 1242.] Superseded and abrogated by Rules of court: Pleading_rule 44, and Pleading_rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.08.050 How taken. [Code 1881 § 418, part; 1877 p 91 § 420, part; 1854 p 191 § 317, part; RRS § 1244, part.] Superseded and abrogated by Rules of court: Pleading_-rule 44, and Pleading_rules

26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.08.060 How returned. [1891 c 19 § 13; Code 1881 § 417; 1877 p 91 § 419; 1869 p 109 § 407; 1854 p 191 § 316; RRS § 1243.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.08.070 Use of on the trial--Objections. [Code 1881 §418, part; 1877 p 91 § 420, part; 1854 p 191 § 317, part; RRS § 1244, part.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by $1957 \mathrm{c} 50 \S 1$.
5.08.080 When not to be used. [1891 c 19 § 14; Code 1881 § 419; 1877 p 92 § $421 ; 1854$ p 192 § 318; RRS § 1245.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleadingrules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.08.090 Deposition may be used in second action in same cause. [Code 1881 § 420; 1877 p 92 § 422; 1854 p 192 § 319; RRS § 1246.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.08.100 Use of depositions on appeal or change of venue. [1891 c 19 § 15 ; Code 1881 § 421 ; 1877 p 92 § 423; 1854 p 192 § 320 ; RRS § 1248.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading -rules 26 to 37 incl., therein cited. Statute subsequently repealed by $1957 \mathrm{c} 50 \S 1$.

## \section*{Chapter 5.12} <br> DEPOSITIONS WITHIN STATE

5.12.010 Before whom taken--Notice. [1925 ex.s. c 37 § 1; 1891 c 19 § 7; 1888 p 29 § 1; Code 1881 § 411; 1877 p 90 § 413 ; 1869 p 108 § 405; 1854 p 190 § 314; RRS § 1233.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c $50 \S 1$.
5.12.020 Time for notice may be shortened. [1891 c 19 § 8; RRS § 1234.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading - rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.12.030 Compelling attendance of witnesses. [1891 c 19§9; Code 1881 § 422; 1877 p 92 § 424; 1869 p 110 § 412; 1854 p 192 § 321 ; RRS § 1235.] Superseded and abrogated by Rules of court: Pleading -rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.12.040 Superior court may compel attendance. [1901 c 26 § 1 ; RRS § 1236.] Superseded and abrogated by Rules of court: Plead-ing-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.12.050 Application for order. [1901 c 26 § 2; RRS § 1237.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.12.060 Citation for contempt. [1901 c 26 § 3; RRS § 1238.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .

## Chapter 5.16 <br> DEPOSITIONS OUTSIDE STATE

5.16.010 Who may take-CCommission. [Code 1881 § 412; 1877 p 90 § 414; 1869 p 111 § 413; 1854 p 193 § 322; RRS § 1239.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.16.020 Notice of application--Power of commissioner. [1925 ex.s. c 37 § 2, part; 1891 c 19 § 10 ; Code 1881 §§ 413, 414; 1877 p 90 § 415; 1873 p 114 § 412 ; 1869 p 111 § 415 ; 1854 p 193 § 323 ; RRS § 1240, part.] Superseded and abrogated by Rules of court: Plead-ing-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .

## Chapter 5.20 <br> DEPOSITIONS TO PERPETUATE TESTIMONY

5.20.010 Application for order--Statement. [1891 c 19 § 17; Code 1881 § 423; 1877 p 93 § $425 ; 1869$ p 113 § $419 ; 1854$ p 193 § 327; RRS § 1249.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.20.020 Hearing on application--Notice. [Code 1881 § 424; 1877 p 93 § 426; 1869 p 113 § 420; 1854 p 194 § 328; RRS § 1250.$\}$ Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.20.030 Order for examination of witness--Commission. [1891 c 19 § 18; Code 1881 § 425 ; 1877 p 93 § 427; 1869 p 113 § $421 ; 1854$ p 194 § 329 ; RRS § 1251.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1.
5.20.040 Deposition, how taken and returned. [Code 1881 § 426; 1877 p 93 § 428; 1869 p 114 § 422; 1854 p 194 § 330; RRS § 1252.j Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 , incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.20.050 Filing--How used-OObjections. [Code 1881 § 427; 1877 p 93 § 429; 1869 p 114 § 423; 1854 p 194 § 331; RRS § 1253.j Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 , incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .
5.20.060 Use of testimony at former trial. [1905 c 26 § 1 ; RRS § 1247.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .

## Chapter 5.32 <br> PHYSICAL EXAMINATION OF PARTY

5.32.010 May be ordered in personal injury cases. [1915 c 63 § 1 ; RRS § 1230-1.] Superseded and abrogated by Rules of court: Pleading rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .

## Chapter 5.36

## PRIVATE WRITINGS--INSPECTION

5.36.010 Order for inspection and to take copy--Effect of refusal. [Code 1881 § $428 ; 1877$ p $94 \S 430 ; 1869$ p 114 § 424; 1854 p 195 § 332; RRS § 1262.] Superseded and abrogated by Rules of court: Pleading-rule 44, and Pleading-rules 26 to 37 incl., therein cited. Statute subsequently repealed by 1957 c 50 § 1 .

## Chapter 5.44

PROOF-PUBLIC DOCUMENTS
5.44 .100 "Business" defined. [1947 c 53 § 1; Rem. Supp. 1947 § 1263-1.] Now codified as RCW 5.45.010.
5.44.110 Business records as evidence. [1947 c 53 § 2; Rem. Supp. 1947 § 1263-2.] Now codified as RCW 5.45.020.
5.44.120 Interpretation. [1947 c 53 § 3; Rem. Supp. 1947 § 1263-3.] Now codified as RCW 5.45.900.
5.44.125 Photographic copies of business and public records as evidence. [1953 c 273 § 1.] Now codified as RCW 5.46.010.

## Title 7

## SPECIAL PROCEEDINGS

## Chapter 7.08

## ASSIGNMENT FOR BENEFIT OF CREDITORS

7.08.040 Meeting of creditors to select new assignee. [ 1890 p $83 \S$ 3, part; RRS § 1088, part.] Now codified in RCW 7.08.030.
7.08.160 Procedure if bond insufficient, or assignee misapplies estate. [1890 p 87 § 14, part; RRS § 1099, part.] Now codified in RCW 7.08.150.

## Chapter 7.12

 ATTACHMENT7.12.320 Power of judge in chambers. [1886 p 46 § 36; RRS § 678. Prior: Code 1881 §§ 174-192; 1877 pp 35-40; 1873 pp 43-50; 1871 pp 9, 10; 1869 pp 41-47; 1863 pp 112-120; 1860 pp 30-36; 1854 pp 155162.] Repealed by 1957 c 9 § 13.

## Chapter 7.24

UNIFORM DECLARATORY JUDGMENTS ACT
7.24.150 Validity of bond issues may be tested. [1939 c 153 § 1 ; RRS § 5616-11.] Now codified as RCW 7.25.010.
7.24.160 Complaint--Defendants--Service——Interven-tion--Attorney's fee. [1939 c 153 § 2; RRS § 5616-12.] Now codified as RCW 7.25.020.
7.24.170 Judgment as to validity of all or part of bond issue- Effect. [1939 c 153 § 3; RRS § 5616-13.] Now codified as RCW 7.25.030.
7.24.180 Declaratory judgment provisions applicable. [1939 c 153 § 4; RRS § 5616-14.] Now codified as RCW 7.25.040.

Chapter 7.28

## EJECTMENT, QUIETING TITLE

7.28.020 Action by known heirs after ten years possession to quiet title. [1911 c 83 § 1, part; RRS § 785, part.] Now codified in RCW 7.28.010.
7.28.030 Action by any person in possession against unknown heirs to quiet title. [1911 c 83 § 1 , part; RRS § 785, part.] Now codified in RCW 7.28.010.
7.28.040 Service by publication on nonresident defendant. [1911 c 83 § 1, part; RRS § 785, part.] Now codified in RCW 7.28.010.
7.28.290 Conflicting claims generally-—Joinder of parties in interest. [Code 1881 § 551; 1877 p 116 § 556; 1869 p 132 § 504; RRS § 809.] Now codified in RCW 7.28.280.

## Chapter 7.32 <br> GARNISHMENT

7.32.010 Grounds for issuance of writ. [1893 c 56 § 1; RRS § 680. Prior: Code 1881 §§ 174-192, 282-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.010.
7.32.020 Garnishment bond. [1893 c 56 § 2; RRS § 681. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43$50,104,105 ; 1869 \mathrm{pp} 41-47 ; 1863 \mathrm{pp} 112-120,152 ; 1860 \mathrm{pp} 30-36 ;$ 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36 . Later enactment, see RCW 7.33.030.
7.32.030 Application for writ——Affidavit——Contents——Fee. [1967 c 142 § 1 ; 1961 c 304 § $4 ; 1955$ c $26 § 1 ; 1931$ c 110 § $1 ; 1893$ c 56 § 3; RRS § 682. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.040.
7.32.040 Issuance of writ——Contents. [1967 c 142 § 2; 1893 c 56 § 4; RRS § 683. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-
 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.050.
7.32.050 Contents where defendant owns corporate shares. [1893 c 56 § 5; RRS § 684. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; $1873 \mathrm{pp} 43-50,104,105$; $1869 \mathrm{pp} \mathrm{41-47;} 1863 \mathrm{pp} 112-$ 120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1967 c 142 § 19.
7.32.060 State and public corporations subject to garnishment after judgment. [1933 c 15 § 1 ; 1915 c 130 § 1 ; RRS § 680-1. Prior: Code 1881 §§ $174-192,383-385$; $1877 \mathrm{pp} 35-40,84-85$; $1873 \mathrm{pp} 43-50$, 104, 105 ; $1869 \mathrm{pp} \mathrm{41-47;} 1863 \mathrm{pp} 112-120,152 ; 1860 \mathrm{pp} \mathrm{30-36;} 1854$ pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.060.
7.32.070 State and public corporations subject to garnishment after judgment-Enforcement against state and public corporations. [1933 c 15 § 2; 1915 c 130 § 2; RRS § 680-2. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105 ; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.060.
7.32.080 State and public corporations subject to garnishment after judgment--Venue--Contents of writ. [1967 c 142 §4; 1933 c 15 § 3; RRS § 680-3. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-
 $152 ; 1860 \mathrm{pp} 30-36 ; 1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.070.
7.32.090 State and public corporations subject to garnishment after judgment--Service of writ on state or public corporation. [1967 c 142 § 5; 1933 c 15 § 4; RRS § 680-4. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105 ; 1869 pp 41-47; $1863 \mathrm{pp} 112-120,152 ; 1860 \mathrm{pp} 30-36$; $1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.080.
7.32.100 Form of writ. [1967 c 142 § 6; 1893 c 56 § 6; RRS § 685. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152 ; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.110.
7.32.110 Dating——Attestation. [1967 c 142 § 7; 1903 c 68 § 1 ; 1893 c 56 § 7; RRS § 686. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; $1860 \mathrm{pp} 30-36$; $1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.120.
7.32.120 Service of writ generally——Forms——Return. [1967 c 142 § 8; 1959 c 267 § $1 ; 1933$ ex.s. c 44 § $1 ; 1903$ c 68 § $2 ; 1893$ c 56 § 8; RRS § 687. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 3540, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.130.
7.32.130 Effect of service of writ. [1967 c 142 § 9; 1933 ex.s. c 44 § 2; 1893 c 56 § 9 ; RRS § 688. Prior: Code 1881 §§ 174-192, 383385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.140.
7.32.140 Bond to discharge writ. [1903 c 146 § 1; 1893 c 56 § $91 / 2$; RRS § 689. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp $35-40,84-85 ; 1873 \mathrm{pp} 43-50,104,105$; $1869 \mathrm{pp} 41-47$; $1863 \mathrm{pp} 112-$ 120, 152; $1860 \mathrm{pp} 30-36 ; 1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.170.
7.32.150 Answer of garnishee-_Contents-_Forms. [1967 c 142 § 10; 1893 c 56 § 10; RRS § 690. Prior: Code 1881 §§ 174-192, 383385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.150.
7.32.155 Answer of garnishee-—Signature of garnishee. [1967 c 142 § 11.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.150.
7.32.160 Discharge of garnishee. [1967 c 142 § 12; 1893 c 56 § 11 ; RRS § 691. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; $1860 \mathrm{pp} \mathrm{30}-36$; $1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.180.
7.32.170 Default judgment. [1893 c 56 § 12; RRS § 692. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 4350, 104, 105; $1869 \mathrm{pp} 41-47$; $1863 \mathrm{pp} \mathrm{112-120,152;1860pp} \mathrm{3036} \mathrm{;}$ 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.190.
7.32.180 Judgment against garnishee. [1967 c 142 § 13; 1893 c 56 § 13; RRS § 693. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 3540, 84-85; $1873 \mathrm{pp} 43-50,104,105$; $1869 \mathrm{pp} 41-47$; $1863 \mathrm{pp} 112-120$, 152; 1860 pp 30-36; $1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.200.
7.32.190 Execution. [1893 c 56 § 14; RRS § 694. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854
pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.210.
7.32.200 Decree to deliver up effects——Disposition. [1967 c 142 § 14; 1893 p 56 § 15; RRS § 695. Prior: Code 1881 §§ 174-192, 383385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; $1869 \mathrm{pp} \mathrm{41-47;}$ 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.220.
7.32.210 Procedure on failure of garnishee to deliver. [1893 c 56 § 16; RRS § 696. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 3540, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.230.
7.32.220 Shares of corporate garnishee-—Sale——Discovery procedure-Disposition of shares. [1967 c 142 § 15; 1893 c 56 § 17 ; RRS § 697. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, $84-85$; 1873 pp 43-50, 104, 105; 1869 pp $41-47$; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36.
7.32.230 Manner of sale. [1893 c 56 § 18; RRS § 698. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104,$105 ; 1869$ pp 41-47; 1863 pp 112-120, 152 ; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36.
7.32.240 Effect of sale——Transfer on corporate books. [1967 c 142 § 16; 1893 c 56 § 19; RRS § 699. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; $1863 \mathrm{pp} \mathrm{112-120}, \mathrm{152;} 1860 \mathrm{pp} \mathrm{30-36;} 1854 \mathrm{pp}$ 155-162.] Repealed by 1969 ex.s. c 264 § 36.
7.32.245 Violations of defendant as to shares of corporate garnish-ee-CContempt. [1967 c 142 § 18.] Repealed by 1969 ex.s. c $264 \S$ 36.
7.32.250 Answer of garnishee may be controverted by plaintiff. [1893 c 56 § 20; RRS § 700. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152 ; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.240.
7.32.260 Defendant may also controvert answer. [1893 c 56 § 21; RRS § 701. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, $84-85$; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.250.
7.32.270 Issue and trial. [1893 c 56 § 22; RRS § 702. Prior: Code 1881§ 174-192, 383-385; $1877 \mathrm{pp} 35-40,84-85$; $1873 \mathrm{pp} 43-50,104$, 105; 1869 pp 41-47; 1863 pp 112-120, 152 ; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.260.
7.32.280 Exemption of wages, salary or other compensation. [1963 c 13 § $1 ; 1927$ c 287 § $1 ; 1907$ c $210 \S 1 ; 1901$ c 139 § $1 ; 1897$ c $24 \S$ $1 ; 1893$ c 56 § 23; RRS § 703. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.280.
7.32.290 Costs——Attorney's fee. [1893 c 56 § 24; RRS § 704. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp 41-47; 1863 pp 112-120, 152; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.290.
7.32.300 Garnishee protected against claim of defendant. [1967 c 142 § 17 ; 1893 c 56 § 25 ; RRS § 705. Prior: Code 1881 §§ 174-192, 383-385; 1877 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp $41-47$; $1863 \mathrm{pp} \mathrm{112-120}$,152 ; $1860 \mathrm{pp} 30-36$; $1854 \mathrm{pp} 155-162$.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.300.
7.32.310 Provisions not applicable to justice court actions. [1967 c 142 § 3; 1893 c 56 § 26; RRS § 706. Prior: Code 1881 §§ 174-192, 383-385; 1897 pp 35-40, 84-85; 1873 pp 43-50, 104, 105; 1869 pp $41-47$; 1863 pp 112-120, 152 ; 1860 pp 30-36; 1854 pp 155-162.] Repealed by 1969 ex.s. c $264 \S 36$.
7.32.900 Severability——1967 act. [1967 c 142 § 20.] Repealed by 1969 ex.s. c 264 § 36.

## Chapter 7.40

 INJUNCTIONS7.40.220 Powers of judge of court. [Code 1881 § 173; 1877 p 35 § 173; 1869 p 41 § 171 ; RRS § 739.] Repealed by 1957 c 9 § 13.

## Chapter 7.48 NUISANCES

7.48.261 Warrant of abatement-B By justice of peace. [Code 1881 § 1250 ; 1875 p 81 § 16 ; RRS § 9926, part. Formerly RCW 7.48.260, part.] Repealed by 1957 c 45 § 5.

## Title 8 <br> EMINENT DOMAIN

## Chapter 8.04 <br> EMINENT DOMAIN BY STATE

8.04.030 Notice——Upon whom served. [1891 c 74 § 2, part; RRS § 892, part.] Now codified in RCW 8.04.020.
8.04.040 Service on nonresident or unknown owner. [1891 c 74 § 2, part; RRS § 892, part.] Now codified in RCW 8.04.020.
8.04.050 Signing of notice--Who may serve——Proof of service. [1891 c 74 § 2, part; RRS § 892, part.] Now codified in RCW 8.04.020.
8.04.190 Acquisition when several ownerships. [1955 c 156 § 1.] Now codified as RCW 8.04.097.
8.04.200 Acquisition when several ownerships-—Public use. [1955 c 156 § 2.] Now codified as RCW 8.04.098.
8.04.210 Acquisition when several ownerships--Selection of single jury. [1955 c 156 § 3.] Now codified as RCW 8.04.099.

## Chapter 8.12

## EMINENT DOMAIN BY CITIES

8.12.110 Waiver of jury——Procedure for calling——Practice and procedure. [1907 c 153 § 51, part; RRS § 9276, part. Prior: 1905 c 55 § 50, part; 1893 c 84 § 50, part.] Now codified in RCW 8.12.090.

## Chapter 8.20

EMINENT DOMAIN BY CORPORATIONS
8.20.030 Notice——Upon whom served. [1890 p 295 § 2, part. Prior: 1888 p 58 § 2, part; RRS § 922, part.] Now codified in RCW 8.20.020.
8.20.040 Service on nonresident or unknown owner. [1890 p 259 § 2, part. Prior: 1888 p 58 § 2, part; RRS § 922, part.] Now codified in RCW 8.20.020.
8.20.050 Signing of notice——Who may serve——Proof of service. [1890 p 295 § 2, part. Prior: 1888 p 58 § 2, part; RRS § 922, part.] Now codified in RCW 8.20.020.

## Chapter 8.24 <br> PRIVATE WAYS OF NECESSITY

8.24.020 Condemnation authorized. [1913 c 133 § 1, part. Prior: 1895 c 92 § 1 , part; RRS § 936-1, part.] Now codified in RCW 8.24.010.

## Chapter 8.25 <br> ADDITIONAL PROVISIONS APPLICABLE TO EMINENT DOMAIN PROCEEDINGS

8.25.030 Award of fees where condemnor fails to proceed or abandons proceedings. [1965 ex.s. c 125 § 3.] Repealed by 1971 ex.s. c 240 § 22.
8.25.040 Reimbursements-—Moving expenses——Relocation costs. [1969 ex.s. c 236 § 5; 1967 ex.s. c 137 § $2 ; 1965$ ex.s. c 125 § 4.] Repealed by 1971 ex.s. c 240 § 22 . Later enactment, see chapter 8.26 RCW.
8.25.050 Reimbursements-Condition to award of moving expenses. [1969 ex.s. c 236 § 6; 1965 ex.s. c 125 §5.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see chapter 8.26 RCW.
8.25.060 Statement of expenses--Required——Service-Contents. [1969 ex.s. c 236 § 7; 1965 ex.s. c 125 § 6.] Repealed by 1971 ex.s. c 240 § 22.
8.25.080 Declaration--Federal aid bigbway system acquisitions. [1969 ex.s. c 236 § 1.] Repealed by 1971 ex.s. c 240 § 22.
8.25.090 Definitions. [1969 ex.s. c 236 § 2.] Repealed by 1971 ex.s. c 240 § 22.
8.25.100 Relocation advisory assistance to be provided--Federal aid highway system acquisitions. [1969 ex.s. c 236 § 3.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see chapter 8.26 RCW.
8.25.110 Additional payments to displaced owner of a dwelling as part of acquisition costs. [1969 ex.s. c 236 § 4.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see chapter 8.26 RCW.
8.25.130 Reimbursements-—Recording fees-Mortgage penalty costs-—Property taxes. [1969 ex.s. c 236 § 9.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see RCW 8.26.200.
8.25.140 Utilization of agencies having relocation assistance programs. [1969 ex.s. c 236 § 10.] Repealed by 1971 ex.s. c 240 § 22.
8.25.150 Review. [1969 ex.s. c 236 § 11.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see RCW 8.26.130.
8.25.160 Rules and regulations. [1969 ex.s. c 236 § 12.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see RCW 8.26.110.
8.25.170 Payments not considered income or resources-DExemption from taxes--Not deductible from public assistance grants. [1969 ex.s. c 236 § 13.] Repealed by 1971 ex.s. c 240 § 22. Later enactment, see RCW 8.26.140.

Reviser's note: This section was also amended by 1971 ex.s. c 9 § 1 without cognizance of the repeal thereof.
8.25.180 New element of damages not deemed created. [1969 ex.s. c 236 § 14.] Repealed by 1971 ex.s. c 240 § 22.
8.25.190 Notice to move required. [1969 ex.s. c 236 § 15.] Repealed by 1971 ex.s. c 240 § 22.
8.25.900 Application of chapter to proceedings regulated by chapters $\mathbf{8 . 0 4}, 8.08,8.12,8.16,8.20$ and 8.24 RCW. [1969 ex.s. c $236 \S 16$; 1967 ex.s. c 137 §4.] Repealed by 1971 ex.s. c 240 § 22.
8.25.910 Severability——1969 ex.s. c 236. [1969 ex.s. c 236 § 17.] Repealed by 1971 ex.s. c 240 § 22.
8.25.920 Application of chapter to federal aid projects——Ratification of prior action. [1969 ex.s. c 236 § 18.] Repealed by 1971 ex.s. c 240 § 22.
8.25.930 Application to previous acquisitions. [1969 ex.s. c 236 § 19.] Repealed by 1971 ex.s. c 240 § 22.

## Chapter 8.28

MISCELLANEOUS PROVISIONS
8.28.020 Filing of decree, where state land is involved--Duty of land commissioner. [1927 c 255 § 104, part; RRS § 7797-104, part.] Now codified in RCW 8.28.010.
8.28.060 Eminent domain not to extend to university site. [ 1913 c 24 §3.] Now codified as RCW 28B.20.344.

## Title 9

## CRIMES AND PUNISHMENTS

## Chapter 9.01 GENERAL PROVISIONS

9.01.010 Definition of terms. [1909 c 249 § 51; RRS § 2303.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.020 Classification of crimes. [1909 c 249 § 1; Code 1881 § 781 ; 1873 p 200 § 11 ; 1869 p 200 § 11; 1859 p 106 § 11; 1854 p 78 § 11; RRS § 2253.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.01.030 Principal defined. [1909 c 249 § 8; Code 1881 § 957; 1873 p 213 § 140 ; 1869 p 229 § 134 ; 1859 p 129 § 124 ; 1854 p 98 §

125; RRS § 2260.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.040 Accessory defined. [1909 c 249 § 9; Code 1881 § 957; 1873 p 213 § 141 ; 1869 p 229 § 135; 1859 p 129 § 126; 1854 p 98 § 126; RRS § 2261.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$ and by 1975-'76 2nd ex.s. c 38 § 19, effective July 1, 1976.
9.01.050 Persons punishable. [1909 c 249 § 2; RRS § 2254.] Repealed by 1975 lst ex.s. c $260 \S 9$ A.92.010, effective July $1,1976$.
9.01.060 Trial and punishment of accessories. [1909 c 249 § 10 ; Code 1881 § $956 ; 1873$ p 213 § 142; 1869 p 229 § $136 ; 1854$ p 98 § 127; RRS § 2262.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.070 Attempts, bow punished. [1909 c 249 § 12; Code 1881 § 1161; 1873 p 185 § 30; RRS § 2264.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.01.080 Attempt wbile armed witb deadly weapon-—Punishment. [1927 c 233 § 1 ; RRS § 2264-1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.01.090 Prohibited acts are misdemeanors. [1909 c 249 § 17; Code 1881 § 784; RRS § 2269.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.01.100 Acts punishable under foreign law. [1909 c 249 § 18; RRS § 2270.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.111 Responsibility of children. [1909 c 249 § 5; RRS § 2257. Formerly RCW 10.46.140.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.01.112 Duress as a defense. [1909 c 249 § 4; RRS § 2256. Formerly RCW 10.46.150, part.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.01.113 Duress of married woman no defense. [1909 c 249 § 3; RRS § 2255. Formerly RCW 10.46.150, part.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.01.114 Intoxication no defense. [1909 c 249 § 6; RRS § 2258.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.116 Action for being detained on mercantile establishment premises for investigation--"Reasonable grounds" as defense. [1967 c 76 § 2.] Repealed by 1975 1st ex.s. 260 § 9A.92.010, effective July 1, 1976.
9.01.140 Disposition of fines, penalties and forfeitures. [1919 c $30 \S$ $1 ; 1909$ p 323 § $9 ; 1897$ c 118 § $113 ; 1895$ c 68 § $1 ; 1890$ p 383 § $89 ;$ 1886 p 20 § 58; Code 1881 § 3211; 1873 p 421 § 3; RRS § 4940.] Now codified as RCW 10.82.070.
9.01.150 Common law to supplement statute. [1909 c 249 § 47; Code 1881 § 1; RRS § 2299.] Repealed by 1975 1st ex.s. c 260 § 9A92.010, effective July $1,1976$.
9.01.170 Rule of construction. [1909 c 249 § 46; RRS § 2298.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.180 To be construed as continuation of former acts. [1909 c 249 § 48; RRS § 2300.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.01.190 Act as measure of law. [1909 c 249 § 49; RRS § 2301.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.08

## ANIMALS, CRIMES RELATING TO

9.08.040 Obtaining animal or vehicle by fraud, etc.--Fraud by bailee. [1909 c 249 § 376; RRS § 2628.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.08.050 Shooting or poisoning livestock. [1970 ex.s. c 90 § 1.] Repealed by 1975 1st ex.s. c 61 § 3.

## Chapter 9.09 ARSON

9.09.010 First degree. [1963 c 11 § 1; 1909 c 249 § 320; 1895 c 87 § $1 ; 1886$ p 77 § 40 ; Code 1881 § 823; 1873 p 189 § $44 ; 1854$ p 82 §

40; RRS § 2572.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.09.020 Second degree. [1965 ex.s. c 17 § 1; 1963 c 11 § 2; 1927 c 265 § 1 ; 1909 c 249 § 321 ; 1895 c 87 § 1 ; 1886 p 77 § 40; Code 1881 § 823; 1873 p 189 § 44; 1854 p 82 § 40; RRS § 2573.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.09.030 Contiguous fires. [1909 c 249 § 322; RRS § 2574.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.09.040 "Set on fire" defined. [1909 c 249 § 323; RRS § 2575.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.09.050 Ownership of building. [1909 c 249 § 324; RRS § 2576.] Repealed by 1975 lst ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July $1,1976$.
9.09.060 Preparation is attempt. [1909 c 249 § 325; 1895 c 87 § 6; RRS § 2577.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.11 ASSAULT

9.11.010 Assault in tbe first degree defined--How punished. [1909 c 249 § 161; Code 1881 §§ 801-809; 1873 p 185 §§ 29-34; 1869 p 202 §§ $24-30$; 1854 p 80 § 28; 1854 p 79 § 24 ; RRS § 2413.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.11.020 Assault in the second degree--How punished. [1909 c 249 § 162; Code 1881 §§ 801-809; 1873 p 185 §§ 29-34; 1869 p 202 §§ 24-30; 1854 p 80 § 28; 1854 p 79 § 24; RRS § 2414.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.
9.11.030 Assault in the third degree--How punished. [1909 c 249 § 163; Code 1881 §§ 801-809; 1873 p 185 §§ 29-34; 1869 p 202 §§ 24-30; 1854 p 80 § 28; 1854 p 79 § 24; RRS § 2415.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.11.040 Force, when lawful. [1909 c 249 § 164; RRS § 2416.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.11.050 Provoking assault. [1909 c 249 § 165; RRS § 2417. Prior: 1886 p 79 § 1 ; Code 1881 § 1887.) Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.15 BIGAMY

9.15.010 Bigamy defined-—How punished-—Exceptions. [1909 c 249 § 201; 1895 c 149 §§ 6, 7; Code 1881 § 945 ; 1873 p 210 § 128 ; 1869 p 226 § 122; RRS § 2453.] Repealed by 1975 1st ex.s. c $260 \S$ 9A.92.010, effective July 1, 1976.
9.15.020 Punishment of consort. [1909 c 249 § 202; RRS § 2454.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.

## Chapter 9.18 <br> BRIBERY AND GRAFTING

9.18.010 Bribery of public officer. [1909 c 249 § 68; Code 1881 § $880 ; 1873$ p 200 § 84; 1869 p 216 § $80 ; 1859$ p 119 § $75 ; 1854$ p 89 §§ 74, 75; RRS § 2320.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.020 Asking or receiving bribe. [1909 c 249 § 69; Code 1881 § 879; 1873 p 200 § 83; 1869 p 216 § 79; 1859 p 119 § 74; 1854 p 89 § 74; RRS § 2321.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.030 Juror, etc., accepting bribe. [1909 c 249 § 70; Code 1881 § 878; 1873 p 199 § $82 ; 1869$ p 216 § 78; 1859-60 p 118 § 73; 185455 p 89 § 73; RRS § 2322.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.18.040 Bribing witness. [1909 c 249 § 71; Code 1881 § 877; 1873 p 199 § 81; 1869 p 216 § 77; 1859 p 118 § 71; 1854 p 89 § 71; RRS § 2323.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1 , 1976.
9.18.050 Witness asking or receiving bribe. [1909 c 249 § 72; RRS § 2324.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.060 Influencing juror, referee, etc. [1909 c 249 § 73; Code 1881 § 880; 1873 p 200 § 84; RRS § 2325.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.070 Juror, referee, etc., promising decision, verdict, etc. [1909 c 249 § 74; RRS § 2326.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.090 Interfering with public officer. [1909 c 249 § 79; Code 1881 § 885; 1854 p 90 § 79; RRS § 2331.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.100 Offering reward for appointment. [1909 c 249 § 80; Code 1881 § 880; 1854 p 89 § 75; RRS § 2332.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.18.110 Grafting. [1909 c 249 § 81; RRS § 2333.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.

## Chapter 9.19 BURGLARY

9.19.010 First degree. [1909 c 249 § 326; 1888 p 14 § 1; Code 1881 § 827; 1873 p 190 § 48; 1854 p 83 § 44; RRS § 2578.] Repealed by 1975 1st ex.s. c $260 \S 9$ 9.92.010, effective July 1, 1976.
9.19.020 Second degree. [1909 c 249 § 327; 1888 p 14 § 1; Code 1881 § 827; 1873 p 190 § 48; 1854 p 83 § 44; RRS § 2579.] Repealed by 1975 lst ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.19.030 Presumption of intent. [1909 c 249 § 328; Code 1881 § 828; 1873 p 190 § 49; RRS § 2580.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.19.040 Other crime in committing burglary punishable. [1909 c 249 § 329; RRS § 2581.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.19.050 Making or having burglar tools. [1909 c 249 § 330; 1893 c 90 § 1 ; RRS § 2582.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.22 CONSPIRACY

9.22.010 Conspiracy. [1909 c 249 § 130; RRS § 2382.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1, 1976.
9.22.020 Overt act not necessary. [1909 c 249 § 131; RRS § 2383.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.
9.22.030 Corporation to forfeit franchise. [1909 c 249 § 132; RRS § 2384.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.22.040 Conspiracy against governmental entities. [1961 c 211 § 1.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.

## Chapter 9.26 <br> COUNTERFEITING

9.26.010 Possession of counterfeit coin. [1909 c 249 § 339; Code 1881 §§ 856, 857; 1873 p 196 § 70; 1862 p 15 § 1 ; RRS § 2591.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.26.020 Advertising counterfeit money. [1909 c 249 § 340; RRS § 2592.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1 , 1976.
9.26.030 Counterfeiting uncoined gold. [Code 1881 § 857; 1873 p 196 § 70; 1862 p 15 § 7; RRS § 2702.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.26A

## CREDIT CARDS, CRIMES RELATING TO

9.26A.010 Definitions. [1970 ex.s. c 36 §1.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.26A.020 Falsely procuring a credit or identification cardPenalty. [1970 ex.s. c 36 § 2.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.26A.030 Credit or identification card tbeft. [1970 ex.s. c 36 § 3.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.26A.040 First and second degree forgery. [1970 ex.s. c 36 § 4.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.26A.050 Use of stolen, forged, altered, expired, etc., cardsFalse representation. [1970 ex.s. c 36 § 5.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.26A.060 Possessing incomplete cards or reproduction equip-ment--Felony. [1970 ex.s. c 36 § 6.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.26A.070 Merchant furnishing goods, services, etc., knowing card false, altered, forged, etc.--Falsely representing goods, services, etc., furnished. [1970 ex.s. c 36 § 7.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.26A.080 Obtaining discounted airline, railroad, etc., tickets. [1970 ex.s. c 36 § 8.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.27 <br> DISTURBANCES, RIOT AND UNLAWFUL ASSEMBLY

9.27.010 Disturbing meeting. [1909 c 249 § 295; RRS § 2547.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.27.020 Disturbance on bigbway. [1909 c 249 § 282; RRS § 2534.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.27.030 Offenses in public conveyances. [1909 c 249 § 309; RRS § 2561.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.
9.27.040 Riot defined. [1909 c 249 § 296; Code 1881 §§ 859-861; 1873 p 197 §§ 73, 74; 1854 p 87 § 64; RRS § 2548.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.27.050 Riot——Penalty. [1909 c 249 § 297; Code 1881 §§ 859861; 1873 p 197 §§ 73, 74; 1854 p 87 § 65; RRS § 2549.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.27.060 Unlawful assembly. [1909 c 249 § 298; Code 1881 §§ 859-861; 1873 p 197 §§ 73, 74; 1854 p 87 § 65; RRS § 2550.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.27.070 Remaining after warning. [1909 c 249 § 299; Code 1881 § § 859-861; 1873 p 197 §§ 73, 74; 1854 p 87 § § 65, 66; RRS § 2551.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.27.080 Destruction of property. [1909 c 249 § 300; Code 1881 § 863; RRS § 2552.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.27.090 Disguised and masked persons. [1909 c 249 § 301; RRS § 2553.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.
9.27.100 Owner of premises allowing masqueraders. [1909 c 249 § 302; RRS § 2554.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.30 <br> DUELLING

9.30.010 Duel, bow punished. [1909 c 249 § 167; Code 1881 § 799; 1869 p 202 § 22; 1854 p 79 § 22; RRS § 2419.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.30.020 Challenger, abettor, etc. [1909 c 249 § 168; Code 1881 § 800; 1873 p 185 § $25 ; 1869$ p 202 § $23 ; 1854$ p 79 § 23; RRS § 2420.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.30.030 Attempt to induce challenge, posting. [1909 c 249 § 169; RRS § 2421.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.30.040 Duel outside state, venue. [1909 c 249 § 170; RRS § 2422.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.30.050 Witnesses. [1909 c 249 § 171; RRS § 2423.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## ESCAPE AND RESCUE

9.31.005 Definitions. [1955 c 320 § 1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.31.010 Crime of escape, wbat constitutes. [1955 c 320 § 2; 1909 c 249 § 90 ; RRS § 2342.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.31.020 Aiding prisoner to escape. [1909 c 249 § 91; 1905 c 46 §§ 1, 2; Code 1881 § 881; 1873 p 200 § 85; 1854 p 89 § 76; RRS § 2343.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.31.030 Custodian allowing or conniving at escape. [1909 c 249 § 92; Code 1881 § 882; 1873 p 201 § 86; 1854 p 90 § 77; RRS § 2344.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.31.040 Officer asking reward to permit escape. [1909 c 249 § 93; Code 1881 § 882; 1873 p 201 §§ 86, 87; 1854 p 90 § 77; RRS § 2345.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.31.050 Concealing escaped prisoner. [1909 c 249 § 94; RRS § 2346.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1 , 1976.
9.31.060 Rescuing prisoner. [1909 c 249 § 87; RRS § 2339.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.31.070 Taking property from an officer. [1909 c 249 § 88; RRS § 2340.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1 , 1976.
9.31.080 Unauthorized communication witb prisoner. [1909 c 249 § 125; RRS § 2377.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.31.100 Assisting escape of inmate of mental institution or custodial school. [1951 c 182 § 1.] Repealed by 1975 lst ex.s. c 260 § 9A92.010, effective July 1, 1976.

## Chapter 9.33 <br> EXTORTION, BLACKMAIL AND COERCION

9.33.010 Extortion. [1909 c 249 § 358; Code 1881 § 822; RRS § 2610.] Repealed by 1975 1st ex.s. c 260 § 9A. 92.010 , effective July 1, 1976.
9.33.020 Oppression under color of office. [1909 c 249 § 359; Code 1881 § 894; 1873 p $203 \S 96 ; 1854$ p $91 \S 87$. Formerly 9.33.030, part.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.33.030 Duty of custodian to prisoner. [1909 c 249 § 359, part; Code 1881 § 894, part; 1873 p 203 § 96, part; 1854 p 91 § 87, part.] Now codified in RCW 9.33.020.
9.33.040 Extortion by public officer. [1909 c 249 § 360; Code 1881 § 894; 1873 p 203 § $96 ; 1854$ p 91 § 87; RRS § 2612.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.33.050 Blackmail. [1909 c 249 § 361; Code 1881 § 822; RRS § 2613.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1 , 1976.
9.33.060 Coercion. [1909 c 249 § 362; RRS § 2614.] Repealed by 1975 1st ex.s. c $260 \S 9$ 9.92.010, effective July 1, 1976.
9.33.070 Extortion by ferryman, toll gate keeper, etc. [Code 1881 § 923; 1873 p 208 § 119 ; 1854 p 95 § 108; RRS § 2715.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.34 <br> FALSE PERSONATION

9.34.010 Falsely personating another. [1909 c 249 § 363; RRS § 2615.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1 , 1976.
9.34.020 Personating an officer. [1909 c 249 § 364; RRS § 2616.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.37 <br> FALSE PRETENSES

9.37.010 Use of false permit, license or diploma. [1909 c 249 § 365; RRS § 2617.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.37.020 Obtaining signature by false pretense. [1909 c 249 § 367; RRS § 2619.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.37.030 Acting without lawful authority. [1909 c 249 § 421; RRS § 2673.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.37.040 Collecting for benefit without authority. [1909 c 249 § 422; RRS § 2674.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.37.050 Fraudulent use of name of secret societies. [1911 c 46 § 1 ; RRS § 2696-2.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.37.060 Unlawful use of name "Parent Teacher", etc. [1937 c 78 § 1; RRS § 2696-4.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976
9.37.070 Fraudulent issue of stock, scrip, etc. [1909 c 249 § 387; RRS § 2639.] Now codified as RCW 9.24.020.

## Chapter 9.38 <br> FALSE REPRESENTATIONS

9.38.030 Publishing false statement to affect market price. [1909 c 249 § 370; RRS § 2622.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.38.040 False report of corporation. [1909 c 249 § 390; RRS § 2642.] Now codified as RCW 9.24.050.
9.38.050 Falsifying accounts. [1909 c 249 § 409; RRS § 2661.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.40

## FIRE, CRIMES RELATING TO

9.40.010 Obstruction of extinguishment of fire. [1909 c 249 § 267; RRS § 2519.] Repealed by 19751 st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.40.020 Obstructing firemen. [1909 c 249 § 268; RRS § 2520.] Repealed by 1975 1st ex.s. c $260 \S 9$ 9.92.010, effective July 1, 1976.
9.40.030 Smoking——Where prohibited. [1909 c 249 § 269; RRS
§ 2521.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.40.050 Maliciously setting fire or permitting spread thereof. [1890 p 127 § 9; Code 1881 § 847; RRS § 5650.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.40.060 Kindling fire with intent to injure another's property. [1891 c 69 § 13; Code 1881 § 1225 ; 1877 p 300 § 2; RRS § 5651.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.40.070 Kindling fire on another's land without malice. [1891 c 69 § 14; Code 1881 § 1224; 1877 p 300 § 1 ; RRS § 5652.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.40.080 Kindling fire on another's land while hunting or fishing. [1891 c 69 § 15 ; Code 1881 § 1227; 1877 p 300 § 4; RRS § 5654.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.40.090 Permitting spread of fire. [1923 c 184 § 11 , part; RRS § 5806-2.] Now codified as RCW 76.04.395.

## Chapter 9.41 <br> FIREARMS AND DANGEROUS WEAPONS

9.41.020 Committing crime when armed——Resisting arrest by firing upon officer. [1961 c 124 § 2; 1935 c 172 § 2; RRS § 2516-2.] Repealed by 1969 ex.s. c 175 § 2.

## Chapter 9.44 <br> FORGERY

9.44.010 Definitions. [1909 c 249 § 338; RRS § 2590.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.44.020 First degree. [1909 c 249 § 331; Code 1881 § 854; 1873 p 194 § 63; 1854 p 85 § 57; RRS § 2583.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.44.030 False certificate to certain instruments. [1909 c 249 § 332; RRS § 2584.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.44.040 Second degree. [1909 c 249 § 333; Code 1881 § 854; 1873 p 194 § 63; 1854 p 85 § 57; RRS § 2585.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.44.050 Falsely indicating person as corporate or public officer, etc. [1909 c 249 § 334 ; RRS § 2586.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, eff ective July 1, 1976.
9.44.060 Uttering forged instruments, coins, etc., forgery. [1909 c 249 § 335; Code 1881 § 854; 1873 p 194 § 63; 1854 p 85 § 57 ; RRS § 2587.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.44.070 True writing signed by wrong-doer's name. [1909 c 249 § 336; RRS § 2588.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.44.090 Fraud in stock subscription. [1909 c 249 § 386; RRS § 2638.] Now codified as RCW 9.24.010.

## Chapter 9.45

FRAUDS AND SWINDLES
9.45.010 Production of pretended heir. [1909 c 249 § 122; RRS § 2374.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.
9.45.030 Swindling. [1909 c 249 § 219; RRS § 2471.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.45.050 Fraudulently presenting claim to public officer. [1909 c 249 § 375; RRS § 2627.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.45.110 Fraudulent destruction of insured property. [1909 c 249 § 384; RRS § 2636.] Now codified as RCW 9.91.090.
9.45.130 Corporation doing business without license. [1909 c 249 § 389; RRS § 2641.] Now codified as RCW 9.24.040.
9.45.140 Insolvent bank receiving deposit. [1909 c 249 § 388; 1893 c 111 § 1 ; RRS § 2640.] Now codified as RCW 9.24.030.
9.45.200 Fraud in selling mine or mining claim. [1890 p 99 § 1 ; RRS § 2711.] Repealed by 19751 st ex.s. c 260 § 9A. 92.010 , effective July 1, 1976.

## Chapter 9.46 <br> GAMBLING--1973 ACT

9.46.280 Chapter exclusive authorization for gambling activities——Existing local authority as void. [1973 1st ex.s. c 218 § 28.] Repealed by 1974 ex.s. c 155 § 15 and 1974 ex.s. c 135 § 15.
9.46.290 Chapter not applicable to state lottery. [1974 ex.s. c 152 § 26.] Submitted to the electorate November 5, 1974, failed to become law. See note following chapter 67.67 RCW, Table of Disposition of Former RCW Sections.

## Chapter 9.47 <br> GAMBLING

9.47.010 Conducting gambling. [1909 c 249 § 217; Code 1881 § 1253 ; 1873 p 206 §§ 110,111 ; 1869 p 222 §§ 104,105 ; 1854 p 93 § 99; RRS § 2469.] Repealed by 1971 ex.s. c 280 § 23.
9.47.020 Gambling. [1909 c 249 § 218; RRS § 2470.] Repealed by 1971 ex.s. c 280 § 23.
9.47.030 Possession of gambling devices. [1909 c 249 § 220; RRS § 2472.] Repealed by 1971 ex.s. c $280 \S 23$.
9.47.040 Slot machines in "public places". [1937 c 119 § 1 ; RRS § 2472-1.] Repealed by 1971 ex.s. c 280 § 23.
9.47.050 Slot machines in "clubs"——Registration. [1937 c 119 § 2; RRS § 2472-2.] Repealed by 1971 ex.s. c 280 § 23.
9.47.060 Pool selling and bookkeeping. [1909 c 249 § 221; RRS § 2473.] Repealed by 1971 ex.s. c 280 § 23.
9.47.070 Allowing building to be used. [1909 c 249 § 222; Code 1881 §§ 1257-1258; 1879 p 98 §§ 5-6; 1873 p 206 § 111 ; 1869 p 222 § 105 ; 1854 p 93 § 100; RRS § 2474.] Repealed by 1971 ex.s. c 280 § 23.
9.47.110 Seizure and disposition of gambling devices. [1909 c 249 § 226; RRS § 2478.] Repealed by 1971 ex.s. c 280 § 23.
9.47.140 Race track gambling. [1909 c 6 § 1 ; RRS § 2721.] Repealed by 1971 ex.s. c 280 § 23.
9.47.150 Games for hire near university. [1967 c 90 § 1; 1923 c 21 § 1; RRS § 5103-1.] Repealed by 1973 lst ex.s. c 218 § 29.
9.47.160 Games for hire near university ——Terms defined. [1923 c 21 § 2; RRS § 5103-2.] Repealed by 1973 lst ex.s. c 218 § 29.
9.47.170 Games for hire near university-—Penalty. [1923 c 21 § 3; RRS § 5103-3.] Repealed by 1973 lst ex.s. c 218 § 29.
9.47.180 through 9.47.230.

Reviser's note: Chapter 37, Laws of 1963 (RCW 9.47.180-9.47.230) relating to mechanical devices, sales boards, bingo equipment and cardrooms, and popularly known as the "Tolerance Act", failed to become laws by reason of Referendum Measure No. 34 submitted to the people on November 3, 1964.
9.47.300 Legislative declaration. [1971 ex.s. c 280 § 1.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.310 Definitions. [1972 ex.s. c 141 § $1 ; 1971$ ex.s. c 280 § 2.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.320 Professional gambling unlawful-—Penalty. [1972 ex.s. c 141 § $2 ; 1971$ ex.s. c 280 § 3.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.330 Seizure and disposition of gambling devices-Owning, buying, selling, etc., gambling devices or records--Penalties. [1972 ex.s. c 141 § 3; 1971 ex.s. c 280 § 4.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.340 Gambling information——Penalty. [1972 ex.s. c 141 §4; 1971 ex.s. c 280 § 5.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.350 Gambling property or premises-Common nuisances, abatement - Termination of mortgage, contract or leasehold interests, licenses or permits. [1972 ex.s. c 141 § 5; 1971 ex.s. c 280 § 6.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.360 Injunctions. [1971 ex.s. c 280 § 7.] Repealed by 1973 1st ex.s. c $218 \S 29$.
9.47.370 Inspection and audit of premises, paraphernalia, books and records-—Reports. [1972 ex.s. c 141 § 6; 1971 ex.s. c 280 § 8.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.380 Proof of possession of devices and records, effect-Occurrence of event, evidence. [1971 ex.s. c 280 § 9.] Repealed by 1973 lst ex.s. c 218 § 29.
9.47.390 Authority of political subdivisions or agencies restrict-ed-Bingo games--Penalty. [1971 ex.s. c 280 § 11.] Repealed by 1973 lst ex.s. c 218 § 29.
9.47.400 Penalties for professional gambling not applicable to certain games, when. [1972 ex.s. c 141 § 7; 1971 ex.s. c 280 § 16.] Repealed by 1973 lst ex.s. c 218 § 29.
9.47.410 Violations——Penalties. [1971 ex.s. c 280 § 18.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.420 Action for money damages due to violations--Inter-est-Class action. [1971 ex.s. c 280 § 19.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.430 Violations--Voiding of licenses, permits or certifi-cates--Enforcement. [1971 ex.s. c 280 § 20.] Repealed by 1973 1st ex.s. c 218 § 29.
9.47.440 Provisions exclusive——Strict construction. [1971 ex.s. c 280 § 25.] Repealed by 1973 1st ex.s. c 218 § 29.

## Chapter 9.48 HOMICIDE

9.48.010 Defined and classified. [1970 ex.s. c 49 § 1; 1909 c 249 § 138; RRS § 2390.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.020 Proof of death and of killing by defendant. [1909 c 249 § 139; RRS § 2391.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.030 Murder——First degree——Death penalty up to jury. [1919 c 112 § 1 ; 1913 c 167 § $1 ; 1909$ c 249 § 140 ; 1891 c $69 § 1$; Code 1881 § 786; 1873 p 182 § 12; 1869 p $200 \S 12 ; 1854$ p 78 § 12 ; RRS § 2392.] Repealed by 1975 1st ex.s. c 260 § 9 A .92 .010 and by 1975-'76 2nd ex.s. c 38 § 19, effective July 1, 1976.
9.48.040 Murder in the second degree. [1909 c 249 § 141; Code 1881 § 790; 1873 p $182 \S 13 ; 1869$ p 200 §§ 13,$14 ; 1854$ p 78 § 13 ; RRS § 2393.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.48.050 Killing in duel. [1909 c 249 § 142; Code 1881§791; 1873 p 183 § 16; 1869 p 201 § 14; 1854 p 78 § 14; RRS § 2394.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1, 1976.
9.48.060 Manslaughter. [1970 ex.s. c 49 § 2; 1909 c 249 § 143 ; 1891 c 69 § 2; Code 1881 § 793; 1873 p 183 § 18; 1869 p 201 § 16; 1854 p 78 § 16; RRS § 2395.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A}-$ .92.010, effective July $1,1976$.
9.48.070 Killing unborn quick child. [1909 c 249 § 144; Code 1881 § 820; 1873 p 188 §§ 41, 42; 1863 p 209 §§ 37, 38; 1854 p 81 §§ 37 , 38; RRS § 2396.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.080 Killing unborn quick child by administering drugs. [1909 c 249 § 145; Code 1881 § 821; 1873 p 188 §§ 41,42 ; 1863 p 209 §§ 37 , 38; 1854 p 81 §§ 37, 38; RRS § 2397.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.090 Woman taking drugs. [1909 c 249 § 146; RRS § 2398.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.100 Owner of vicious animal. [1909 c 249 § 147; RRS § 2399.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.48.110 Killing by overloading passenger vessel. [1909 c 249 § 148; Code 1881 § 795; 1873 p 184 § 20; 1869 p 201 § 18; 1854 p 78 § 18; RRS § 2400.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.48.120 Reckless operation of steamboat or engine. [1909 c 249 § 149; Code 1881 § 796; 1873 p 184 § 21 ; 1869 p 201 § $19 ; 1854$ p 78 § 19; RRS § 2401.] Repealed by 1975 lst ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1, 1976.
9.48.130 Liability of intoxicated physician. [1909 c 249 § 150 ; Code 1881 § $955 ; 1873$ p 211 § $136 ; 1869$ p 227 § 130 ; 1854 p 97 § 124; RRS § 2402.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.140 Keeping explosive unlawfully. [1909 c 249 § 151 ; RRS § 2403.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1, 1976.
9.48.150 Homicide, when excusable. [1909 c 249 § 152 ; RRS § 2404.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.48.160 Justifiable homicide by public officer. [1909 c 249 § 153 ; RRS § 2405.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.48.170 Homicide by other person, when justifiable. [1909 c 249 § 154; RRS § 2406.] Repealed by 1975 lst ex.s. c $260 \S 9 A .92 .010$, effective July 1, 1976.

## Chapter 9.52 <br> KIDNAPING

9.52.010 Kidnaping, first and second degrees. [1933 ex.s. c 6 § 1 ; RRS § 2410-1. Prior: 1909 c 249 § 158 ; Code 1881 §§ 817, $818 ; 1873$ p 187 § 39; 1869 p 204 § 37 ; 1854 p 81 § 35.] Repealed by 1975 1st ex.s. c $260 \S 9$ 9. 92.010 , effective July 1, 1976.
9.52.020 Conspiracy to kidnap. [1933 ex.s. c 6 § 3; RRS § 2410-2.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.52.030 Selling services of person kidnaped. [1909 c 249 § 159; RRS § 2411.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.52.040 Venue——Effect of consent. [1909 c 249 § 160; Code 1881 § 819; 1873 p 187 § 40; 1869 p 205 § $38 ; 1854$ p 84 § 36; RRS § 2412.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.

## Chapter 9.54 <br> LARCENY

9.54.010 Larceny. [1915 c 165 § 3; 1909 c 249 § 349; Code 1881 § 830; 1873 p 190 § 50; 1854 p 83 § 45; RRS § 2601.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.020 Taking motor vehicle without permission. [1919 c 64 § 1 ; 1915 c 155 § 1 ; RRS § 2601-1.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.030 Motor vehicles, cycles, trailers, vessels, motorboats or parts-Buying, selling, etc. when identification numbers or marks removed, altered, etc.--Penalty--Enforcement and recovery procedures. [1974 ex.s. c 124 § 1 ; 1917 c $60 \S 1$; RRS § 2601-3.] Repealed by 19751 st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.54.040 Possession prima facie evidence of guilt. [1917 c 60 § 2; RRS § 2601-4.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.050 Unlawful issuance of bank checks or drafts. [1915 c 156 § 1; RRS § 2601-2.] Repealed by 19751 st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.060 Commission or part ownership no defense. [1909 c 249 § 350; RRS § 2602.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.070 Sale of mortgaged property-—When larceny. [1909 c 249 § 351; RRS § 2603.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.54.080 Contractor failing to pay for labor or material. [1909 c 249 § 352; RRS § 2604.] Repealed by 1975 1st ex.s. c 260 § 9A.92. .010, effective July 1, 1976.
9.54.090 Grand larceny-—Petit larceny. [1955 c 97 § 1; 1909 c 249 § 353; RRS § 2605.] Repealed by 1975 lst ex.s. c 260 § 9A. 92 .010, effective July 1, 1976.
Contingent repealer--1975 1st ex.s. c 61: "Sections 1 and 2 of this 1975 amendatory act shall take effect as provided by the state Constitution and shall remain in effect until the effective date of the repeal of RCW 9.54.090 and 9.54.115 by section 9A.92.010, chapter - (Substitute Senate Bill No. 2092), Laws of 197. ex. sess., at which time sections 1 and 2 of this 1975 amendatory act shall also be repealed." [1975 1st ex.s. c 61 § 4.]
Reviser's note: Substitute Senate Bill No. 2092 referred to in the above annotation was enacted into law as chapter 260, Laws of 1975 1st ex. sess., with an effective date of July 1, 1976. See RCW 9A.04.010.
9.54.100 Value——How ascertained. [1909 c 249 § 354; RRS § 2606.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.110 Stealing railway or steamboat tickets, coupons, or passes. [1909 c 249 § 355; RRS § 2607.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.115 Larcenous appropriation of livestock. [1961 c 63 § 1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

Contingent repealer-- 1975 1st ex.s. c 61: "Sections 1 and 2 of this 1975 amendatory act shall take effect as provided by the state Constitution and shall remain in effect until the effective date of the repeal of RCW 9.54.090 and 9.54 .115 by section 9A.92.010, chapter _ (Substitute Senate Bill No. 2092), Laws of 197. ex. sess., at which time sections 1 and 2 of this 1975 amendatory act shall also be repealed." [1975 1st ex.s. c 61 § 4.]
Reviser's note: Substitute Senate Bill No. 2092 referred to in the above annotation was enacted into law as chapter 260, Laws of 1975 1 st ex. sess., with an effective date of July 1, 1976. See RCW 9A.04.010.
9.54.120 Claim of title--When ground of defense. [1909 c 249 § 356; RRS § 2608.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.54.140 Presumption on failure to return vehicle, machinery, or equipment pursuant to rental or lease agreement. [1965 c 32 § 1.] Repealed by 1975 lst ex.s. c $260 \S 9$ A.92.010, effective July $1,1976$.

## Chapter 9.55

## LEGISLATURE, CRIMES RELATING TO

9.55.010 Disturbing legislature or intimidating member. [1909 c 249 § 85; RRS § 2337.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.

## Chapter 9.59 <br> LOTTERIES

9.59.010 Defined——A nuisance--Drawing--How punished. [1909 c 249 § 212; Code 1881 § 913; 1873 p 205 § 109; 1869 p 222 § 103; 1854 p 93 § 98; RRS § 2464.] Repealed by 1973 lst ex.s. c 218 § 29.
9.59.020 Selling tickets, advertising. [1909 c 249 § 213; Code 1881 § 913; 1873 p 205 § $109 ; 1869$ p 222 § $103 ; 1854$ p 93 § $98 ;$ RRS § 2465.] Repealed by 1973 1st ex.s. c 218 § 29.
9.59.030 Disposing of property by lottery--Keeping office-Letting building. [1909 c 249 § 214; RRS § 2466.] Repealed by 1973 1st ex.s. c 218 § 29.
9.59.040 Insuring lottery tickets——Advertising offers to insure. [1909 c 249 § 215; RRS § 2467.] Repealed by 1973 lst ex.s. c 218 § 29.
9.59.050 Lotteries out of state——Advertisement by nonresidents. [1909 c 249 § 216; RRS § 2468.] Repealed by 1973 1st ex.s. c 218 § 29.

## Chapter 9.61 <br> MALICIOUS MISCHIEF——INJURY TO PROPERTY

9.61.010 Injuring public utilities——Penalty. [1971 ex.s. c 152 § 2; 1909 c 249 § 404; 1903 c 112 § 1; 1899 c 111 § 1; RRS § 2656.] Repealed by 1975 lst ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July $1,1976$.
9.61.020 Unlawful interference with gas, electric, steam or water appliance--Penalty. [1971 ex.s. c 152 § 3; 1909 c 249 § 405; 1897 c 41 § $1 ; 1893$ c 64 § 1; RRS § 2657.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.61.030 Interfering with dam, reservoir, etc.--Penalty. [1971 ex.s. c 152 § 4; 1909 c 249 § 406; 1891 c 69 § 16; RRS § 2658.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.61.040 Injury to property--Penalty. [1971 ex.s. c 152 § 5; 1909 с 249 § 407 ; 1897 c 83 § $1 ; 1891$ c 69 §§ $4,8,11,12,13,14,16$, 17; 1890 p 127 § $10 ; 1890$ p 122 § $11 ; 1890$ p 126 § 5; Code 1881 §§ $842,843,847,848,1224 ; 1877$ p 300 § $1 ; 1862$ p 30 § 1 ; RRS § 2659.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1 , 1976.
9.61.050 Tampering with papers. [1971 ex.s. c 152 § 6; 1909 c 249 § 408; RRS § 2660.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.61.060 Injury to baggage. [1909 c 249 § 414; RRS § 2666.] Repealed by 19751 st ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.61.070 Injury to other property——Penalty. [1971 ex.s. c 152 § 1; 1909 c 249 § 415 ; RRS § 2667.] Repealed by 1975 lst ex.s. c $260 \S$ 9A.92.010, effective July 1, 1976.
9.61.080 Disturbing settlers on unsurveyed lands. [1891 c 69 § 17; 1883 p 71 § 2 ; RRS § 2704.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, eff ective July $1,1976$.
9.61.090 Injury to buildings or contents-—Penalty. [1971 ex.s. c 152 § 7; 1899 c 114 § 1 ; RRS § 2705.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.61.100 Destruction of monument records, etc. [1899 c 114 § 2; RRS § 2706.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.61.110 Penalty for violation of RCW 9.61.090, 9.61.100. [1899 c 114 § 3; RRS § 2707.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.61.120 Throwing glass, tacks, rubbish, etc., in highway-—Penalty. [1969 ex.s. c 281 § 49; 1931 c 73 § $1 ; 1909$ c $36 \S 1$; RRS § 2720.] Repealed by 1971 ex.s. c 307 § 24. Later enactment, see RCW 70.93.060.

Severability——1971 ex.s. c 307: RCW 70.93.900.
9.61.130 Cutting or destroying trees without authority. [1923 c 184 § 11, part; RRS § 5813-1, part.] Now codified as RCW 76.04.397.
9.61.220 Interfering with coin or currency receptacle. [1963 c 133 § 1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.65 <br> MAYHEM

9.65.010 Defined——How punished. [1909 c 249 § 155; Code 1881 § 103; 1873 p 185 § 28; 1869 p 202 § 26; 1854 p 79 § 26; RRS § 2407.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, eff ective July 1, 1976.
9.65.020 Instrument or manner of maiming. [1909 c 249 § 156; RRS § 2408.] Repealed by 1975 1st ex.s. c 260 § 9A. 92.010 , effective July 1, 1976.
9.65.030 Recovery from injury, when a defense. [1909 c 249 § 157; RRS § 2409.] Repealed by 19751 st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.66 <br> NUISANCE

9.66.060 Throwing or depositing debris or waste upon public or private property or waters. Repeal conditional, see RCW 70.93.910. [1967 c 85 § 2.] Repealed by 1971 ex.s. c 307 § 24. Later enactment, see RCW 70.93.060.
Severability——1971 ex.s. c 307: RCW 70.93.900.
9.66.070 Throwing or depositing debris or waste upon public or private property or waters--Penalty--Removal by violator. Repeal conditional, see RCW 70.93.910. [1969 ex.s. c 281 § 50 ; 1967 c 85 § 3.] Repealed by 1971 ex.s c 307 § 24. Later enactment, see RCW 70.93.060.

Severability——1971 ex.s. c 307: RCW 70.93.900.

## Chapter 9.68

OBSCENITY
9.68.040 Using indecent or vulgar language, etc. [1909 ex.s. c 23 § 1; RRS § 2721 1/2.] Repealed by 1972 ex.s. c 122 § 26, effective January $1,1975$.

## Chapter 9.69 <br> OBSTRUCTING JUSTICE

9.69.010 Combination to resist process. [1909 c 249 § 303 ; RRS § 2555.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.69.020 Neglect or refusal to receive a person into custody. [1909 c 249 § 112 ; Code 1881 § 883 ; 1873 p 201 § 87 ; 1854 p 90 § 78; RRS § 2364.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.69.030 Refusal to make arrest or to aid officer. [1909 c 249 § 113; Code 1881 § 886; 1873 p 201 § 88; 1854 p 90 § 79; RRS § 2365.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.69.040 Resisting public officer. [1909 c 249 § 114; Code 1881 § 885; 1873 p $201 \S 88$; 1854 p 90 § 79; RRS § 2366.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.69.050 Intimidating public officer. [1909 c 249 § 116; RRS § 2368.] Repealed by 1975 1st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1 , 1976.
9.69.060 Obstructing public officer. [1909 c 249 § 420; RRS § 2672.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.69.070 Destroying evidence. [1909 c 249 § 110; RRS § 2362.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.69.080 Tampering with witness. [1969 ex.s. c 56 § 1; 1909 c 249 § 111 ; 1901 c 17 § 1 ; RRS § 2363.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.69.090 Compounding crimes. [1909 c 249 § 115 ; RRS § 2367.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.72 <br> PERJURY

9.72.010 Perjury——First degree. [1957 c 46 § 1; 1909 c 249 § 99; Code 1881 § 867 ; 1873 p 199 § 79; 1859 p $118 \S 69 ; 1854$ p 88 § 69; RRS § 2351.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.020 Knowledge of materiality not necessary. [1909 c 249 § 100; Code 1881 § 870; RRS § 2352.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.030 Perjury——Second degree. [1909 c 249 § 101; RRS § 2353.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1 , 1976.
9.72.040 "Oath" and "swear" defined. [1909 c 249 § 102; Code 1881 § 868; RRS § 2354.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.050 Irregularity in administering oath or incompetency of witness no defense. [1909 c 249 § 103; Code 1881 § 869; RRS § 2355.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.060 Deposition——When complete. [1957 c 46 § 2; 1909 c 249 § 104; Code 1881 § 872; RRS § 2356.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.070 Statement of what one does not know to be true. [1909 c 249 § 105; Code 1881 § 873; RRS § 2357.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, eff ective July 1, 1976.
9.72.080 Offering false evidence. [1909 c 249 § 106; RRS § 2358.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.100 Subornation of perjury. [1909 c 249 § 108; Code 1881 § 876; 1873 p $199 \S 81$; RRS § 2360.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.72.110 Attempt to suborn perjury. [1909 c 249 § 109; Code 1881 § 877; 1873 p 199 § 81; 1869 p 216 § 77; 1854 p 89 § 71 ; RRS § 2361.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.75 <br> ROBBERY

9.75.010 Defined. [1909 c 249 § 166; Code 1881 § 829; 1873 p 187 § 38; 1869 p 204 § 36; 1854 p 81 §§ 3, 4; RRS § 2418.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.75.020 Interfering with railroad with intent to commit robbery, etc. [1909 c 249 § 399; RRS § 2651.] Repealed by 1975 1st ex.s. c 260 §9A.92.010, effective July 1, 1976.
9.75.030 Robbing sluice boxes, etc. [ 1890 p 126 § 6; RRS § 2703.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July $1,1976$.

## Chapter 9.76 <br> SABBATH BREAKING

9.76.010 Defined. [1909 c 249 § 242; Code 1881 § 865; RRS § 2494.] Repealed by 1967 c 1 § 1.

Effective date: "The effective date of this Act shall be December 9, 1966." [1967 c 1 § 2.] This applies to the repeal of RCW 9.79.010 which was initiative measure No. 229 adopted by the people November 8, 1966, and declared effective law by proclamation signed by the governor on December 8, 1966.
9.76.020 Observance of other day. [1909 c 249 § 244; RRS § 2496.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.76.030 Service of process on the sabbath prohibited. [1909 c 249 § 245; Code 1881 § 1267; RRS § 2497.] Repealed by 1975 lst ex.s. c $260 \S 9$ A. 92.010 and by 1975-'76 2nd ex.s. c $38 \S 19$, effective July 1, 1976.
9.76.040 Preventing religious act. [1909 c 249 § 246; RRS § 2498.] Repealed by 1975 lst ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.76.050 Disturbing religious meeting. [1909 c 249 § 247; Code 1881 § 865; RRS § 2499.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.78 <br> SHOPLIFTING

9.78.010 Shoplifting. [1967 c 76 § 1; 1959 c 229 § 1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.78.020 Arrest without warrant authorized, when. [1959 c 229 § 2.] Repealed by 1975 1st ex.s. c $260 \S 9$ A. 92.010 , effective July 1, 1976.
9.78.030 Reasonable cause defense to civil or criminal action brought by suspect. [1959 c 229 § 3.] Repealed by 1967 c 76 § 4. Later enactments, see RCW 4.24.220, 9.01.116.
9.78.040 "Peace officer" defined. [1959 c 229 § 4.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.79 <br> SEX CRIMES

9.79.010 Rape. [1973 lst ex.s. c 154 § 122; 1909 c 249 § 183; 1897 c 19 § 1; 1886 p 84 § 1; Code 1881 § 812; 1873 p 187 § 37 ; 1869 p 204 § 35 ; 1854 p 80 § 33; RRS § 2435.] Repealed by 1975 lst ex.s. c 14 § 10.
9.79.020 Carnal knowledge——Penalties. [1973 lst ex.s. c 154 § 123; 1943 c 112 § $1 ; 1937$ c 74 § $1 ; 1919$ c 132 § $1 ; 1909$ c 249 § 184; 1897 c 19 § $1 ; 1886$ p 84 § 1 ; Code 1881 § $814 ; 1873$ p 187 § $37 ; 1869$ p 204 § 35; 1854 p 80 § 33; Rem. Supp. 1943 § 2436.] Repealed by 1975 lst ex.s. c 14 § 10.
9.79.030 Sexual intercourse, carnal knowledge, prostitution, sexual conduct, defined. [1973 l st ex.s. c 154 § 124; 1909 c 249 § 185; 1873 p 187 § 37; RRS § 2437.] Repealed by 1975 lst ex.s. c 14 § 10.
9.79.040 Compelling a person to marry. [1973 1st ex.s. c 154 § 125; 1909 c 249 § 186; Code 1881 § 813; RRS § 2438.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.050 Abduction. [1973 1 st ex.s. c 154 § 126; 1909 c 249 § 187; Code 1881 § 815 ; RRS § 2439.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.060 Placing persons in house of prostitution-—Pimping. [1973 1st ex.s. c 154 § 127 ; 1927 c 186 § $1 ; 1909$ c 249 § 188; RRS § 2440.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.79.070 Seduction. [1973 1st ex.s. c 154 § 128; 1909 c 249 § 189; 1905 c 33 § 1 ; Code 1881 § 816; RRS § 244 1.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.080 Indecent liberties, exposure, etc. [1973 1st ex.s. c $154 \S$ 129; 1955 c 127 § $1 ; 1937$ c 74 § 2; 1909 c 249 § 190; RRS § 2442.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.090 Incest——Penalties. [1943 c 111 § 1; 1909 c 249 § 203; 1895 c 149 §§ 1, 2; 1873 p 209 § 127; 1869 p 225 § 121; Rem. Supp. 1943 § 2455.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.100 Sodomy-—Penalties. [1937 c 74 § 3; 1909 c 249 § 204; 1893 c 139 § 2; RRS § 2456.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.110 Adultery. [1917 c 98 § 1; 1909 c 249 § 205; 1895 c 149 §§ 3, 4; Code 1881 §§ 943, 944; 1873 p 209 § 126; 1869 p 225 § 120 ; RRS § 2457.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.120 Lewdness. [1909 c 249 § 206; Code 1881 § 948; 1873 p 209 § 126 ; 1869 p 225 § $120 ; 1854$ p 95 § 117 ; RRS § 2458.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.79.130 Solicitation of minor for immoral purposes. [1961 c 65 § 2.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.

## Chapter 9.80 SUICIDE

9.80.010 Defined. [1909 c 249 § 133; RRS § 2385.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.80.020 Attempting suicide. [1909 c 249 § 134; RRS § 2386.] Repealed by 1975 1st ex.s. c 199 § 13.
Reviser's note: This section was also repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.80.030 Aiding suicide. [1909 c 249 § 135; Code 1881 § 794; 1873 p 184 § 19; 1869 p 201 § 17; 1854 p 78 § 17; RRS § 2387.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July $1,1976$.
9.80.040 Abetting attempt at suicide. [1909 c 249 § 136; RRS § 2388.] Repealed by 19751 st ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1 , 1976.
9.80.050 Incapacity of person aided no defense. [1909 c 249 § 137; RRS § 2389.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.

## Chapter 9.83 TRESPASS

9.83.010 Trespass on railway track. [1909 c 249 § 412; RRS § 2664.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, effective July 1, 1976.
9.83.020 Trespass on double track. [1913 c 128 § 1 ; RRS § 2664-1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.83.030 Exceptions. [1913 c 128 § 2; RRS § 2664-2.] Repealed by 1975 l st ex.s. c $260 \S 9$ 9.92.010, effective July 1, 1976.
9.83.040 Signs or warnings. [1913 c 128 § 3; RRS § 2664-3.] Repealed by 1975 lst ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July $1,1976$.
9.83.050 Penalty. [1913 c 128 § 4; RRS § 2664-4.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.83.060 Trespass upon another's land. [1913 c 139 § 1; 1909 c 249 § 413; 1890 p 124 § 1 ; RRS § 2665.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.83.070 Malicious trespass--Penalty. [ 1873 p $195 \S 67 ; 1869 \mathrm{p}$ 212 §64. No RRS.] Repealed by 1975 lst ex.s. c $260 \S 9 \mathrm{~A} .92 .010$, effective July 1, 1976.
9.83.080 Criminal trespass-—Penalty-Defense. [1969 c 7 § 1.] Repealed by 19751 st ex.s. c $260 \S 9 A .92 .010$, effective July 1, 1976.

## Chapter 9.86 <br> UNITED STATES AND STATE FLAGS, CRIMES RELATING TO (UNIFORM FLAG LAW)

9.86.060 Construction of chapter. [1919 c 107 § 7; RRS § 2675-6.] Repealed by 1969 ex.s. c 110 § 2.
9.86.070 Short title. [1919 c 107 §8.] Repealed by 1969 ex.s. c 110 § 2.

## Chapter 9.87 <br> VAGRANCY

9.87.010 Vagrancy. [1975-'76 2nd ex.s. c 100 § 2 (void at such time as Title 9A RCW shall become effective (July 1, 1976)); 1972 ex.s. c 122 § 29; 1965 ex.s. c 112 § 1; 1909 c 249 § 436; Code 1881 § 1271; 1875 p 85 § 1 ; RRS § 2688.] Repealed by 1975 lst ex.s. c $260 \S$ 9A.92.010, effective July 1, 1976.
9.87.020 False representation of physical defects. [1915 c 62 § 1 ; RRS § 2688-1.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.87.030 Arrest without warrant. [Code 1881 § $1273 ; 1875 \mathrm{p} 90$ § 3; RRS § 1969.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.87.040 Proceedings for examination of vagrancy. [1891 c 11 § 17; 1875 p 90 § 2; Code 1881 § 1272; RRS § 1968.] Repealed by 1957 c 10 § 3 .

## Chapter 9.91 <br> MISCELLANEOUS CRIMES

9.91.030 Places resorted to for use of narcotics or dangerous drugs. [1963 c 205 § 4; 1909 c 249 § 418; Code 1881 § 2072; RRS § 2670.] Repealed by 1971 ex.s. c $308 \$ 69.50 .606$.
9.91.040 Importing pauper. [Code 1881 § 932; RRS § 9992.] Repealed by 1975 lst ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.91.070 Wilful destruction of vessel. [1909 c 249 § 382; RRS § 2634. Formerly codified as RCW 88.08.040.] Repealed by 1975 1st ex.s. c $260 \S 9$ 9.92.010, effective July 1, 1976.
9.91.080 Making false manifest, invoice, etc. [1909 c 249 § 383; RRS § 2635. Formerly codified as RCW 88.08.010.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
9.91.100 Interfering with dead body or funeral. [1909 c 249 § 240; RRS § 2492.] Repealed by 1957 c 10 § 3.

## Chapter 9.94 <br> PRISONERS——STATE PENAL INSTITUTIONS

9.94.060 Interference, trafficking, with prisoners——Arrest without warrant. [1955 c 241 § 6.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010 and by 1975-'76 2nd ex.s. c 38 § 19, effective July 1, 1976.

## Chapter 9.95

## PRISON TERMS, PAROLES AND PROBATION

9.95.050 Reconsideration of duration of confinement. [1955 c 133 § 6. Prior: 1947 c 92 § 1, part; 1935 c 114 § 2, part; Rem. Supp. 1947 § 10249-2, part.] Repealed by 1972 ex.s. c 67 § 2.
9.95.056 Reconsideration of duration of confinement——Additional provision. [1951 c 239 § 2.] Repealed by 1955 c 133 § 1.
9.95.061 Commencement of term of sentence. [1955 c 42 § 3. Prior: 1903 c 35 § 1 ; RRS § 1746; formerly RCW 10.70.030, part; RCW 10.73.030, part.] Repealed by 1967 c 200 § 11.
9.95.180 Transfer of prisoners. [1955 c 245 § 2; 1935 c 114 § 5; RRS § 10249-5.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.010.
9.95.181 Transportation of prisoners. [1955 c 245 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.020.
9.95.184 Contracts with other governmental units for detention of felons. [1957 c 27 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.040.
9.95.185 Contracts with other governmental units for detention of felons--Notice of transfer of prisoner. [1957 c 27 § 2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.050.
9.95.186 Contracts with other governmental units for detention of felons--Procedure when transferred prisoner's presence required in judicial proceeding. [1957 c 27 § 3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.060.
9.95.187 Contracts with other governmental units for detention of felons--Procedure regarding prisoner when contract expires. [1957 c

27 § 4.] Repealed by 1959 c 28 § 72.28.040. Later enactment, see RCW 72.68.070.

## Title 10 CRIMINAL PROCEDURE

## Chapter 10.01 <br> GENERAL PROVISIONS

10.01.010 Who amenable to criminal statutes. [1891 c 28 § 3; RRS § 2010.] Repealed by 1975 1st ex.s. c 260 § 9A.92.010, effective July 1, 1976.
10.01.020 Limitation of actions. [1937 c 12 § 1 ; 1891 c 28 § 2 ; Code 1881 § 779; 1854 p 77 § 10; RRS § 2005.] Repealed by 1975 1st ex.s. c $260 \S 9$ A.92.010, eff ective July 1, 1976.
10.01.112 Indigent defendants, habeas corpus petitioners and juven-iles--State to pay costs and fees incident to review by supreme court or court of appeals. [1972 ex.s. c 111 § 2; 1970 ex.s. c 31 § $2 ; 1965$ c 133 § 2.] Now codified as RCW 4.88.330.

## Chapter 10.10 <br> CRIMINAL APPEALS FROM JUSTICE COURT

10.10.020 Notice of appeal. [1891 c 29 § 6, part; Code 1881 § 1898, part; 1877 p 203 § 7, part; 1873 p 384 § 196, part; 1854 p 261 § 177, part; RRS § 1919, part.] Now codified in RCW 10.10.010.
10.10.030 Appeal bond. [1891 c 29 § 6, part; Code 1881 § 1898, part; 1877 p 203 § 7, part; 1873 p 384 § 196, part; 1854 p 261 § 177, part; RRS § 1919, part.] Now codified in RCW 10.10.010.
10.10.050 Transcript of record——Cost bill. [1891 c 29 § 8, part; Code 1881 § 1899, part; 1873 p 384 § 197, part; 1854 p 261 § 178, part; RRS § 1921, part.] Now codified in RCW 10.10.040.
10.10.070 Witnesses subpoenaed on appeal——When. [1891 c 29 § 8, part; Code 1881 § 1899, part; 1873 p 384 § 197, part; 1854 p 261 § 178, part; RRS § 1921, part.] Now codified in RCW 10.10.040.
10.10.080 Failure to prosecute appeal. [1891 c 29 § 7, part; Code 1881 § 1900, part; 1873 p 384 § 198, part; 1854 p 261 § 179, part; RRS § 1920, part.] Now codified in RCW 10.10.060.

## Chapter 10.16 <br> PRELIMINARY HEARINGS

10.16.020 Arrest of defendant-—Summoning witnesses. [Code 1881 § 1921, part; 1873 p 393 § 219, part; 1854 p 106 § 27, part; RRS § 1949, part.] Now codified in RCW 10.16.010.
10.16.120 Action by court on prosecutor's statement. [1890 p 102 § 6, part; RRS § 2053, part.] Now codified in RCW 10.16.110.
10.16.170 Deposition of witnesses unable to furnish surety bonds. [1891 c 11 § 15, part; Code 1881 § 1932, part; 1877 p 203 § 8, part; 1873 p 396 § 232, part; RRS § 1962, part.] Now codified in RCW 10.16.160.
10.16.180 Use of deposition before grand jury or trial court. [1891 c 11 § 15 , part; Code 1881 § 1932, part; 1877 p 203 § 8, part; RRS § 1962, part.] Now codified in RCW 10.16.160.

## Chapter 10.19 <br> BAIL AND APPEARANCE BONDS

10.19.030 Conditions required in bond. [1891 c 11 § 13, part; Code 1881 § 1927, part; 1854 p 108 § 33, part; RRS § 1957, part.] Now codified in RCW 10.16.070.

## Chapter 10.25 <br> JURISDICTION AND VENUE

10.25.120 Change of venue to newly created county. [1854 p 376 § 1 ; No RRS.] Repealed by 1957 c 10 § 3.

## Chapter 10.28 <br> GRAND JURIES

10.28.010 Challenge to panel. [1891 c 28 § 11; Code 1881 § 977; 1873 p 220 § 163 ; 1854 p $110 \S 45$; RRS § 2025.] Repealed by 1971 ex.s. c 67 § 20.
10.28.020 Venire when panel discharged. [1891 c 28 § 12; Code 1881 § $979 ; 1873$ p 220 § 165 ; 1854 p 110 § 47 ; RRS § 2027.] Repealed by 1971 ex.s. c 67 § 20.
10.28.030 Challenge to individual juror. [Code 1881 § 978; 1873 p 220 § 164; 1854 p 110 § 46; RRS § 2026.] Repealed by 1971 ex.s. c 67 § 20.
10.28.040 Discharge of juror-—Filling panel. [Code 1881 § 980; 1873 p 220 § $166 ; 1854$ p 110 § 48; RRS § 2028.] Repealed by 1971 ex.s. c 67 § 20. Later enactment, see RCW 10.27.060.
10.28.050 Oath of grand jury——Form. [1891 c 28 § 13; Code 1881 § 981 ; 1873 p 220 § 167 ; 1854 p 110 § 49; RRS § 2029.] Repealed by 1971 ex.s. c $67 \S 20$. Later enactment, see RCW 10.27.070.
10.28.060 Foreman-Clerk——Reporter. [1939 c 74 § 1; Code 1881 § $982 ; 1873$ p 221 § $168 ; 1854$ p 110 § 50 ; RRS § 2030.] Repealed by 1971 ex.s. c 67 § 20. Later enactment, see RCW 10.27.070.
10.28.070 Prosecuting attorney to attend. [1891 c 28 § 14; Code 1881 § 984; 1873 p 221 § $170 ; 1854$ p 110 § 52; RRS § 2032.] Repealed by 1971 ex.s. c 67 § 20.
10.28.075 Witness entitled to attorney. [1967 c 130 § 1.] Repealed by 1971 ex.s. c 67 § 20.
10.28.080 Charge by court. [Code 1881 § 973; 1873 p 221 § 169; 1854 p 110 § 51; RRS § 2031. FORMER PART OF SECTION: 1891 c 28 § 17; Code 1881 § 1001 ; 1873 p 224 § 184 ; 1869 p $239 \S 179 ;$ RRS § 2049, now codified as RCW 10.28.085.] Repealed by 1971 ex.s. c 67 § 20.
10.28.085 Presentment. [1891 c 28 § 17; Code 1881§ 1001; 1873 p 224 § 184; 1869 p 239 § 179; RRS § 2049. Formerly codified in RCW 10.28.080, part.] Repealed by 1971 ex.s. c 67 § 20.
10.28.090 Duties of grand jury. [1891 c 28 § 15 ; Code 1881 § 985; 1873 p 221 § 171 ; 1865 p 19 § 1; 1854 p 111 § 53, part; RRS § 2033.] Repealed by 1971 ex.s. c 67 § 20.
10.28.100 Secrecy of proceedings. [Code 1881 § 992; 1873 p 222 § 176; 1854 p 111 § 57; RRS § 2040.] Repealed by 1971 ex.s. c 67 § 20. Later enactment, see RCW 10.27.090.
10.28.110 Inquisitional powers. [Code 1881 § 989; 1873 p 221 § 172; 1854 p 111 § 53; RRS § 2037.] Repealed by 1971 ex.s. c 67 § 20. Later enactment, see RCW 10.27.100.
10.28.120 May consider defendant's evidence. [Code 1881 § 990; 1873 p 222 § $173 ; 1854$ p 111 § 54; RRS § 2038.] Repealed by 1971 ex.s. c 67 § 20.
10.28.130 Jurors to communicate personal knowledge of offenses. [Code 1881 § 986; RRS § 2034.] Repealed by 1971 ex.s. c 67 § 20.
10.28.140 Complainant not to take part. [Code 1881 § 987; 1864 p 19 § 1 ; RRS § 2035.] Repealed by 1971 ex.s. c 67 § 20.
10.28.150 True bills——Indorsement——Copies. [1925 ex.s. c 150 § 1; Code 1881 § 994; 1873 p 223 § 178; 1869 p 238 § 173; 1854 p 111 §§55, 59; RRS § 2042.] Repealed by 1971 ex.s. c 67 § 20.
10.28.160 True bills at instance of private prosecutor. [Code 1881 § 996; RRS § 2044.] Repealed by 1971 ex.s. c 67 § 20.
10.28.170 "Not true" bills——Filing. [Code 1881 § 999; 1873 p 223 § 182; 1869 p 239 § 177; RRS § 2047.] Repealed by 1971 ex.s. c 67 § 20.
10.28.180 "Not true" bills——Effect. [1891 c 28 § 16; Code 1881 § 1000 ; 1873 p 224 § 183; 1869 p 239 § 178; RRS § 2048.] Repealed by 1971 ex.s. c 67 § 20.
10.28.190 Malicious and frivolous complaints--Costs. [Code 1881 § $988 ; 1864$ p 20 § 2; RRS § 2036. FORMER PART OF SECTION: Code 1881 § 2104; 1869 p 418 § 2; RRS § 2226, now codified as RCW 10.28.195.] Repealed by 1971 ex.s. c 67 § 20.
10.28.195 Enforcing costs against complainant. [Code 1881 § 2104; 1869 p 418 § 2; RRS § 2226. Formerly codified in RCW 10.28.190, part.] Repealed by 1971 ex.s. c 67 § 20.
10.28.200 Indictments——Custody. [Code 1881 § 997; 1873 p 223 § 180; 1869 p 239 § 175; RRS § 2045. FORMER PART OF SECTION: Code 1881 § 998, part; 1869 p 239 § 176, part; RRS § 2046,
part, now codified as RCW 10.28.210.] Repealed by 1971 ex.s. c 67 § 20.
10.28.210 Indictment facts-Disclosure-CContempt. [Code 1881 § $998 ; 1873$ p 233 § 181; 1869 p 239 § 176; RRS § 2046. Formerly RCW 10.28.200, part. FORMER PART OF SECTION: Code 1881 § 991 ; 1873 pp 222, 223 §§ 175, 181; 1854 p $111 \S 56$; RRS § 2039, now codified as RCW 10.28.215.] Repealed by 1971 ex.s. c 67 § 20.
10.28.215 Felony indictment--Disclosure——Arrest. [Code 1881 § $991 ; 1873$ pp 222, 223 §§ 175, 181; 1854 p 111 § 56; RRS § 2039. Formerly RCW 10.28.210, part.] Repealed by 1971 ex.s. c 67 § 20.
10.28.220 Grand jury may be resummoned--Procedure. [Code 1881 § 993; 1873 p 222 § 177 ; 1854 p 111 § 58; RRS § 2041.] Repealed by 1971 ex.s. c $67 \S 20$.

## Chapter 10.31 <br> WARRANTS AND ARRESTS

10.31.070 Arrest by telegraph——Validity of telegraphic copy. [Code 1881 § 2357, part; 1865 p 75 § 16, part; RRS § 2081, part.] Now codified in RCW 10.31.060.
10.31.080 Arrest by telegraph——Who may make. [Code 1881 § 2357, part; 1865 p 75 § 16, part; RRS § 2081, part.] Now codified in RCW 10.31.060.
10.31.090 Arrest by telegraph--Warrant and order-—Send-ing-—Preservation. [Code 1881 § 2357, part; 1865 p 75 § 16, part; RRS § 2081, part.] Now codified in RCW 10.31.060.

## Chapter 10.37 <br> ACCUSATIONS AND THEIR REQUISITES

10.37.075 Ownership of animals, bow pleaded——Variance. [1891 c 28 § 40; Code 1881 § 1025 ; RRS § 2076.] Repealed by 1957 c 10 § 3.

## Chapter 10.46 <br> SUPERIOR COURT TRIAL

10.46.140 Responsibility of children. [1909 c 249 § 5; RRS § 2257.] Now codified as RCW 9.01.111.
10.46.150 Duress as a defense. [1909 c 249 § 4; RRS § 2256.] Now codified as RCW 9.01.112.
10.46.155 Duress of married woman no defense. [1909 c 249 § 3; RRS § 2255.] Now codified as RCW 9.01.113.
10.46.160 Intoxication no defense. [1909 c 249 § 6; RRS § 2258.] Now codified as RCW 9.01.114.

## Chapter 10.49 <br> TRIAL JURIES

10.49.080 Alternate jurors——Conduct-CCustody. [1917 c 37 § 1, part; RRS § 2137-1, part.] Now codified in RCW 10.49.070.
10.49.090 Alternate jurors-—Use of. [1917 c 37 § 1 , part; RRS § 2137-1, part.] Now codified in RCW 10.49.070.

## Chapter 10.52 <br> WITNESSES-GENERALLY

10.52.010 Witness lists——State——Defendant——Additions. [1925 ex.s. c 150 § 2, part; 1890 p 101 § 2, part; RRS § 2050, part.] Now codified in RCW 10.37.030.
10.52.050 Accused cannot be compelled--Admonitory instruction. [1915 c 83 § 1, part; 1891 c 28 § 69, part; Code 1881 § 1067, part; RRS § 2148, part.] Now codified in RCW 10.52.040.
10.52.070 Compulsory attendance--Process--Fees not advanced. [1915 c 83 § 1 , part; 1891 c 28 § 69, part; Code 1881 § 1067 , part; 1854 p 116 § 93, part; RRS § 2148, part.] Now codified in RCW 10.52.040.
10.52.080 Compulsory attendance--Appearance bond-Confinement. [1915 c 83 § 1, part; 1891 c 28 § 69, part; Code 1881 § 1067, part; RRS § 2148, part.] Now codified in RCW 10.52.040.

## Chapter 10.55 <br> WITNESSES OUTSIDE THE STATE (UNIFORM ACT)

10.55.030 Hearing on certificate. [1943 c 218 § 2, part; Rem. Supp. 1943 § $2150-2$, part.] Now codified in RCW 10.55.020.
10.55.040 Witness fees and mileage, paid in advance. [1943 c 218 § 2, part; Rem. Supp. 1943 § 2150-2, part.] Now codified in RCW 10.55.020.
10.55.050 Failure to obey summons-—Penalty. [1943 c 218 § 2, part; Rem. Supp. 1943 § $2150-2$, part.] Now codified in RCW 10.55.020.
10.55.070 Witness fees to witnesses in foreign states. [1943 c 218 § 3, part; Rem. Supp. 1943 § 2150-3, part.] Now codified in RCW 10.55.060.
10.55.080 Time during which witness may be held. [1943 c 218 § 3, part; Rem. Supp. 1943 § $2150-3$, part.] Now codified in RCW 10.55.060.
10.55.090 Recalcitrance of witnesses-—Penalty. [1943 c 218 § 3, part; Rem. Supp. 1943 § $2150-3$, part.] Now codified in RCW 10.55.060.

## Chapter 10.58 <br> EVIDENCE

10.58.050 Marriage——Proof of. [1895 c 149 § 5; RRS § 2153.] Repealed by 1957 c 10 § 3.
10.58.070 Receiving stolen property--Proof of conviction or locale of larceny not necessary. [1890 p 129 § 1; Code 1881 § 850; 1873 p 192 § 55; 1854 p 84 § 50; RRS § 2154.] Repealed by 1927 c 43 § 1.

## Chapter 10.61 VERDICTS

10.61.020 Reasonable doubt as to degree of crime. [1909 c 249 § 56, part; RRS § 2308, part.] Now codified in RCW 10.58.020.

## Chapter 10.64 <br> JUDGMENTS AND SENTENCES

10.64.050 Court to fix fine and punishment. [Code 1881 § 1103, part; 1854 p 121 § 128, part; RRS § 2172, part.] Now codified in RCW 10.61.050.

## Chapter 10.67 <br> NEW TRIALS

10.67.020 New trial--Grounds. [1925 ex.s. c 150 § 5, part; 1891 c 28 § 81, part; Code 1881 § 1105 , part; 1854 p 121 § 130, part; RRS § 2181, part.] Now codified in RCW 10.67.010.

## Chapter 10.70 <br> COMMITMENTS AND EXECUTIONS

10.70.030 Imprisonment-Date of commencement of sentence. [1903 c 35 § 1, part; RRS § 1746, part.] Repealed by 1955 c 42 § 1. Reenacted, see RCW 9.95.061 and 9.95.062.

Chapter 10.73

## CRIMINAL APPEALS TO SUPREME COURT

10.73.020 Appeal by state. [1925 ex.s. c 150 § 7; RRS § 2183-1.] Superseded and abrogated by Rules of Court: Appeal-rule 65 (effective January 3, 1956); also Appeal_rule 14 (8), therein cited. Statute subsequently repealed by 1957 c 10 § 3.
10.73.030 Effect of appeal by defendant-—Stay--Time in jail deducted from sentence. [(i) 1893 c 61 § 30; RRS § 1745. (ii) 1903 c 35 § 1, part; RRS § 1746, part.] Repealed by 1955 c 42 § 1. Reenacted, see RCW 9.95.061 and 9.95.062.
10.73.050 Personal appearance in supreme court not necessary. [1893 c 61 § 32, part; RRS § 1748, part.] Superseded and abrogated by Rules of court: Appeal—rule 65 (effective January 3, 1956); also Appeal-rule 5, 49, therein cited. Statute subsequently repealed by 1957 c 10 § 3.
10.73.060 Defendant to have closing argument. [1893 c 61 § 32, part; RRS § 1748, part.] Superseded and abrogated by Rules of court:

Appeal_rule 65 (effective January 3, 1956); also Appeal_rule 5, 49, therein cited. Statute subsequently repealed by 1957 c 10 § 3.
10.73.070 Order for new trial-_Time in jail deducted from new sentence. [(i) 1893 c 61 § 33, part; RRS § 1749 , part. (ii) 1893 c 61 § 34; RRS § 1750 .] Repealed by 1955 c 42 § 1.
10.73.080 Dismissal of charge. [1893 c 61 § 33, part; RRS § 1749, part.] Repealed by 1955 c 42 § 1 . See Rules of court: Appeal——rule 48.

## Chapter 10.76 INSANITY PLEA——SUBSEQUENT PROCEDURE

10.76.010 Definition "criminally insane." [1907 c 30 § 1 ; 1873 p 239 § 262; RRS § 2173.] Repealed by 1973 lst ex.s. c 117 § 29.
10.76.020 Pleading insanity. [1907 c 30 § 2; RRS § 2174.] Repealed by 1973 1st ex.s. c 117 § 29.
10.76.030 Instructions to jury on special verdict. [1907 c 30 § 3; RRS § 2175.] Repealed by 1973 1st ex.s. c 117 § 29.
10.76.040 Verdict-OOrders applicable to various verdicts. [1907 c 30 § 4; 1891 c 28 § 79; Code 1881 § 1101; 1873 p 239 § 262; 1854 p 121 § 126; RRS § 2176.] Repealed by 19731 st ex.s. c $117 \$ 29$.
10.76.050 Statement of facts——Certification-—Preservation. [1971 c 81 § 49; 1907 c 30 § 5; RRS § 6969.] Repealed by 1973 1st ex.s. c 117 § 29.
10.76.060 Institutional placement-Custody--Discharge. [1971 c 81 § 50 ; 1965 ex.s. c 9 § $1 ; 1957$ c 48 § $1 ; 1907$ c 30 § 8 ; RRS § 6972.] Repealed by 1973 1st ex.s. c 117 § 29.
10.76.070 Procedure to secure discharge from confinement as criminally insane. [1971 c 81 § $51 ; 1965$ ex.s. c 9 § 2; 1957 c 48 § 2; 1907 c 30 § 6; RRS § 6970.] Repealed by 1973 lst ex.s. c 117 § 29.
10.76.080 Relapse——Recommitment-_Procedure. [1971 c 81 § 52; 1907 c 30 § 7; RRS § 6971.] Repealed by 1973 lst ex.s. c 117 § 29.
10.76.090 Commitment of persons after acquittal. [1957 c 48 § 3; 1907 c 30 § 10 ; RRS § 6974 .] Repealed by 1965 ex.s. c 9 § 7.

## Chapter 10.82

## COLLECTION AND DISPOSITION OF FINES AND COSTS

10.82.050 Execution against property of defendant in jail. [1891 c 28 § 84, part; Code 1881 § 1125, part; 1854 p 124 § 147, part; RRS § 2206, part.] Now codified in RCW 10.82.030.
10.82.060 Disposition of fines collected--Penalty for failure to pay over. [Code 1881 § 1113 ; 1854 p 98 § 128 ; RRS § 2189.] Repealed by 1957 c $10 \S 3$.

## Chapter 10.88 <br> UNIFORM CRIMINAL EXTRADITION ACT

10.88.010 Demand for extradition--Investigation-—Re-port-—Warrant. [Code 1881 § 972; 1873 p 217 § 158 ; 1854 p 102 § 6; RRS § 2242. Formerly RCW 10.88 .010 and 10.88 .020 .] Repealed by 1971 ex.s. c $46 \S 31$.
10.88.020 Extradition-—Warrant by governor. [Code 1881 § 972, part; 1854 p 102 § 6, part; RRS § 2242, part.] Repealed by 1971 ex.s. c 46 § 31 .
10.88.030 Fugitives--Arrest of. [Code 1881 § 973; 1873 p 218 § $159 ; 1854$ p 102 § 7; RRS § 2243.] Repealed by 1971 ex.s. c 46 § 31.
10.88.040 Fugitives--Preliminary examination-—Bail. [Code 1881 § $974 ; 1873$ p 218 § 160 ; 1854 p 103 § 8; RRS § 2244.] Repealed by 1971 ex.s. c $46 \$ 31$.
10.88.050 Fugitives--Hearing-_Taking under extradition warrant. [Code 1881 § 975; 1873 p 219 § 161 ; 1854 p 103 § 9; RRS § 2245.] Repealed by 1971 ex.s. c 46 § 31.
10.88.060 Fugitives--Prosecuting witness to pay costs and board of prisoner. [Code 1881 § 976; 1873 p 219 § 162 ; 1854 p 103 § 10 ; RRS § 2246.] Repealed by 1971 ex.s. c 46 § 31.
10.88.070 Fresh pursuit-Authority of foreign peace officer. [1943 c 261 § 1; Rem. Supp. 1943 § 2252-1.] Now codified as RCW 10.89.010.
10.88.080 Fresh pursuit--Preliminary examination by magistrate. [1943 c 261 § 2; Rem. Supp. 1943 § 2252-2.] Now codified as RCW 10.89.020.
10.88.090 Fresh pursuit defined. [1943 c 261 §5; Rem. Supp. 1943 § 2252-5.] Now codified as RCW 10.89.050.
10.88.100 Construction as to lawfulness of arrest. [1943 c 261 § 3; Rem. Supp. 1943 § 2252-3.] Now codified as RCW 10.89.030.
10.88.110 "State" includes District of Columbia. [1943 c 261 §4; Rem. Supp. 1943 § 2252-4.] Now codified as RCW 10.89.040.

## Title 11

PROBATE LAW AND PROCEDURE——1965 ACT

Chapter 11.02 GENERAL PROVISIONS<br>11.02.040 Construction--Number and gender. [1917 c 156 § 46; RRS § 1416. Prior: Code 1881 § $1339 ; 1873$ p 261 § 43.] Repealed by 1965 c 145 § 11.99 .015 and reenacted as RCW 11.02.005(14), (15).

## Chapter 11.04 <br> DESCENT AND DISTRIBUTION

11.04.010 "Issue" and "real estate" defined. [Code 1881 § 3314; 1875 p 57 § $13 ; 1863$ p 264 § $350 ; 1860$ p 223 § $316 ; 1854$ p 308 § 243, part; RRS § 1354.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.02.005(4) and (5).
11.04.020 Descent of separate real property. [1927 c 160 § 1; Code 1881 § 3302; 1875 p 53 § 1 ; 1863 p 261 § $340 ; 1860$ p 221 § 306; 1854 p 305 § 231; RRS § 1341.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.04.015.
11.04.030 Distribution of separate personal estate. [Code 1881 § 3316; 1875 p 57 § $15 ; 1863$ p 264 § 353; 1860 p 224 § $319 ; 1854$ p 308 § 244; RRS § 1364.] Repealed by 1.965 c 145 § 11.99 .015 . See RCW 11.04.015.
11.04.040 Effect of advancement where widow and issue survive. [Code 1881 § 3317 ; 1875 p 58 § 16; 1863 p 265 § $354 ; 1860$ p 224 § 320; 1854 p 309 § 245 ; RRS § 1365.] Repealed by 1965 c 145 § 11 .99.015. See RCW 11.04.041.
11.04.050 Descent and distribution of community property. [Code 1881 §§ 3303, 2411, 2412; 1879 p 78 §§ 12, 13; RRS § 1342 . Cf. 1875 p 55 § 2.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.04.015.
11.04.070 Survivorship between joint tenants abolished--Exceptions. [1953 c 270 § 1 ; 1885 p 165 § 1 ; RRS § 1344.] Repealed by 1961 c 2 § 4.
11.04.080 Inheritance by illegitimate child. [Code 1881 § 3305; 1875 p 55 § 4; 1863 p 262 § 341 ; 1860 p 222 § 307 ; 1854 p 306 § 232; RRS § 1345.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.04.081.
11.04.090 Inheritance from illegitimate child. [Code 1881 § 3306; 1875 p 56 § 5; 1863 p 262 § 342 ; 1860 p 222 § 308; 1854 p 307 § 233; RRS § 1346.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.04.081.
11.04.100 Degree of kindred——How computed. [1945 c 72 § 1 ; Code 1881 § 3307 ; 1875 p 56 § 6; 1863 p 263 § 343 ; 1860 p 222 § 309; 1854 p 307 § 235; Rem. Supp. 1945 § 1347.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.02.005(5) and RCW 11.04.035.
11.04.110 Right of representation--Posthumous children. [Code 1881 § $3315 ; 1875$ p 57 § $14 ; 1863$ p 264 § $351 ; 1860$ p 223 § 317 ; 1854 p 308 § 243, part; RRS § 1355.] Repealed by 1965 c 145 § $11-$ .99.015. See RCW 11.02.005(3).
11.04.120 Advancement, how considered. [Code 1881 § 3308; 1875 p 56 § 7; 1863 p 263 § 344; 1860 p 222 § 310 ; 1854 p 307 § 236; RRS § 1348.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.04.041.
11.04.130 Effect on distributive shares. [Code 1881 § 3309; 1875 p 56 § 8; 1863 p 263 § $345 ; 1860$ p 222 § $311 ; 1854$ p 307 § 237; RRS § 1349.] Repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.04.041.
11.04.140 Procedure in determining shares. [Code 1881 § 3310; 1875 p 56 § $9 ; 1863$ p 263 § $346 ; 1860$ p 223 § $312 ; 1854$ p 307 § 238; RRS § 1350.] Repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.04.041.
11.04.150 What is advancement. [Code 1881 § $3311 ; 1875 \mathrm{p} 56$ § $10 ; 1863$ p 263 § 347 ; 1860 p $223 \S 313 ; 1854$ p 307 § 239; RRS § 1351.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.04.041.
11.04.160 Value of advancement, how determined. [Code 1881 § 3312; 1875 p 57 § 11 ; 1863 p 263 § $348 ; 1860$ p 223 § 314 ; 1854 p 307 § 240; RRS § 1352.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.04.041.
11.04.170 Death of descendant advanced, effect. [Code 1881 § 3313; 1875 p 57 § $12 ; 1863$ p 263 § $349 ; 1860$ p 223 § $315 ; 1854$ p 307 § 241; RRS § 1353.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.04.041.
11.04.180 Devolution of property in case of simultaneous death of owners. [1943 c 113 § 1; Rem. Supp. 1943 § 1370-1.] Recodified as RCW 11.05 .010 and later repealed by 1965 c $145 \S 11.99 .015$ and reenacted as RCW 11.05.010.
11.04.190 Procedure when beneficiaries die simultaneously. [1943 c 113 § 2; Rem. Supp. 1943 § 1370-2.] Recodified as RCW 11.05 .020 and later repealed by 1965 c $145 \S 11.99 .015$ and reenacted as RCW 11.05.020.
11.04.200 Joint tenants——Simultaneous death. [1943 c 113 § 3; Rem. Supp. 1943 § 1370-3.] Recodified as RCW 11.05 .030 and later repealed by 1965 c 145 § 11.99 .015 and reenacted as RCW 11.05.030.
11.04.210 Distribution of insurance policy when insured and beneficiary die simultaneously. [1943 c 113 § 4; Rem. Supp. 1943 § 1370-4.] Recodified as RCW 11.05 .040 and later repealed by 1965 c 145 § 11 .99.015 and reenacted as RCW 11.05.040.
11.04.220 Scope of act limited. [1943 c 113 § 6; Rem. Supp. 1943 § 1370-6.] Recodified as RCW 11.05 .050 and later repealed by 1965 c 145 § 11.99.015 and reenacted as RCW 11.05.050.
11.04.260 Title of heirs confirmed. [1895 c 105 § 2; RRS § 1367.] Repealed by 1965 c 145 § 11.99 .015 .
11.04.280 Meaning of "heirs." [1895 c 105 § 4; RRS § 1369.] Repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.02.005(6).

## Chapter 11.05 <br> UNIFORM SIMULTANEOUS DEATH ACT

11.05.920 Severability. [1943 c 113 § 8; Rem. Supp. 1943 § 13708.] Repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.99.030.

## Chapter 11.08 <br> ESCHEATS

11.08.010 Inheritance from stepparent avoids escheat. [1919 c 197 § 1; RRS § 1356-1.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.04.095.
11.08.011 Inheritance from stepparent avoids escheat-Construction. [1919 c 197 § 2; RRS § 1356-2.] Repealed by 1965 c 145 § 11.99.015.
11.08.020 through 11.08 .090 [1919 c 197 § 3 ; 1907 c 133 §§ $1-8$; RRS §§ 1356, 1356-3, and 1357-1363.] Repealed by 1965 c 145 § 11.99.015.
11.08.130 Estates of persons dying after June 8, 1955——RCW 11.08.020 through 11.08 .090 nonapplicable. [1955 c 254 § 1.] Repealed by 1965 c 145 § 11.99 .015 .
11.08.190 Duty of prosecuting attorneys. [1955 c 254 § 7.] Repealed by 1965 c 145 § 11.99.015.

## Chapter 11.12 <br> WILLS

11.12.100 Effect of advancements to such children. [1917 c 156 § 33; RRS § 1403. Prior: Code 1881 § 1326; 1863 p $208 \S 61 ; 1860$ p 171 § 28.] Repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.04.041.
11.12.240 Terin "will" includes all codicils. [1917 c 156 § 44; RRS § 1414. Prior: Code 1881 § 1337; 1863 p 210 § 74; 1860 p 172 § 41.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.02.005(8) and (9).

## Chapter 11.16 JURISDICTION--VENUE——NOTICES

11.16.010 Jurisdiction in probate matters--Powers of courts. [1917 c 156 § 1; RRS § 1371 . Prior: 1891 c 155 § 1; Code 1881 § 1299; 1873 p 235 § 3; 1863 p 199 § 3; 1860 p 167 § 3; 1854 p 309 § 3.] Recodified as RCW 11.02 .010 and later repealed by 1965 c $145 \S$ 11.99.015 and reenacted as RCW 11.02.010.
11.16.020 Powers adequate, even when law doubtful. [1917 c 156 § 219; RRS § 1589.] Recodified as RCW 11.02.020 and later repealed by 1965 c 145 § 11.99 .015 and reenacted as RCW 11.02.020.
11.16.030 Exercise of powers--Orders--Process. [1917 c 156 § 220; RRS § 1590.] Recodified as RCW 11.02.030 and later repealed by 1965 c 145 § 11.99 .015 and reenacted as RCW 11.02.030.
11.16.040 Appeals to supreme court. [1917 c 156 § 221; RRS § 1591.] Recodified as RCW 11.96 .010 and later repealed by 1965 c 145 § 11.99.015 and reenacted as RCW 11.96.010.
11.16.080 Notice, how given--Citations. [1917 c 156 § 3; RRS § 1373. Prior: 1891 p 381 § 3; Code 1881 § 1311 ; 1854 p 305 § 226.] Repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.16.081, 11.16.082 and 11.16.083.
11.16.081 Notice. [1965 c 145 § 11.16.081.] Repealed by 1969. c 70 § 5.
11.16.090 Service of citation. [1917 c 156 § 4; RRS § 1374. Prior: Code 1881 § 1312; 1873 p 255 § 17 ; 1854 p 305 § 227.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.16.081, 11.16.082, 11.16.083.
11.16.100 Time of service. [1917 c 156 § 5; RRS § 1375. Prior: 1891 p 381 § 4; Code 1881 § 1313 ; 1873 p 256 § 18 ; 1863 p 206 § 46.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.16 .081 and 11.16.082.
11.16.110 Power of clerk to fix dates of hearings. [1947 c 54 § 1 ; Rem. Supp. 1947 § $1590-\mathrm{a}$; 1917 c 156 § 220-a.] Repealed by 1965 c 145 § 11.99.015 and reenacted as RCW 11.02.060.

## Chapter 11.28 <br> LETTERS TESTAMENTARY AND OF ADMINISTRATION

11.28.080 Execution of letters. [1917 c 156 § 56; RRS § 1426. Prior: Code 1881 § 1382 ; 1863 p 218 § $116 ; 1860$ p 181 § 83.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.28.090.
11.28.130 Hearing on petition. [1965 c 145 § 11.28.130. Prior: 1917 c 156 § 63; RRS § 1433; prior: 1883 p 29 § 1; Code 1881 § 1391.] Repealed by 1974 ex.s. c 117 § 55.
11.28.180 Bond of personal representative--Exceptions. [1965 c 145 § 11.28.180. Prior: 1963 c 46 § 1; 1939 c 27 § 1; 1917 c 156 § 67; RRS § 1437; prior: Code 1881 § 1394; 1877 p 211 § 4; 1863 p 220 § 126; 1860 p 183 § 93.] Repealed by 1974 ex.s. c 117 § 55.
11.28.200 Waiver of bond by will. [1965 c 145 § 11.28.200. Prior: 1917 c 156 § 69; RRS § 1439; prior: Code 1881 § 1403; 1877 p 212 § 4,1863 p 222 § $136 ; 1860$ p 184 § 103.] Repealed by 1974 ex.s. c 117 § 55.
11.28.310 Limitation of action against sureties. [1917 c 156 § 80; RRS § 1450. Prior: 1891 p 385 § 21; Code 1881 § 1431 ; 1854 p 274 § 42.] Repealed by 1965 c $145 \S 11.99 .015$ and reenacted as RCW 11.28.235.
11.28.320 Copies of letters as evidence. [1917 c 156 § 58; RRS § 1428. Prior: 1891 p 383 § 12; Code 1881 § 1385 ; 1863 p 219 § 119 ; 1860 p 181 § 86.] Repealed by 1965 c 145 § 11.99 .015.

## Chapter 11.36

## QUALIFICATIONS OF PERSONAL REPRESENTATIVES

11.36.020 Letters revoked upon disqualification after appointment. [1917 c 156 § 87, part; RRS § 1457, part.] Recodified in RCW 11. 36.010 and later repealed by 1965 c 145 § 11.99 .015 and reenacted in RCW 11.36.010.

## Chapter 11.40 CLAIMS AGAINST ESTATE

11.40.050 Judge as creditor of estate. [1965 c 145 § 11.40.050. Prior: 1917 c 156 § 111; RRS § 1481; prior: Code 1881 § 1471; 1860 p 196 § 163.] Repealed by 1974 ex.s. c 117 § 55.

Chapter 11.44
INVENTORY AND APPRAISEMENT
11.44.010 Filing of inventory--Appointment of appraisersCompensation. [1939 c 202 § 8; 1935 c 180 § 123 ; 1929 c 112 § 1 ; 1919 c 23 § 1 ; 1917 c 156 § 95 ; RRS § 1465. Prior: Code 1881 § 1444; 1860 p 189 § 132 ; 1854 p 278 § 65.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.44.015, 11.44.055, 11.44.070 and 11.44.080.
11.44.020 Oath and duty of appraisers. [1917 c 156 § 96; RRS § 1466. Prior: Code 1881 § 1447; 1854 p 276 § 58.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.44.015 and 11.44.065.
11.44.030 Claims against executor or administrator to be included. [1917 c 156 § 97; RRS § 1467. Prior: Code 1881 § 1449 ; 1860 p 63 § $5 ; 1854$ p 277 § 60.] Repealed by 1965 c 145 § 11.99 .015 and reenacted as RCW 11.44.085.
11.44.040 Discharge of debt to be construed as specific bequest, and included. [1917 c 156 § 98; RRS § 1468. Prior: Code 1881 § 1450; 1854 p 277 § 61.] Repealed by 1965 c 145 § 11.99 .015 and reenacted as RCW 11.44.090.
11.44.055 Appointment of appraiser. [ $\begin{array}{llllll}1965 & \text { c } & 145 & \text { § } & 11.44 .055 .\end{array}$ Formerly RCW 11.44.010, part.] Repealed by 1974 ex.s. c 117 § 55.
11.44.060 Additional inventory. [1917 c 156 § 100; RRS § 1470. Prior: Code 1881 § 1453 ; 1873 p 281 § 138 ; 1854 p 277 § 64.] Repealed by 1965 c 145 § 11.99 .015 . See RCW 11.44.025.
11.44.065 Duties of appraiser. [1965 c 145 § 11.44.065. Formerly RCW 11.44.020, part.] Repealed by 1974 ex.s. c 117 § 55.
11.44.080 Dispensing with appraisement. [1967 c 168 § 11; 1965 c 145 § 11.44.080. Formerly RCW 11.44.010, part.] Repealed by 1974 ex.s. c 117 § 55 .

## Chapter 11.48 <br> PERSONAL REPRESENTATIVES——GENERAL PROVISIONS——ACTIONS BY AND AGAINST

11.48.100 Actions for waste, conversion, and trespass. [1917 c 156 § 149; RRS § 1519. Prior: Code 1881 § 1530; 1854 p 291 § 143.] Repealed by 1961 c 137 § 2 . Repeal and saving: See note following RCW 4.20.040.
11.48.110 Actions for decedent's torts. [1917 c 156 § 150 ; RRS § 1520. Prior: Code 1881 § 1531 ; 1854 p $291 \S 144$.] Repealed by 1961 c 137 § 2. Repeal and saving: See note following RCW 4.20.040.
11.48.170 Inventory may be contradicted. [Code 1881 § 721; 1877 p 146 § 725 ; 1869 p 166 § 662 ; RRS § 970.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.44.035.

## Chapter 11.56 <br> SALES, EXCHANGES, LEASES, MORTGAGES AND BORROWING

11.56.025 Sale of vendor's interest in real estate contract. [1955 c 205 § 12.] Now codified as RCW 11.56.020, part.
11.56.130 Effect of confirmation. [1917 c 156 § 134 ; RRS § 1504. Prior: Code 1881 § $1510 ; 1854$ p 287 § 120.] Repealed by 1965 c 145 § 11.99.015 and reenacted as RCW 11.56.115.
11.56.190 Purchaser to give bond to secure future payments. [1917 c 156 § 140 ; RRS § 1510 . Prior: Code 1881 § $1520 ; 1854$ p 289 § 130.] Repealed by 1959 c 57 § 1.
11.56.200 Conditions of bond. [1917 c 156 § 141 ; RRS § 1511. Prior: Code 1881 § 1521 ; 1854 p 289 § 131.] Repealed by 1959 c 57 § 1.
11.56.260 Sales not voided by irregularities. [ 1890 p 82 § 2; RRS § 1693.] Repealed by 1965 c 145 § 11.99 .015 .

## Chapter 11.60 <br> PERFORMANCE OF DECEDENT'S CONTRACTS

11.60.050 Certified copy of order to be recorded with deed. [1917 c 156 § 192; RRS § 1562. Prior: 1891 c 155 § 46; Code 1881 § 631; 1877 p 131 § 634; 1854 p 293 § 157.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.60.040.
11.60.070 Depositions. [1917 c 156 § 194; RRS § 1564. Prior: 1891 c 155 § 48; Code 1881 §§ 633, 634; 1877 p 132 § 636.] Repealed by 1965 c $145 \S 11.99 .015$. See Rules of court: CR 26-37, and 43 (f).

## Chapter 11.72 <br> DISTRIBUTION BEFORE SETTLEMENT

11.72.010 Petition for premature distribution. [1917 c 156 § 181; RRS § 1551. Prior: 1891 c 155 § 37; Code 1881 § $1573 ; 1854$ p 300 § 195.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.72.002 and 11.72.006
11.72.020 Notice. [1917 c 156 § 182; RRS § 1552. Prior: Code 1881 § $1574 ; 1860$ p 216 § 276; 1854 p 300 § 196.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.72.002 and 11.72.006
11.72.030 Petition may be resisted. [1917 c 156 § 183; RRS § 1553. Prior: Code 1881 § $1575 ; 1860$ p 216 § 277; 1854 p 300 § 197.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.72.002 and 11.72.006.
11.72.040 Hearing--Order-Bond to secure payment of debts, expenses, etc. [1917 c 156 § 184; RRS § 1554. Prior: Code 1881 § 1576; 1854 p 300 § 198.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.72.002 and 11.72.006.
11.72.050 Costs. [1917 c 156 § 185; RRS § 1555. Prior: Code 1881 § $1579 ; 1860$ p 216 § 281 ; 1854 p 301 § 201.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.72.002 and 11.72.006.
11.72.060 Enforcing payment secured by bond. [1917 c 156 § 186; RRS § 1556. Prior: Code 1881 § $1580 ; 1860$ p 216 § 282; 1854 p 301 § 201.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.72.002 and 11.72.006
11.72.070 Advancements may be considered. [1917 c 156 § 187; RRS § 1557. Prior: Code 1881 § 1596; 1854 p 303 § 217.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.04.041.

## Chapter 11.84

INHERITANCE RIGHTS OF SLAYERS
11.84.910 Severability. [1955 c 141 § 15.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.99.030.

## Chapter 11.88 <br> GUARDIANSHIP——APPOINTMENT, QUALIFICATION, REMOVAL OF GUARDIANS

11.88.050 Optional methods of service in certain cases--Appointment by court. [1955 c 205 § 14; 1917 c 156 § 199; RRS § 1569. Prior: 1909 c 118 § 4; 1903 c 130 § 5.] Repealed by 1965 c 145 § 11.99.015
11.88.060 Substitute notice. [1917 c 156 § 200; RRS § 1570.] Repealed by 1965 c 145 § 11.99 .015 .
11.88.070 Service on prosecuting attorney--Duty of. [1927 c 170 § 3; 1917 c 156 § 201; RRS § 1571. Prior: 1909 c 118 § 3; 1903 c 130 § 4.] Repealed by 1965 c 145 § 11.99.015.

## Chapter 11.92 <br> GUARDIANSHIP——POWERS AND DUTIES OF GUARDIAN

11.92.020 Legal age. [1923 c 72 § 1, part; 1917 c 156 § 202, part; RRS § 1572, part.] Recodified in RCW 11.92 .010 and later repealed by 1965 c $145 \S 11.99 .015$. See RCW 11.92.010.
11.92.030 Notice to creditors of ward-Claims--Limitation. [1917 c 156 § 218; RRS § 1588. Prior: Code 1881 § 1639; 1873 p 323 § $334 ; 1860$ p 231 § 354.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.92.035.
11.92.070 Presentation of claims condition precedent to suit. [1917 c 156 § 207; RRS § 1577 . Prior: 1897 c 75 § 1.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.92.035.
11.92.080 General judgments not lien on estate. [1917 c 156 § 208; RRS § 1578. Prior: 1897 c 75 § 2.] Repealed by 1965 c 145 § 11.99.015. See RCW 11.92.035 and 11.92.060(3).

# 12 <br> JUSTICE COURTS——CIVIL PROCEDURE 

Chapter 12.32<br>GARNISHMENT

12.32.010 Justices may issue writs of garnishment. [1967 c 143 § 1 ; 1911 c 126 § 1 ; 1909 c $160 \S 1$; RRS § 1823.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.010.
12.32.015 Garnishment bond. [(i) 1965 c 95 § 2. (ii) 1965 c 96 § 2.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.030.
12.32.020 Application for writ——Affidavit——Contents. [1967 c 143 § 2; 1913 c 109 § 1 ; 1911 c 126 § 2; 1909 c 160 § 2 ; RRS § 1824.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.040.
12.32.030 Issuance of writ--Contents. [1967 c 143 § 3; 1911 c 126 § 3; 1909 c 160 § 3; RRS § 1825.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.050.
12.32.040 Form of writ. [1967 c 143 § 4; 1911 c 126 § 4; 1909 c 160 § 4; RRS § 1826.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.110.
12.32.050 Delivery of writ. [1967 c 143 § 5; 1909 c 160 § 5; RRS § 1827.] Repealed by 1969 ex.s. c 264 § 36
12.32.060 Service of writ——Forms. [1967 c 143 § 6; 1961 c 218 § 1 ; 1939 c 70 § 1 ; 1909 c 160 § 6 ; RRS § 1828.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.130.
12.32.070 Requirements when writ is served on bank. [1967 c 143 § 7; 1909 c 160 § 7; RRS § 1829.] Repealed by 1969 ex.s. c $264 \S 36$. Later enactment, see RCW 7.33.130, 7.33.140.
12.32.080 Effect of service of writ. (1967 c 143 \& 8; 1909 c 160 § 8; RRS § 1830.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.140.
12.32.090 Bond to release garnishee. [1909 c 160 § 9; RRS § 1831.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.170
12.32.100 Answer of garnishee——Contents-—Forms. [1967 c 143 § $9 ; 1909$ c 160 § 10 ; RRS § 1832.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.150.
12.32.105 Answer of garnishee-—Signature of garnishee. [1967 c 143 § 14.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.150.
12.32.110 Discharge of garnishee. [1967 c 143 § $10 ; 1909$ c 160 § 11; RRS § 1833.) Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.180.
 1909 c 160 § 12; RRS § 1834.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.190.
12.32.130 Judgment against garnishee-—Satisfaction. [1909 c 160 § 13; RRS § 1835.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.200.
12.32.140 Execution of judgment. [1909 c 160 § 14; RRS § 1836.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.210.
12.32.150 Garnishee in possession of property-—Procedure. [1909 c 160 § 15; RRS § 1837.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.220.
12.32.160 Attachment for contempt. [1909 c 160 § 16; RRS § 1838.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.230.
12.32.170 Shares of corporate garnishee--Sale - Discovery procedure——Disposition of shares. [1967 c 143 § 11; 1909 c 160 § 17; RRS § 1839.] Repealed by 1969 ex.s. c 264 § 36.
12.32.180 Manner of sale. [1909 c 160 § 18; RRS § 1840.] Repealed by 1969 ex.s. c 264 § 36 .
12.32.190 Transfer of shares on corporation books. [1909 c 160 § 19; RRS § 1841.] Repealed by 1969 ex.s. c 264 § 36.
12.32.195 Violations of defendant as to shares of corporate gar-nishee--Contempt. [1967 c 143 § 13.] Repealed by 1969 ex.s. c 264 § 36.
12.32.200 Controverting answer of garnishee. [1909 c 160 § 20; RRS § 1842.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.240.
12.32.210 Attorney's fee-Costs. [1909 c 160 § 21; RRS § 1843.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.290.
12.32.220 Garnishee protected against claim of defendant. [1967 c 143 § 12 ; 1909 c 160 § 22; RRS § 1844.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.300.
12.32.230 Similarity of names-—Procedure. [1909 c 160 § 23; RRS § 1845.] Repealed by 1969 ex.s. c 264 § 36. Later enactment, see RCW 7.33.330.
12.32.240 Garnishee need not plead defenses of defendant. [1909 c 160 § 24; RRS § 1846.] Repealed by 1969 ex.s. c 264 § 36.

## Chapter 12.36 <br> APPEALS

12.36.060 Pleadings in superior court. [1929 c 58 § 5, part; RRS § 1915.] Now codified in RCW 12.36.050.

## Title 13

## JUVENILE COURTS AND JUVENILE DELINQUENTS

Chapter 13.04
JUVENILE COURTS
13.04.020 Delinquent and dependent children wards of state. [1913 c 160 § 1 , part; 1909 c 190 § 1 , part; 1905 c 18 § 1 , part; RRS § 1987-1, part.] Now codified in RCW 13.04.010.
13.04.090 Hearing-_Records and reports-_Judgment. [1913 c 160 § 10 ; RRS § 1987-10.] Repealed by 1961 c 302 § 17. Later enactments, see RCW 13.04.091, 13.04.095, 13.04.100, 13.04.19013.04.240.

## Chapter 13.07 <br> PROBATION COUNSELORS——STATE AID

13.07.900 RCW 13.07.010, 13.07.020, 13.07.040, 13.07 .050 and 13.07.060 declared temporary--Terminal date. [1965 ex.s. c 137 § 1 ; 1963 c 54 § $1 ; 1961$ c 145 § 2; 1959 c 331 § 11.] Repealed by 1967 ex.s. c 35 § 1 .

## Chapter 13.08 <br> JUVENILE OFFENDERS

13.08.010 Commitment to state training school. [(i) 1905 c 19 § 1 ; 1891 c 103 § 1 ; RRS § 1980. (ii) 1913 c 111 § 1 ; 1905 c 19 § 3; 1891 c 103 § 7; RRS § 1986. (iii) 1909 c 97 p 257 § 3; RRS § 4626.] Codified as RCW 13.08.080, 13.08.140 and 13.08.150, subsequently repealed by 1961 c 302 § 17 , for later enactment, see chapter 13.04 RCW.
13.08.020 Commitment to state school for girls. [(i) 1905 c 19 § 1 ; 1891 c 103 § 1 ; RRS § 1980. (ii) 1913 c 111 § 1 ; 1905 c 19 § 3 ; 1891 c 103 § 7; RRS § 1986. (iii) 1909 c 97 p 257 § 3; RRS § 4626. (iv) 1913 c 157 § 6; RRS § 4636.] Codified as RCW 13.08.080, 13.08.140, 13.08.150, 13.08.170, subsequently repealed by 1961 c 302 § 17 , for later enactment, see chapter 13.04 RCW.
13.08.030 Commitment when found guilty of crime. [1909 c 249 § 24; RRS § 2276. Prior: 1905 c 19 § 1 ; 1891 c $103 \S 1$.] Codified as RCW 13.08.160, subsequently repealed by 1961 c 302 § 17 , for later enactment, see chapter 13.04 RCW.
13.08.040 Commitment cannot be modified or revoked. [1913 c 157 § 6, part; RRS § 4636, part.] Codified as RCW 13.08.170, subsequently repealed by 1961 c 302 § 17 , for later enactment, see chapter 13.04 RCW.
13.08.050 Copy of commitment under seal to institution head. [(i) 1909 c 97 p 257 § 3 ; RRS § 4626. (ii) 1905 c 19 § 1 ; 1891 c 103 § 1 ; RRS § 1980.] Codified as RCW 13.08 .080 and 13.08 .150 , subsequently repealed by 1961 c $302 \S 17$, for later enactment, see chapter 13.04 RCW.
13.08.060 Memorandum of age, residence, etc.——Expense of transportation. [(i) 1891 c 103 § 5; RRS § 1984. (ii) 1913 c 157 § 7; RRS § 4637.] Codified as RCW 13.08 .120 and 13.08 .180 , subsequently repealed by 1961 c 302 § 17 , for later enactment, see chapter 13.04 RCW.
13.08.070 Discharge releases all penalties. [1913 c 111 § 1 ; RRS § 1986. Prior: 1891 c 103 § 7; 1905 c 19 § 3.] Codified as RCW 13.08.140 , subsequently repealed by 1961 c $302 \S 17$, for later enactment, see chapter 13.04 RCW .

## COMMITMENT OF JUVENILE OFFENDERS_-1891 ACT

13.08.080 Commitment of delinquent or dependent boys and girls. [1905 c 19 § 1 ; 1891 c 103 § 1; RRS § 1980. Formerly RCW 13.08.010, part, 13.08.020, part, and 13.08.050, part.] Repealed by 1961 c 302 § 17. Later commitment procedures, see chapter 13.04 RCW .
13.08.090 Conviction in inferior court-—Order to show cause in superior court. [1905 c 19 § 2; 1891 c 103 § 2; RRS § 1981.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW .
13.08.100 Conviction in inferior court-—Service of order-Fees. [1891 c 103 § 3; RRS § 1982.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.
13.08.110 Conviction in inferior court--Examination--Hearing——Commitment. [1891 c $103 \S 4$; RRS § 1983.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.
13.08.120 Warrant of commitment--Statement of com-plaint--Transportation expense. [1891 c 103 § 5; RRS § 1984. Formerly RCW 13.08.060, part.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.
13.08.130 Review. [1891 c 103 § 6; RRS § 1985.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.
13.08.140 Term of confinement-EEfect of discharge. [1913 c 111 §1; RRS § 1986. Prior: 1905 c 19 § 3; 1891 c 103 § 7. Formerly RCW 13.08.010, part, 13.08.020, part, and 13.08.070.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04.

## COMMITMENT OF JUVENILE OFFENDERS-_ 1909 SCHOOL CODE

13.08.150 Commitment of delinquent or dependent boys and girls. [1909 c 97 p 257 § 3; RRS § 4626. Formerly RCW 13.08.010, part, 13.08.020, part, and 13.08.050, part.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.

## COMMITMENT OF JUVENILE OFFENDERS-_1909 CRIMINAL CODE

13.08.160 Commitment to Washington state training school. [1909 c 249 § 24; RRS § 2276. Prior: 1905 c 19 § 1 ; 1891 c 103 § 1.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.

## COMMITMENT OF DELINQUENT GIRLS-_1913 ACT ESTABLISHING STATE SCHOOL FOR GIRLS

13.08.170 Commitment of delinquent girls. [1913 c 157 § 6; RRS § 4636. Formerly RCW 13.08.020, part, and 13.08.040.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.
13.08.180 Memorandum of age, residence, etc. [1913 c 157 § 7; RRS § 4637.] Repealed by 1961 c 302 § 17. Later enactments, see chapter 13.04 RCW.

## COMMITMENT TO DIVISION OF CHILDREN AND YOUTH SERVICES-INSTITUTIONAL PLACEMENT

13.08.190 Commitment to division of children and youth serv-ices--Notices to court of institutional placement. [1961 c 302 §§ 11, 12; 1959 c 251 § 2; 1957 c 297 § 4.] This section was amended, added
to chapter 160, Laws of 1913 and to chapter 13.04 RCW by 1961 c 302 §§ 11, 12. Now codified as RCW 13.04.200.
13.08.200 Petition to review decision on placement. [1957 c 297 § 5.] Repealed by 1961 c 302 § 17. Later enactment, see RCW 13.04.210.
13.08.210 Court may change, modify, set aside supervisor's decision on placement--Grounds--Appeal to supreme court. [1957 c 297 § 6.] Repealed by 1961 c 302 § 17. Later enactment, see RCW 13.04.220.

## Chapter 13.12 <br> TRUANT SCHOOLS

13.12.010 Establishment authorized in certain cities. [1903 c 78 § 1; RRS § 10309.] Repealed by 1971 c 44 § 1.
13.12.020 Sites——Location-—Furnishing. [1903 c 78 § 2; RRS § 10310.] Repealed by 1971 c 44 § 1.
13.12.030 Superintendent, officers, agents, teachers. [1903 c 78 § 3; RRS § 10311.] Repealed by 1971 c 44 § 1.
13.12.040 Petition for commitment. [1919 c 202 § 1; 1903 c 78 § 5; RRS § 10313. Formerly RCW 13.12 .040 and 13.12 .050 , part.] Repealed by 1971 c 44 § 1.
13.12.050 Hearing——Notice——Order. [1903 c 78 § 6; RRS § 10314. FORMER PART OF SECTION: 1919 c 202 § 1, part; 1903 c 78 § 5, part; RRS § 10313, part, now codified in RCW 13.12.040.] Repealed by 1971 c 44 § 1.
13.12.060 Rules and regulations as to parole. [1903 c 78 § 8; RRS § 10316.] Repealed by 1971 c 44 § 1 .
13.12.070 Violations of parole. [1903 c 78 § 10; RRS § 10318.] Repealed by 1971 c 44 § 1.
13.12.080 Incorrigibles to reformatory institution. [1903 c 78 § 11 ; RRS § 10319.] Repealed by 1971 c 44 § 1.
13.12.090 Religious services. [1903 c 78 § 4; RRS § 10312.] Repealed by 1971 c 44 § 1.
13.12.100 Parents to provide clothing. [1903 c 78 § 7; RRS § 10315.] Repealed by 1971 c 44 § 1.
13.12.110 Monthly reports--Final discharge. [1903 c 78 § 9; RRS § 10317.] Repealed by 1971 c 44 § 1.

## Chapter 13.16 <br> PLACES OF DETENTION

13.16.010 Establishment of bouse of detention and truant school. [1945 c 121 § $1 ; 1913$ c 160 § 13; Rem. Supp. 1945 § 1987-13.] Now codified as RCW 13.04.135.
13.16.090 Child not to be detained in jail or confined with adult convicts. [1913 c 160 § 11 ; RRS § 1987-11.] Now codified as RCW 13.04.115.

## Title 14

## AERONAUTICS

## Chapter 14.08

MUNICIPAL AIRPORTS——1945 ACT
14.08.040 Acquisition of real property-—Eminent domain. [1945 c 182 § 2, subd. 2; Rem. Supp. § 2722-31, subd. 2.] Now codified in RCW 14.08.030.
14.08.050 Acquisition of air easements for protection-Marking airport hazards. [1945 c 182 § 2; subd. 3; Rem. Supp. 1945 § 2722-31, subd. 3.] Now codified in RCW 14.08.030.
14.08.060 Encroachment on airport protection privileges a public nuisance. [1945 c 182 § 2, subd. 4; Rem. Supp. 1945 § 2722-31, subd. 4.] Now codified in RCW 14.08.030.
14.08.110 Disposition of airport revenue. [1945 c 182 § 7, subd. 2; Rem. Supp. 1945 § 2722-36, subd. 2.] Now codified in RCW 14.08.100.
14.08.130 Lease or sale of airports or facilities for operationConcessions. [1945 c 182 § 8, subd. 5; Rem. Supp. 1945 § 2722-37, subd. 5.] Now codified in RCW 14.08.120.
14.08.140 Lease or sale, property no longer needed-D Disposition of proceeds. [1953 c 178 § 1; 1945 c $182 \S 8$, subd. 6; Rem. Supp. 1945 § 2722-37, subd. 6.] Now codified in RCW 14.08.120.
14.08.150 Fixing of rental or other charges. [1945 c 182 § 8, subd. 7; Rem. Supp. 1945 § $2722-37$, subd. 7.] Now codified in RCW 14.08.120.
14.08.170 Director of aeronautics may act as agent. [1945 c 182 § 9, subd. 2; Rem. Supp. 1945 § 2722-38, subd. 2.] Now codified in RCW 14.08.160.
14.08.180 Requisites of contracts for acquisition, etc., of airports. [1945 c 182 § 9, subd. 3; Rem. Supp. 1945 § 2722-38, subd. 3.] Now codified in RCW 14.08.160.
14.08.210 Agreement covering joint venture--Contents. [1949 c 120 § 1 , subd. 3, 4; 1945 c 182 § 11, subd. 3, 4; Rem. Supp. 1949 § 2722-40, subd. 3, 4.] Now codified in RCW 14.08.200.
14.08.220 Joint governing board. [1949 c 120 § 1, subd. 5; 1945 c 182 § 11, subd. 5; Rem. Supp. 1949 § 2722-40, subd. 5.] Now codified in RCW 14.08.200.
14.08.230 Organization of board. [1949 c 120 § 1, subd. 6; 1945 c 182 § 11 , subd. 6; Rem. Supp. 1949 § 2722-40, subd. 6.] Now codified in RCW 14.08.200.
14.08.240 Powers of board-—Limitations. [1949 c 120 § 1, subd. 7; 1945 c 182 § 11 , subd. 7; Rem. Supp. 1949 § 2722-40, subd. 7.] Now codified in RCW 14.08.200.
14.08.250 Joint ordinances and regulations. [1949 c 120 § 1 , subd. 8; 1945 c 182 § 11, subd. 8; Rem. Supp. 1949 § 2722-40, subd. 8.] Now codified in RCW 14.08.200.
14.08.260 Joint condemnation proceedings. [1949 c 120 § 1 , subd. 9; 1945 c 182 § 11 , subd. 9; Rem. Supp. 1949 § 2722-40, subd. 9.] Now codified in RCW 14.08.200.
14.08.270 Joint fund created. [1949 c 120 § 1, subd. 10, 11; 1945 c 182 § 11 , subd. 10, 11; Rem. Supp. 1949 § 2722-40, subd. 10, 11.] Now codified in RCW 14.08.200.
14.08.280 Specific performance of joint agreement. [1949 c 120 § 1, subd. 12; 1945 c 182 § 11, subd. 12; Rem. Supp. 1949 § 2722-40, subd. 12.] Now codified in RCW 14.08.200.
14.08.320 Airport fund may be created. [1945 c 182 § 8, subd. 4; Rem. Supp. 1945 § 2722-37, subd. 4.] Now codified in RCW 14.08.120.

## Chapter 14.12 <br> AIRPORT ZONING

14.12.040 Joint action. [1945 c 174 § 3, subd. 2; Rem. Supp. 1945 § 2722-17, subd. 2.] Now codified in RCW 14.12.030.
14.12.060 More stringent regulations to prevail. [1945 c 174 §4, subd. 2; Rem. Supp. 1945 § 2722-18, subd. 2.] Now codified in RCW 14.12.050.
14.12.080 Airport zoning commission. [1945 c 174 § 5, subd. 2; Rem. Supp. 1945 § 2722-19, subd. 2.] Now codified in RCW 14.12.070.
14.12.100 Existing structures may continue--Exception. [1945 c 174 § 6, subd. 2; Rem. Supp. 1945 § 2722-20, subd. 2.] Now codified in RCW 14.12.090.
14.12.120 Variances——Board of adjustment. [1945 c 174 § 7, subd. 2; Rem. Supp. 1945 § 2722-21, subd. 2.] Now codified in RCW 14.12.110.
14.12.130 Lights and markers. [1945 c 174 § 7, subd. 3; Rem. Supp. 1945 § 2722-21, subd. 3.] Now codified in RCW 14.12.110.
14.12.150 Membership of board. [1945 c 174 § 10, subd. 2; Rem. Supp. 1945 § 2722-24, subd. 2.] Now codified in RCW 14.12.140.
14.12.160 Quorum. [1945 c 174 § 10, subd. 3; Rem. Supp. 1945 § 2722-24, subd. 3.] Now codified in RCW 14.12.140.
14.12.170 Rules-Compelling attendance of witnesses--Minutes. [1945 c 174 § 10, subd. 4; Rem. Supp. 1945 § 2722-24, subd. 4.] Now codified in RCW 14.12.140.

## Title 15 <br> AGRICULTURE AND MARKETING

## Chapter 15.08

HORTICULTURAL PESTS AND DISEASES
15.08.280 Tent caterpillar eradication--Board constituted. [1957 c 163 § 8. Prior: 1949 c 193 § 1 part; 1921 c 141 § 13, part; Rem. Supp. 1949 § 2872, part.] Repealed by 1959 c 152 § 6 and 1961 c 11 § 15.98.040.

## Chapter 15.12 <br> NURSERY STOCK INSPECTION AND LICENSING

15.12.010 through $\mathbf{1 5 . 1 2 . 1 1 0}$ [1961 c 11 §§ 15.12.010-15.12.110. Prior: 1915 c 166 §§ 20, 22, 23, 25, 26, 27; 1921 c 141 § 9; 1923 c 37 § 7; 1927 c 311 §§ $8,10,12,13$; 1937 c 148 § $2 ; 1939$ c 43 § $1 ; 1943$ c 150 §§ 7, 8, 9; 1955 c 308 § 1 ; 1957 c 122 § 1 ; RRS §§ 2858,2860 , 2861, 2863, 2864, 2865.] Repealed by 1961 c 221 § 24.

## Chapter 15.13

HORTICULTURAL' PLANTS AND FACILITIES--INSPECTION AND LICENSING
15.13.010 through 15.13.210. [1967 c 240 §§ 16-21; 1961 c 221 §§ 1-21.] Repealed by 1971 ex.s. c 33 § 30.
15.13.900 and 15.13 .910 . [1961 c $221 \S \S 22,23$.] Repealed by 1971 ex.s. c 33 § 30.

## Chapter 15.16 <br> STANDARDS OF GRADES AND PACKS

15.16.010 Rules and regulations--Director's duties——Public hearings. [1961 c 11 § 15.16.010. Prior: (i) 1943 c 150 § 2, part; 1927 c 311 § 2, part; 1921 c 141 § 2, part; 1919 c 195 § 1, part; 1915 c 166 § 2, part; Rem. Supp. 1943 § 2840, part. (ii) 1931 c 27 § 4, part; 1927 c 311 § 7 , part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 6, part; 1921 c 141 § 7, part; 1915 c 166 § 17, part; RRS § 2855, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.030, 15.17.050.
15.16.020 Changes in rules-—Petitions for-—Hearings. [1961 c 11 § 15.16.020. Prior: 1931 c 27 § 4, part; 1927 c 311 § 7, part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 6, part; 1921 c 141 § 7, part; 1915 c 166 § 17, part; RRS § 2855, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.030.
15.16.030 Consultation--Force and effect of rules. [1961 c 11 § 15.16.030. Prior: 1931 c 27 § 4, part; 1927 c 311 § 7, part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 6, part; 1921 c 141 § 7, part; 1915 c 166 § 17, part; RRS § 2855, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.030, 15.17.110.
15.16.035 Horticultural inspection districts established. [1961 c 11 § 15.16.035. Prior: 1959 c 152 § 2; 1957 c 163 § 13.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.230.
15.16.040 Horticultural inspectors--Appointment-Du-ties--Fees. [1961 c 11 § 15.16.040. Prior: 1959 c 152 § 3; 1957 c 163 § 9; prior: 1949 c 193 § 1, part; 1947 c 63 § 1, part; 1943 c 150 § 10, part; 1931 c 27 § 5, part; 1925 ex.s. c 67 § 1, part; 1923 c 37 § 8, part; 1921 c 141 § 13, part; Rem. Supp. 1949 § 2872, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17 .140 and 15.17.150.
15.16.050 Collection, deposit and use of fees--Bond of inspec-tors-at-large--Accounting. [1961 c 11 § 15.16.050. Prior: 1959 c 152 § 4; 1957 c 163 § 10; prior: 1949 c 193 § 1 , part; 1947 c 63 § 1 , part; 1943 c $150 \S 10$, part; 1931 c $27 \S 5$, part; 1925 ex.s. c $67 \S 1$, part; 1923 c 37 § 8, part; 1921 c 141 § 13, part; Rem. Supp. 1949 § 2872, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.240.
15.16.060 Annual reports of inspectors-at-large--Schedule of refunds by district when excess in district fund. [1961 c 11 § 15.16 .060 . Prior: 1959 c 152 § 5; 1957 c 163 § 11; prior: 1949 c 193 § 1, part; 1947 c 63 § 1, part; 1943 c 150 § 10, part; 1931 c 27 § 5, part; 1925 ex.s. c 67 § 1, part; 1923 c 37 § 8, part; 1921 c 141 § 13, part; Rem.

Supp. 1949 § 2872, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.250.
15.16.070 Failure to pay fees--Actions--Certificates as evidence. [1961 c 11 § 15.16.070. Prior: 1957 c 163 § 12; prior: 1949 c 193 § 1, part; 1947 c 63 § 1, part; 1943 c 150 § 10, part; 1931 c 27 § 5, part; 1925 ex.s. c 67 § 1, part; 1923 c 37 § 8, part; 1921 c 141 § 13 , part; Rem. Supp. 1949 § 2872, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.150.
15.16.080 Apple grades-—Packs to comply. [1961 c 11 § 15.16 .080. Prior: 1959 c 230 § 1 ; 1939 c 222 § 1; RRS § 2867-1.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.100.
15.16.085 Color standards for red and partial red apples. [1961 c 11 § 15.16 .085 . Prior: 1959 c 230 § 2.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.100.
15.16.090 Violations of standards. [1961 c 11 § 15.16.090. Prior: 1953 c 263 § 1. (i) 1915 c 166 § 15 ; RRS § 2853. (ii) 1931 c 27 § 3 , part; 1929 c 175 § 1 , part; 1927 c 311 § 6, part; 1925 ex.s. c 176 § 1 , part; 1923 c 37 §5, part; 1921 c 141 § 6, part; 1915 c 166 § 16, part; RRS § 2854, part. (iii) 1931 c 27 § 4, part; 1927 c 311 § 7, part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 6, part; 1921 c 141 § 7, part; 1915 c 166 § 17, part; RRS § 2855, part.] Repealed by 1963 c 122 § 35. Later enactments, see RCW 15.17.210, 15.17.220.
15.16.100 Importations--Marking containers. [1961 c 11 § 15 .16.100. Prior: (i) 1931 c 27 § 3, part; 1929 c 175 § 1, part; 1927 c 311 § 6, part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 5, part; 1921 c 141 § 6, part; 1915 c 166 § 16, part; RRS § 2854, part. (ii) 1931 c 27 § 4, part; 1927 c 311 § 7, part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 6 , part; 1921 c 141 § 7, part; 1915 c 166 § 17, part; RRS § 2855, part.] Repealed by 1963 c 122 § 35.
15.16.110 Condemnation by inspector--Possession prima facie evidence. [1961 c 11 § 15.16 .110 . Prior: 1931 c 27 § 4, part; 1927 c 311 § 7, part; 1925 ex.s. c 176 § 1, part; 1923 c 37 § 6, part; 1921 c 141 § 7, part; 1915 c 166 § 17, part; RRS § 2855, part.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.200.
15.16.120 Nursery stock-—Information to purchaser. [1961 c 11 § 15.16.120. Prior: 1927 c 311 § 11 ; 1915 c 166 § 24; RRS § 2862.] Repealed by 1963 c 122 § 35.
15.16.130 Apples, pears, potatoes, cantaloupes--Unlawful con-duct--Penalty. [1961 c 11 § 15.16.130. Prior: (i) 1937 c 204 § 2, part; 1921 c 141 § 10 , part; 1919 c 195 § 4, part; 1915 c 166 § 29 , part; RRS § 2867, part. (ii) 1941 c 189 § 2; Rem. Supp. 1941 § 2867b. (iii) 1943 c 150 § 11 ; 1941 c 189 § 3; Rem. Supp. 1943 § 2867c. (iv) 1941 c 189 § 5; Rem. Supp. 1941 § 2867e. (v) 1921 c 141 § 11 ; 1915 c 166 § 30; RRS § 2868.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.110.
15.16.140 Apples, pears, potatoes, cantaloupes--Inspection--Reinspection-Fees. [1961 c 11 § 15.16.140. Prior: (i) 1937 c 204 § 2, part; 1921 c 141 § 10, part; 1919 c 195 § 4, part; 1915 c 166 § 29, part; RRS § 2867, part. (ii) 1941 c 189 § 1; Rem. Supp. 1941 § 2867 a . (iii) 1939 c 222 § 3; RRS § 2867-3. (iv) 1939 c 222 § 4; RRS § 28674.] Repealed by 1963 c 122 § 35.
15.16.150 Apples, pears, potatoes, cantaloupes--Inspection fees-Director's duty-When no fee. [1961 c 11 § 15.16.150. Prior: (i) 1937 c 204 § 2, part; 1921 c 141 § 10, part; 1919 c 195 § 4, part; 1915 c 166 § 29, part; RRS § 2867, part. (ii) 1941 c 189 § 4; Rem. Supp. 1941 § 2867d.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.150.
15.16.160 Apples——Culls-—Container markings. [1961 c 11 § 15.16.160. Prior: (i) 1939 c 222 § 2; RRS § 2867-2. (ii) 1939 c 222 § 6; RRS § 2867-6.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.080.
15.16.170 Importations-Notification of inspector. [1961 c 11 § 15.16.170. Prior: 1943 c 150 § 9, part; 1927 c 311 § 13, part; 1921 c 141 § 9, part; 1915 c 166 § 27, part; Rem. Supp. 1943 § 2865, part.] Repealed by 1963 c 122 § 35.
15.16.180 Apple shipments--Notice of loading-—Permit to ship. [1961 c 11 § 15.16 .180 . Prior: 1943 c 150 § 4, part; 1929 c 150 § 1, part; 1925 ex.s. c 108 § 1, part; 1919 c 195 § 2.1/2, part; 1915 c 166 § 10, part; Rem. Supp. 1943 § 2848, part.] Repealed by 1963 c 122 § 35.
15.16.190 Permits, certificates - Payment of assessments before issuance. [1961 c 11 § 15.16.190. Prior: 1939 c 222 § 5; RRS § 28675.] Repealed by 1963 c 122 § 35.
15.16.200 Assessment on culls——Use of funds. [1961 c 11 § 15 16.200. Prior: 1939 c 222 § 7; RRS § 2867-7.] Repealed by 1963 c 122 § 35.
15.16.210 Apples shipped to byproducts or processing factory excepted from certain provisions. [1961 c 11 § 15.16.210. Prior: 1939 c 222 § 7a; RRS § 2867-7a.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.130.
15.16.220 Restraining threatened violations--Damages. [1961 c 11 § 15.16 .220 . Prior: 1921 c 141 § 12; 1915 c 166 § 31; RRS § 2869.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.260.
15.16.230 Seized products as evidence. [1961 c 11 § 15.16.230. Prior: 1915 c 166 § 32; RRS § 2870.] Repealed by 1963 c 122 § 35.
15.16.240 Duty of carrier personnel to assist. [1961 c 11 § 15.16.240. Prior: 1915 c 166 § 33; RRS § 2871.] Repealed by 1963 c 122 § 35.
15.16.250 Penalty for certain violations. [1961 c 11 § 15.16 .250. Prior: 1939 c 222 § 8; RRS § 2867-8.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.290.
15.16.260 Transport of prunes and apricots--Inspection required——Fee——Permit. [1961 c 11 § 15.16.260. Prior: 1953 c 98 § 1.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.110.
15.16.270 Transport of prunes and apricots--Fees-Collection, disposition. [1961 c 11 § 15.16.270. Prior: 1953 c 98 § 2.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.150.
15.16.280 Transport of prunes and apricots--Shipment of culls——Labels. [1961 c 11 § 15.16.280. Prior: 1953 c 98 § 3.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.080
15.16.290 Transport of prunes and apricots--Exempt shipments. [1961 c 11 § 15.16.290. Prior: 1953 c 98 § 4.] Repealed by 1963 c 122 §35. Later enactment, see RCW 15.17.130 and 15.17.280.
15.16.300 Transport of prunes and apricots--Penalty for violation of RCW 15.16.260 through 15.16.300. [1961 c 11 § 15.16.300. Prior: 1953 c 98 § 5.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.290.
15.16.310 Transport of cherries--Inspection required. [1961 c 11 § 15.16.310. Prior: 1953 c 170 § 1.] Repealed by 1963 c 122 § 35.
15.16.320 Transport of cherries——Exempt shipments. [1961 c 11 § 15.16 .320 . Prior: 1953 c 170 § 2.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.130 and 15.17.280.
15.16.330 Transport of cherries--Rules and regulationsFees. [1961 c 11 § 15.16 .330 . Prior: 1953 c 170 § 3.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.150 and 15.17.240.
15.16.340 Transport of cherries--Penalty for violation of RCW 15.16.310 through 15.16.330. [1961 c 11 § 15.16 .340 . Prior: 1953 c 170 § 4.] Repealed by 1963 c 122 § 35 . Later enactment, see RCW 15.17.290.
15.16.350 Cull Bartlett pears-_Sale of-—Pack——Labels—— Invoices, etc. [1961 c 11 § 15.16 .350 . Prior: 1953 c 204 § 1.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.080.
15.16.360 Cull Bartlett pears-—Shipment——Inspection-Compliance enjoined. [1961 c 11 § 15.16.360. Prior: 1953 c 204 § 2.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.260.
15.16.370 Cull Bartlett pears--Assessments——Use of funds. [1961 c 11 § 15.16.370. Prior: 1953 c 204 § 3.] Repealed by 1963 c 122 § 35.
15.16.380 Cull Bartlett pears-—Exempt shipments and sales. [1961 c 11 § 15.16.380. Prior: 1953 c 204 § 4.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.130 and 15.17.280.
15.16.390 Cull Bartlett pears-—Penalty for violation of RCW 15.16.350 through 15.16 .380 . [1961 c 11 § 15.16 .390 . Prior: 1953 c 204 § 6.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.290.
15.16.400 Cold processed blackberries——Labeling. [1961 c 11 § 15.16.400. Prior: 1953 c 246 § 1.] Repealed by 1963 c 122 § 35.
15.16.410 Cold processed blackberries--Penalty. [1961 c 11 § 15.16.410. Prior: 1953 c 246 § 2.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.290.
15.16.420 Transport of fresh field grown tomatoes--Inspection required--Fee——Permit. [1961 c 11 § 15.16.420. Prior: 1955 c 227 § 1.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.110.
15.16.430 Transport of fresh field grown tomatoes--Fees, collection, disposition. [1961 c 11 § 15.16.430. Prior: 1955 c 227 § 2.] Repealed by 1963 c 122 § 35 . Later enactment, see RCW 15.17.150 and 15.17.240.
15.16.440 Transport of fresh field grown tomatoes--Penalty for violation of RCW $\mathbf{1 5 . 1 6 . 4 2 0}$ or $\mathbf{1 5 . 1 6 . 4 3 0}$. [1961 c 11 § 15.16.440. Prior: 1955 c 227 § 3.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.290.
15.16.450 Fresh peaches--Transport of --Inspection re-quired--Fee--Permit. [1961 c 11 § 15.16.450. Prior: 1957 c 192 § 1.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.110.
15.16.460 Fresh peaches--Fees, collection, disposition. [1961 c 11 § 15.16.460. Prior: 1957 c 192 § 2.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.150 and RCW 15.17.240.
15.16.470 Fresh peaches--Sale of culls--Pack, labels, invoices, etc. [1961 c 11 § 15.16.470. Prior: 1957 c 192 § 3.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.080.
15.16.480 Fresh peaches-—Exempt sales, transportation, shipment. [1961 c 11 § 15.16.480. Prior: 1957 c 192 § 4.] Repealed by 1963 c 122 § 35. Later enactment, see RCW 15.17.130 and 15.17.280.
15.16.490 Fresh peaches--Penalty for violation of RCW 15.16. 450 through 15.16.480. [1961 c 11 § 15.16.490. Prior: 1957 c 192 § 5.] Repealed by 1963 c 122 § 35 . Later enactment, see RCW 15.17.290.

Chapter 15.20

## APPLE INDUSTRY REGULATIONS

15.20.010 through $\mathbf{1 5 . 2 0 . 2 7 0}$ [1939 c 224 §§ 1-35; RRS § 286721 through 2867-54.] Repealed by 1955 c 96 § 1 and 1961 c 11 § 15.98.040.

## Chapter 15.32 <br> DAIRIES AND DAIRY PRODUCTS

15.32.020 Standards of quality-—Milk, milk fat, butterfat. [1961 c 11 § 15.32.020. Prior: 1955 c 238 § 72; prior: 1943 c 90 § 1, part; 1933 c 188 § 1, part; 1929 c 213 § 1, part; 1927 c 192 § 1, part; 1919 c 192 § 1, part; Rem. Supp. 1943 § 6164, part.] Repealed by 1963 c 58 § 1 , but remains in force as a departmental rule until amended, modified or revoked by the director of agriculture, see RCW 15.32.051.
15.32.030 Standards of quality-—Cream, buttermilk. [1961 c 11 § 15.32.030. Prior: 1955 c 238 § 73; prior: 1943 c 90 § 1, part; 1933 c 188 § 1, part; 1929 c 213 § 1, part; 1927 c 192 § 1, part; 1919 c 192 § 1, part; Rem. Supp. 1943 § 6164, part.] Repealed by 1963 c 58 § 1 , but remains in force as a departmental rule until amended, modified, or revoked by the director of agriculture, see RCW 15.32.051.
15.32.040 Standards of quality--Ice creams, ice milk, malted milk. [1961 c 11 § 15.32.040. Prior: 1955 c 238 § 74; prior: 1943 c 90 § 1, part; 1933 c 188 § 1 , part; 1929 c 213 § 1, part; 1927 c 192 § 1 , part; 1919 c 192 § 1, part; Rem. Supp. 1943 § 6164, part.] Repealed by 1963 c 58 § 1 , but remains in force as a departmental rule until amended, modified or revoked by the director of agriculture, see RCW 15.32.051.
15.32.050 Standards of quality--Cheeses. [1961 c 11 § 15.32.050. Prior: 1955 c 238 § 75; prior: 1943 c 90 § 1, part; 1933 c 188 § 1 , part; 1929 c 213 § 1, part; 1927 c 192 § 1, part; 1919 c 192 § 1, part; Rem. Supp. 1943 § 6164, part.] Repealed by 1963 c 58 § 1, but remains in force as a departmental rule until amended, modified or revoked by the director of agriculture, see RCW 15.32.051.
15.32.210 Serving milk in first, second class cities. [1961 c 11 § 15.32.210. Prior: 1933 c 188 § 7; 1929 c 213 § 15 ; RRS § 6268-1.] Repealed by 1963 c 58 § 4.
15.32.290 "Modified" milk, sale——On physician's prescription. [1961 c 11 § 15.32.290. Prior: 1955 c 238 § 76; prior: 1943 c 90 § 1 , part; 1919 c 192 § 1, part; Rem. Supp. 1943 § 6164, part.] Repealed by 1963 c 58 § 4.
15.32.320 Homogenized, emulsified cream. [1919 c 192 § 59; RRS § 6221.] Repealed by 1955 c 238 § 79 and 1961 c 11 § 15.98 .040 .
15.32.370 Butter, milk, substitutes——Use in state institutions prohibited——Exception. [1965 c 73 § 1; 1961 c 11 § 15.32.370. Prior: 1929 c 213 § 7; 1919 c 192 § 44; RRS § 6206.] Repealed by 1967 ex.s. c 40 § 2.

Reviser's note: RCW 15.32 .370 was amended and repealed during the 1967 extraordinary session of the legislature, each without reference to the other.

For rule of construction concerning sections amended more than once at the same legislative session, see RCW 1.12.025.
15.32.640 Speeds, temperature of Babcock testers. [1961 c 11 § 15.32.640. Prior: (i) 1919 c 192 § 18; RRS § 6181. (ii) 1921 c 104 § 1 , part; 1919 c 192 § 19, part; RRS § 6182, part.] Repealed by 1963 c 58 § 13.
15.32.650 Milk, cream, payment measures--Scales sensibility. [1961 c 11 § 15.32 .650 . Prior: (i) 1921 c 104 § 1, part; 1919 c 192 § 19, part; RRS § 6182, part. (ii) 1919 c 192 § 20; RRS § 6183.] Repealed by 1963 c 58 § 13 .

## Chapter 15.34 <br> MILK AND MILK PRODUCTS

15.34.010 through 15.34 .040 [1955 c 343 §§ 1-4.] Now codified as RCW 15.32.692, 15.32.694, 15.32.696 and 15.32.698.

## Chapter 15.36 FLUID MILK

15.36.010 Definitions--"Milk" and certain milk products. [1961 c 11 § 15.36.010. Prior: 1955 c 238 § 2; prior: 1949 c 168 § 1, part; Rem. Supp. 1949 § 6266-30, part.] Repealed by 1969 ex.s. c 102 § 7.

## Chapter 15.40 <br> OLEOMARGARINE——1949 ACT

15.40.020 Manufacture, transportation, sale, etc., of yellow oleomargarine prohibited. [1949 c 13 § 2(a); Rem. Supp. 1949 § 62482(a).] Repealed by 1953 c 1 § 2 (initiative measure 180) and 1961 c 11 §§ 15.41.020, 15.98.040: The repealing language of 1953 c 1 § 2 was reenacted by 1961 c 11 § 15.41 .020 , see RCW 15.41.020.

Chapter 15.42

## WASHINGTON STATE MILK MARKETING ACT

Reviser's note: Chapter 298, Laws of 1961 (chapter 15.42 RCW), the Washington state milk marketing act failed to become law by reason of Referendum measure No. 32 submitted to the people on Nov. 6, 1962.

## Chapter 15.44 <br> DAIRY PRODUCTS COMMISSION

15.44.025 Commission districts——Representation. [1965 ex.s. c 44 § 3; 1961 c 11 § 15.44 .025 . Prior: 1959 c 163 § 3.] Repealed by 1975 1st ex.s. c 136 § 8.
15.44.034 Appointments——Recommendations to governorMeeting, notice. [1961 c 11 § 15.44 .034 . Prior: 1959 c 163 § 6.] Repealed by 1965 ex.s. c 44 § 10 .
15.44.036 Producer lists-—Place of meeting--Nomination pro-cedure--Number of nominees. [1961 c 11 § 15.44 .036 . Prior: 1959 c 163 § 7.] Repealed by 1965 ex.s. c 44 § 10.

## Chapter 15.48 <br> SEED BAILMENT CONTRACTS

(FORMERLY: AGRICULTURAL AND VEGETABLE SEEDS)
15.48.010 through $\mathbf{1 5 . 4 8 . 2 6 0}, 15.48 .900$ [1961 c 11 §§ 15.48 .010 through $15.48 .260,15.48 .900$.] Repealed by 1969 c 63 § 54. Later enactment, see chapter 15.49 RCW.
15.48.910 Severability. [1955 c 233 § 35.] Repealed by 1961 c 11 § 15.98.040. Later enactment, see RCW 15.98.030.
15.48.920 Severability. [1955 c 233 § 36.] Repealed by 1961 c 11 § 15.98.040. Later enactment, see RCW 15.98.030.

Chapter 15.50
IRISH SEED POTATOES
15.50.010 through 15.50 .080 [1961 c $11 \S 15.50 .010$ through 15 .50 .080 and 1967 c 179 § 1.] Repealed by 1969 c 87 § 1.

Chapter 15.52
WASHINGTON ANIMAL REMEDY ACT
15.52.190 through 15.52.310 Commercial feeds, fertilizers, agricultural minerals and limes. [1949 c 167 §§ 2, part, 3; 1939 c 211 §§ 24, part, 25, part, 26, 33, part, 35, 36, 38, 45-50, 53-55; Rem. Supp. 1949 §§ 7016-33, part, 7016-36; RRS §§ 7016-24, part, -25, part, -26, $-35,-38,-45--50,-53--55$.] Repealed by 1961 c 11 § $15-$ .98.040. For existing sections on this subject matter see chapters 15.53 and 15.54 RCW .

## Chapter 15.53 <br> COMMERCIAL FEED

15.53.010 through 15.53 .310 [1961 c 15 §§ 15.53 .010 through 15.53.310.] Repealed by 1965 ex.s. c $31 \S 25$. Later enactment, see RCW 15.53.901-15.53.9054.
15.53.320 Repeal of prior laws. [1953 c 80 § 32.] Subject matter repealed by this section was omitted from Title 15 RCW reenactment and repealer repealed by 1961 c 11 § 15.98.040.
15.53.900 Short title. [1961 c 11 § 15.53.900. Prior: 1953 c 80 § 34.] Repealed by 1965 ex.s. c 31 § 25 . Later enactment, see RCW 15.53.9056.
15.53.9026 Retail distributor's license——Required——Exceptions. [1967 c 240 § 33; 1965 ex.s. c 31 § 10.] Repealed by 1975 1st ex.s. c 257 § 12.

Construction-—Effective date——1975 1st ex.s. c 257: See RCW 15.53.9053 and note.
15.53.9028 through 15.53.9034. [1965 ex.s. c 31 §§ 11-14.] Repealed by 19751 st ex.s. c 257 § 12.

Construction-—Effective date——1975 1st ex.s. c 257: See RCW 15.53.9053 and note.

## Chapter 15.54 <br> FERTILIZERS, AGRICULTURAL MINERALS AND LIMES (WASHINGTON COMMERCIAL FERTILIZER ACT)

15.54.010 Definitions. [1961 c 11 § 15.54.010. Prior: 1957 c 151 § 1; 1953 c 85 § 2.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.272 through 15.54.302.
15.54.020 Administration of chapter--Rules and regulations. [1961 c 11 § 15.54.020. Prior: 1953 c 85 § 19.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.310.
15.54.030 Brand registration required--Application--Fee. [1961 c 11 § 15.54 .030 . Prior: 1953 c $85 \S 3$. ] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.040 Commercial fertilizer——Brand registration-—Information required. [1961 c 11 § 15.54 .040 . Prior: 1953 c 85 § 4.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.050 Commercial fertilizer——Registration of grade required. [1961 c 11 § 15.54 .050 . Prior: 1953 c 85 § 5.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.060 Commercial fertilizer--Grade registration--Information required. [1961 c 11 § 15.54 .060 . Prior: 1953 c 85 § 6.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.070 Agricultural minerals——Registration-—Information required. [1961 c 11 § 15.54 .070 . Prior: 1953 c 85 § 7.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.080 Lime——Registration--Information required. [1961 c 11 § 15.54.080. Prior: 1953 c 85 § 8.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.090 Certificates of registration--Expiration date. [1961 c 11 § 15.54.090. Prior: 1953 c 85 § 9.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.320.
15.54.100 Refusal or cancellation of registration. [1961 c 11 § 15 .54.100. Prior: 1953 c 85 § 24.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.330.
15.54.110 Other plant food elements-_Sampling, inspection, analysis. [1961 c 11 § 15.54 .110 . Prior: 1953 c 85 § 10.] Repealed by 1967 ex.s. c 22 § 43.
15.54.120 Labels on containers--Information to bulk purchaser. [1961 c 11 § 15.54 .120 . Prior: 1953 c 85 § 11.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.340.
15.54.130 Inspection fees-CComputation-—Responsibility. [1961 c 11 § 15.54 .130 . Prior: 1953 c $85 \S 12$.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.350.
15.54.140 Inspection fees——Reports——Collection. [1961 c 11 § 15.54.140. Prior: 1953 c 85 § 13.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.360.
15.54.150 Sampling, inspection, analysis-_Notice-_Findings. [1961 c 11 § 15.54 .150 . Prior: 1953 c 85 § 14.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.370.
15.54.160 Restrictions on sale-—Minimum percentages. [1961 c 11 § 15.54 .160 . Prior: 1953 c 85 § 15.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.400.
15.54.170 Misbranding--"False and misleading statements." [1961 c 11 § 15.54 .170 . Prior: 1953 c 85 § 16.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.410.
15.54.180 Unlawful acts. [1961 c 11 § 15.54.180. Prior: 1953 c 85 § 17.] Repealed by 1967 ex.s. c 22 § 43. Later enactment see RCW 15.54.420.
15.54.190 Sales and production information and analysis comparison to be published--Restrictions. [1961 c 11 § 15.54.190. Prior: 1953 c 85 § 18.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.430.
15.54.200 Embargo of articles——Removal. [1961 c 11 § 15.54 200. Prior: 1953 c 85 § 20.] Repealed by 1967 ex.s. c 22 § 43.
15.54.210 Embargo-—Procedure. [1961 c 11 § 15.54.210. Prior: 1953 c 85 § 21.] Repealed by 1967 ex.s. c 22 § 43.
15.54.220 Embargo petitions--Consolidation. [1961 c 11 § 15.54.220. Prior: 1953 c 85 § 22.] Repealed by 1967 ex.s. c 22 § 43.
15.54.230 Damages from administrative action or for embargo. [1961 c 11 § 15.54 .230 . Prior: 1953 c 85 § 23.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.460.
15.54.240 Penalty——Violation warnings--Duty of prosecuting attorney--Court jurisdiction. [1961 c 11 § 15.54.240. Prior: 1953 c 85 § 25.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.470.
15.54.250 Fertilizer, agricultural mineral and lime fund created. [1961 c 11 § 15.54 .250 . Prior: 1953 c 85 § 26.] Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.480.
15.54.260 Repeal of prior laws. [1953 c 85 § 27.] Subject matter repealed by this section was omitted from Title 15 RCW reenactment and repealer repealed by 1961 c 11 § 15.98.040.
15.54.900 Short title. [1961 c 11 § 15.54.900. Prior: 1953 c 85 § 1.) Repealed by 1967 ex.s. c 22 § 43. Later enactment, see RCW 15.54.950.

## Chapter 15.56 <br> ECONOMIC POISONS

15.56.010 through 15.56 .190 [1961 c 11 §§ 15.56.010-15.56.190. Prior: 1941 c 230 §§ 1-11, 13-19; Rem. Supp. 1941 §§ 2787-1, 2787-4--2787-21.] Repealed by 1961 c 244 § 42.

## Chapter 15.57 <br> WASHINGTON PESTICIDE ACT

15.57.010 through $\mathbf{1 5 . 5 7 . 3 7 0}$, 15.57 .900 through $\mathbf{1 5 . 5 7 . 9 3 0}$ [1961 c 244 §§ 1-41.] Repealed by 1971 ex.s. c 190 § 47. Later enactment, see chapter 15.58 RCW.

## Chapter 15.60 APIARIES

15.60.070 Sale or transport of infected articles prohibited. [1933 ex.s. c 59 § 5; RRS § 3170-11.] Repealed by 1955 c 271 § 12 and by 1961 c 11 § 15.98 .040 . Later enactment, see RCW 15.60.040(4).
15.60.090 Combless packages of bees defined. [1941 c 130 § 1 ; Rem. Supp. 1941 § 3183-1.] Repealed by 1955 c 271 § 12 and by 1961 c 11 § 15.98.040. Later enactment, see RCW 15.60.005.

## Chapter 15.66

WASHINGTON AGRICULTURAL ENABLING ACT OF 1955
15.66.910 Severability. [1955 c 191 § 28.] Repealed by 1961 c 11 $\S 15.98 .040$. Severability covered by RCW 15.98.030.

Chapter 15.68
AGRICULTURAL CONSERVATION PLANS——1937 ACT
15.68.160 through 15.68.220 Agricultural conservation plans1953 act. [1953 c 153 §§ 1-7.] Now codified as RCW 15.67 .010 through 15.67.070.

## Chapter 15.72 <br> STATE FAIR

15.72.010 through 15.72 .050 [1949 c $40 \S 1 ; 1927$ c 164 §§ $1-6$; 1919 c 65 § 1 ; 1903 c 54 §§ 1,$2 ; 1893$ c 134 §§ $1,2,5,6,8$, 9 ; Rem. Supp. 1949 § 2736-6; RRS §§ 2736-1 through 2736-5.] Repealed by 1955 c 257 § 2 and by 1961 c 11 § 15.98.040.

## Chapter 15.73 <br> STATE TRADE FAIRS

15.73.010 through $\mathbf{1 5 . 7 3 . 0 4 0}$ [1961 c 11 §§ 15.73 .010 through 15 .73.040. Prior: 1955 c 106 §§ 1 through 4.] Repealed by 1965 c 148 § 11. Later enactment, see RCW 43.31.790 43.31 .860.

## Chapter 15.76

AGRICULTURAL FAIRS, YOUTH SHOWS, EXHIBITIONS
15.76.011 through $\mathbf{1 5 . 7 6 . 0 9 0}$ [1961 c 11 §§ 15.76 .011 through 15.76.090. Prior: 1951 c $60 \S \S 1-8$.$] Repealed by 1961$ c $61 \S 10$.

## Chapter 15.80

WEIGHMASTERS
15.80.010 through $\mathbf{1 5 . 8 0 . 2 6 0}$ [1961 c $11 \S \S 15.80 .010$ through 15 .80.260.] Repealed by 1969 ex.s. c $100 \S 40$.

## Title 16 <br> ANIMALS, ESTRAYS, BRANDS AND FENCES <br> Chapter 16.04 <br> TRESPASS OF ANIMALS——GENERAL

16.04.090 Damages by breachy animals. [(i) Code 1881 § 2499; 1873 p 449 § 12; 1871 p 66 § 12; 1869 p 326 § 12; RRS § 5452, now codified as RCW 16.60.075. (ii) Code 1881 § $2500 ; 1873$ p 450 § 13 ; 1871 p 66 § 13 ; RRS § 5453, now codified as 16.60 .076 .]

## Chapter 16.24

## STOCK RESTRICTED AREAS

16.24.080 Impounding and sale of estrays in area-—Procedure. [1937 c 189 § 127, part; RRS § 6360-127, part. Prior: 1927 c 309 § 41, part; RRS § 6362-41, part.] Now codified in RCW 16.24.070.

## Chapter 16.28 <br> ESTRAYS

16.28.010 "Animal" defined. [1957 c 22 § 2. Prior: 1951 c 31 § 10; 1919 c 148 § 1, part; 1907 c 45 § 1, part; 1905 c 23 § 3, part; 1886 p 125 § 1, part; Code 1881 § 2539, part; 1868 p 72 § 2, part; RRS § 3156, part.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.020 Record of estrays. [1905 c 23 § 1 ; RRS § 3154.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.030 Registration of estrays by owner. [1905 c 23 § 2; RRS § 3155.] Repealed by 1975 lst ex.s. c $7 \S 40$.
16.28.040 Registration by finder. [1957 c 22 § 3. Prior: 1919 c 148 § 1, part; 1907 c 45 § 1 , part; 1905 c 23 § 3, part; 1886 p 125 § 1 ; Code 1881 § 2539, part; 1868 p 72 § 2, part; RRS § 3156, part.] Repealed by 1975 1st ex.s. c $7 \S 40$.
16.28.050 Registering of presumed estrays. [1905 c 23 § 13; RRS § 3166.] Repealed by 1975 lst ex.s. c 7 § 40.
16.28.060 Notice to owner--Form. [1943 c 31 § 1; 1905 c 23 § 4; RRS § 3157.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.070 Payment of fee——Repossession. [1925 ex.s. c 122 § 1 ; 1919 c 148 § 2; 1905 c 23 § 5. Prior: 1886 p 125 § 2; Code 1881 § 2540; 1868 p 72 § 3; 1854 p 381 § 5.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.080 Sale of estrays. [1905 c 23 § 7; RRS § 3160. Prior: 1886 p 125 § 3, part; Code 1881 § 2543, part; 1868 p 72 § 6, part; 1854 p 381 § 7, part. FORMER PART OF SECTION: 1905 c 23 § 8; RRS § 3161, now codified as RCW 16.28.085.] Repealed by 1975 1st ex.s. c 7 § 40 .
16.28.085 Sale of estrays——Notice. [1905 c 23 § 8; RRS § 3161. Formerly RCW 16.28.080, part.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.090 Sale of several estrays by one notice. [1909 c 123 § 1 ; 1905 c 23 § 9 ; RRS § 3162.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.100 Sale——Fees for selling. [1905 c 23 § 10; RRS § 3163.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.110 Estrays may be registered in more than one county. [1905 c 23 § 14; RRS § 3167.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.120 Redemption. [1909 c 123 § 2; 1905 c 23 § 11. Prior: 1886 p 125 § 3, part; Code 1881 § 2543, part; 1868 p 72 § 6, part; 1854 p 381 § 5; 1 H. C. § 2540, part.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.130 Publication fees. [1905 c 23 § 12 ; RRS § 3165.] Repealed by 19751 st ex.s. c 7 § 40.
16.28.140 Disposition of fees and proceeds of sales. [1905 c 23 § 6; RRS § 3159.] Repealed by 1975 1st ex.s. c 7 § 40.
16.28.150 Penalty. [1905 c 23 § 15; RRS § 3168. Prior: Code 1881 § $2544 ; 1868$ p 72 § 7.] Repealed by 1975 lst ex.s. c 7 § 40.

## \section*{Chapter 16.32} <br> REGISTRATION OF STALLIONS AND JACKS

16.32.010 through 16.32 .120 [1917 c $112 ; 1911$ c 99; RRS §§ 3060-3067.] Repealed by 1953 c 61 § 1 .

## Chapter 16.40

## TUBERCULOSIS AND BANG'S DISEASE CONTROL

16.40.020 Inspectors——Bond. [1947 c 172 § 9, part; 1929 c 210 § 1, part; 1927 c 165 § 11, part; Rem. Supp. 1947 § 3120, part. Prior: 1925 ex.s. c 198 § 1, part; 1923 c 73 § 1, part; 1919 c 192 § 89, part; 1915 c 100 § 1, part.] Now codified in RCW 16.40.010.
16.40.030 Order of tests——Petitions. [1947 c 172 § 9, part; 1929 c 210 § 1 , part; 1927 c 165 § 11, part; Rem. Supp. 1947 § 3120, part. Prior: 1925 ex.s. c 198 § 1 , part; 1923 c 73 § 1 , part; 1919 c 192 § 89, part; 1915 c 100 § 1, part.] Now codified in RCW 16.40.010.
16.40.040 Quarantine of premises on refusal to permit test. [1947 c 172 § 9, part; 1929 c 210 § 1, part; 1927 c 165 § 11, part; Rem. Supp. 1947 § 3120, part. Prior: 1925 ex.s. c 198 § 1 , part; 1923 c 73 § 1 , part; 1919 c 192 § 89, part; 1915 c 100 § 1, part.] Now codified in RCW 16.40.010.
16.40.050 Owner may select tester and pay costs. [1947 c 172 § 9, part; 1929 c 210 § 1, part; 1927 c 165 § 11, part; Rem. Supp. 1947 § 3120, part. Prior: 1925 ex.s. c 198 § 1, part; 1923 c 73 § 1, part; 1919 c 192 § 89, part; 1915 c 100 § 1 , part.] Now codified in RCW 16.40.010.
16.40.070 Slaughter of condemned animals--Post mortem. [1947 c 172 § 10, part; 1939 c 196 § 1, part; 1937 c 146 § 1, part; 1927 c 165 § 12, part; Rem. Supp. 1947 § 3121, part. Prior: 1925 ex.s. c 198 § 2, part; 1923 c 73 § 2, part; 1919 c 192 § 90, part; 1915 c 100 § 2, part.] Now codified in RCW 16.40.060.
16.40.080 Indemnity payments. [1947 c 172 § 10, part; 1939 c 196 § 1, part; 1937 c 146 § 1, part; 1927 c 165 § 12, part; Rem. Supp. 1947 § 3121, part. Prior: 1925 ex.s. c 198 § 2, part; 1923 c 73 § 2 , part; 1919 c 192 § 90, part; 1915 c 100 § 2, part.] Now codified in RCW 16.40.060.
16.40.090 Test requisites. [1947 c 172 § 10 , part; 1939 c 196 § 1 , part; 1937 c 146 § 1, part; 1927 c 165 § 12, part; Rem. Supp. 1947 § 3121, part. Prior: 1925 ex.s. c 198 § 2, part; 1923 c 73 § 2, part; 1919 c 192 § 90 , part; 1915 c 100 § 2, part.] Now codified in RCW 16.40.060.

## Chapter 16.44 <br> DISEASES OF SHEEP

16.44.010 Definitions. This section, having no session law counterpart, has been decodified.

## Chapter 16.48

## SLAUGHTERING AND TRANSPORTING LIVESTOCK

16.48.010 Definitions. [1949 c 98 § 1; Rem. Supp. 1949 § 305513.] Repealed by 1959 c 204 § 54.
16.48.011 Definitions--Certificate of permit——Person. [1937 c 75 § 1; RRS § 3169-1. Formerly RCW 16.48.010, part.] Repealed by 1959 c 54 § 39.
16.48.020 Record of stock by handlers. [1937 c 75 § 2; RRS § 3169-2. FORMER PART OF SECTION: 1937 c 75 § 3; RRS § 3169-3, now codified in RCW 16.48.021.] Repealed by 1959 c 54 § 39.
16.48.021 Record of stock by other purchasers. [1937 c 75 § 3; RRS § 3169-3. Formerly RCW 16.48.020, part.] Repealed by 1959 c 54 § 39.
16.48.030 Permit to transport. [1947 c 30 § 1; 1937 c 75 § 4; Rem. Supp. 1947 § 3169-4. Formerly RCW 16.48 .030 and 16.48.010, part.] Repealed by 1959 c 54 § 39.
16.48.035 Certificate of permit——Contents. [1937 c 75 § 9; RRS § 3169-9. Formerly RCW 16.48.010, part.] Repealed by 1959 c 54 § 39.
16.48.040 Transportation for grazing or feeding ——Proof of ownership. [1949 c 98 § 9; 1937 c 75 § 12; Rem. Supp. 1949 § 3169-12.] Repealed by 1959 c 54 § 39.
16.48.050 Record by permanent slaughterer of animals purchased. [1945 c 161 § 1 ; Rem. Supp. 1945 § 3169-20.] Repealed by 1959 c 204 § 54.
16.48.060 Record of slaughtered cattle. [Code 1881 § 2553; RRS § 3054. Prior: 1875 p 131 § 4.] Repealed by 1959 c 54 § 39.
16.48.070 Penalty. [Code 1881 § 2554; RRS § 3055. Prior: 1875 p 131 § 6.] Repealed 1959 c 54 § 39.
16.48.080 Wholesale slaughterer's license——Fee. [1945 c 161 § 2; Rem. Supp. 1945 § 3169-21.] Repealed by 1959 c 204 § 54.
16.48.090 Retail slaughterer's license——Fee. [1945 c 161 § 3; Rem. Supp. 1945 § 3169-22.] Repealed by 1959 c 204 § 54.
16.48.095 Custom slaughterer for farmers-—License——Fee—— Exemption from rules. [1953 c 286 § 1; 1951 c 245 § 1.] Repealed by 1959 c 204 § 54.
16.48.097 Same——Carcasses to be marked. [1953 c 286 § 2.] Repealed by 1959 c 204 § 54.
16.48.100 Farm slaughterer——Permit. [1945 c 161 § 4; Rem. Supp. 1945 § 3169-23.] Repealed by 1959 c 204 § 54.
16.48.105 Farm slaughter for own consumption. [1945 c 161 §5; Rem. Supp. 1945 § 3169-24.] Repealed by 1959 c 204 § 54.
16.48.110 License or permit——Expiration——Revocation. [1945 c 161 § 7; Rem. Supp. 1945 § 3169-26.] Repealed by 1959 c 204 § 54.
16.48.130 Sales by irregular slaugbterers. [1949 c 98 § 11; 1939 c 198 § 1; 1937 c 75 § 6; Rem. Supp. 1949 § 3169-6.] Repealed by 1959 c 54 § 39 .
16.48.140 Carcasses to bear license or permit number or roll marking. [1953 c 286 § 3; 1947 c 30 § 2; 1945 c 161 § 8; Rem. Supp. 1947 § 3169-27.] Repealed by 1959 c 204 § 54.
16.48.150 Transportation and possession of hides——Requisites. [1951 c 160 § $1 ; 1949$ c 98 § 12; Rem. Supp. 1949 § 3055-17. FORMER PART OF SECTION: 1951 c 160 § 2, now codified as RCW 16.48.151.] Repealed by 1959 c 54 § 39.
16.48.151 Person defined. [1951 c 160 § 2; formerly RCW 16.48. 150, part.] Repealed by 1959 c 54 § 39.
16.48.160 Brand inspectors——Appointment——"Public stockyard" defined. [1949 c 98 § 10; 1937 c 75 § 10; Rem. Supp. 1949 § 3169-10. Formerly RCW 16.48.160 and 16.48.010, part.] Repealed by 1959 c 54 § 39.
16.48.170 Brand inspectors--Powers and duties. [1939 c 198 § 2; 1937 c 75 § 14 ; RRS § 3169-14.] Repealed by 1959 c 54 § 39.
16.48.180 Inspection fee——Lien. [1949 c 98 § 5; 1939 c 198 § 3; Rem. Supp. 1949 § 3169-10a.] Repealed by 1959 c 54 § 39.
16.48.190 Offenses by inspectors. [1937 c 75 § 13; RRS § 316913.] Repealed by 1959 c 54 § 39.
16.48.200 Possession of animals carrying another's brand. [1939 c 198 § 4; RRS § 3169-10b.] Repealed by 1959 c 54 § 39.
16.48.210 Animals deemed estrays-_Sale. [1945 c 161 § 9; Rem. Supp. 1945 § 3169-28.] Repealed by 1959 c 54 § 39.
16.48.220 Proceeds to director-—Record of brands or marks. [1945 c 161 § 10; Rem. Supp. 1945 § 3169-29.] Repealed by 1959 c 54 § 39.
16.48.230 Notice to and claim by owner. [1945 c 161 § 11; Rem. Supp. 1945 § 3169-30.] Repealed by 1959 c 54 § 39.
16.48.240 Payment on claim after one year. [1945 c 161 § 12 ; Rem. Supp. 1945 § 3169-31.] Repealed by 1959 c 54 § 39.
16.48.250 Disposition of unclaimed proceeds. [1945 c 161 § 13 ; Rem. Supp. 1945 § 3169-32.] Repealed by 1959 c 54 § 39.
16.48.260 Hide records and tags. [1937 c 75 § 11 ; RRS § 316911.] Repealed by 1959 c 54 § 39.
16.48.270 Federal statutes and regulations applicable. [1949 c 98 § 8; Rem. Supp. 1949 § 3055-16.] Repealed by 1959 c 204 § 54.
16.48.290 Duty of owner to make brands visible. [1949 c 98 § 15 ; Rem. Supp. 1949 § 3055-20.] Repealed by 1959 c 54 § 39.
16.48.300 Reciprocal agreements. [1949 c 98 § 14; Rem. Supp. 1949 § 3055-19.] Repealed by 1959 c 54 § 39.

## Chapter 16.49

## CUSTOM SLAUGHTERING

16.49.010 Definitions. [1967 ex.s. c 120 § 1; 1959 c 204 § 1.] Repealed by 1969 ex.s. c 145 § 64.
16.49.020 Supervision of inspection--Rules--Enforce-ment--Interference with director. [1959 c 204 § 2.] Repealed by 1969 ex.s. c 145 § 64.
16.49.030 Municipal corporation not to license or inspect - Joint inspection--Application to inspect certain establishments as agent of department. [1959 c 204 § 3.] Repealed by 1969 ex.s. c 145 § 64.
16.49.040 Inspection by city as department's agent——Costs. [1959 c 204 § 4.] Repealed by 1969 ex.s. c 145 § 64.
16.49.050 Procedure when two or more cities apply to inspect same establishment. [1959 c 204 § 5.] Repealed by 1969 ex.s. c 145 § 64.
16.49.060 Director to provide inspection--Free inspections, when--Licensee to pay costs--Withdrawal of inspection. [1959 c 204 § 6.] Repealed by 1969 ex.s. c 145 § 64.
16.49.070 Meat inspection advisory board--Powers and duties. [1959 c 204 § 7.] Repealed by 1969 ex.s. c 145 § 64.
16.49.080 Meat inspection advisory board--Composition-Selection. [1959 c 204 § 8.] Repealed by 1969 ex.s. c 145 § 64.
16.49.090 Meat inspection advisory board——Terms. [1959 c 204 § 9.] Repealed by 1969 ex.s. c 145 § 64.
16.49.100 Meat inspection advisory board--Vacancies. [1959 c 204 § 10.] Repealed by 1969 ex.s. c 145 § 64.
16.49.110 Meat inspection advisory board——Chairman-— Meetings. [ 1959 c 204 § 11.] Repealed by 1969 ex.s. c 145 § 64.
16.49.120 Municipal corporation's authority to license, inspect and prohibit sale of certain meat. [1959 c 204 § 12.] Repealed by 1969 ex.s. c $145 \S 64$.
16.49.130 Application for inspection-—Official establishment number. [1959 c 204 § 13.] Repealed by 1969 ex.s. c 145 § 64.
16.49.140 Designation of time for slaughter. [1959 c 204 § 14.] Repealed by 1969 ex.s. c $145 \S 64$.
16.49.150 Hours for inspection-—Overtime rate, payment. [1959 c 204 § 15.] Repealed by 1969 ex.s. c 145 § 64.
16.49.160 Veterinary, lay inspectors. [1959 c 204 § 16.] Repealed by 1969 ex.s. c 145 § 64.
16.49.170 Veterinary or lay inspectors to perform meat inspection. [1959 c 204 § 17.] Repealed by 1969 ex.s. c 145 § 64.
16.49.180 Inspection at establishment manufacturing meat food products. [1959 c 204 § 18.] Repealed by 1969 ex.s. c 145 § 64.
16.49.190 Unlawful to operate unclean, unsanitary establishment. [1959 c 204 § 19.] Repealed by 1969 ex.s. c 145 § 64.
16.49.200 Entry upon grounds or premises by director. [1959 c 204 § 20.] Repealed by 1969 ex.s. c 145 § 64.
16.49.210 Purchase, sale of meat prohibited unless stamped and inspected. [1967 ex.s. c 120 § 2; 1959 c 204 § 21.] Repealed by 1969 ex.s. c 145 § 64 .
16.49.220 Unlawful sale or trade of immature animal. [1959 c 204 § 22.] Repealed by 1969 ex.s. c 145 § 64.
16.49.230 Annual license for slaughtering meat food animals or manufacturing food products--Fee. [1959 c 204 § 23.] Repealed by 1969 ex.s. c $145 \S 64$.
16.49.240 Annual license for slaughtering meat food animals for nonhuman food——Fee. [1959 c 204 § 24.] Repealed by 1969 ex.s. c 145 § 64.
16.49.250 Expiration of licenses--Penalty for late renewal. [1959 c 204 § 25.] Repealed by 1969 ex.s. c 145 § 64.
16.49.260 Issuance, use, transfer of license. [1959 c 204 § 26.] Repealed by 1969 ex.s. c 145 § 64.
16.49.270 Denial, suspension, revocation of license. [1959 c 204 § 27.) Repealed by 1969 ex.s. c $145 \S 64$.
16.49.280 Denial, suspension, revocation of license--Hear-ing--Notice. [1959 c 204 § 28.] Repealed by 1969 ex.s. c 145 § 64.
16.49.290 Denial, suspension, revocation of license--Subpoe-nas--Testimony. [1959 c 204 § 29.] Repealed by 1969 ex.s. c 145 § 64.
16.49.300 Denial, suspension, revocation of license--Findings, conclusions--Transcript——Filing. [1959 c 204 § 30.] Repealed by 1969 ex.s. c 145 § 64.
16.49.310 Denial, suspension, revocation of license-—Order-Appeal to superior court. [1959 c 204 § 31.] Repealed by 1969 ex.s. c 145 § 64.
16.49.320 Denial, suspension, revocation of license--Appeal to supreme court. [1959 c 204 §32.] Repealed by 1969 ex.s. c 145 § 64.
16.49.330 Ante mortem inspection. [1959 c 204 § 33.] Repealed by 1969 ex.s. c 145 § 64.
16.49.340 Post mortem inspection--Stamping——Rendering condemned meat unfit for human consumption. [1959 c 204 § 34.] Repealed by 1969 ex.s. c 145 § 64.
16.49.350 Reinspection. [1959 c 204 § 35.] Repealed by 1969 ex.s. c 145 § 64.
16.49.360 Unlawful stamping-—Seizure of unstamped meat. [1959 c 204 § 36.] Repealed by 1969 ex.s. c 145 § 64.
16.49.370 Inspection prior to entry into food product establishment. [1959 c 204 § 37.] Repealed by 1969 ex.s. c 145 § 64.
16.49.380 Access to establishment——Duty to stamp wholesome meat-Condemnation of meat containing dyes, chemicals, etc. [1959 c 204 § 38.] Repealed by 1969 ex.s. c 145 § 64.
16.49.390 Wholesale, retail dealer may prepare food products from meat inspected and passed. [1959 c 204 § 39.] Repealed by 1969 ex.s. c 145 § 64.
16.49.400 Unlawful stamping of containers, coverings--False, deceptive names and stamps. [1959 c 204 § 40.] Repealed by 1969 ex.s. c 145 § 64 .
16.49.410 Unlawful possession, use of stamps. [1959 c 204 § 41.] Repealed by 1969 ex.s. c $145 \S 64$.
16.49.420 Unlawful acts as to stamps or identification devices. [1959 c 204 § 42.] Repealed by 1969 ex.s. c 145 § 64.
16.49.450 Custom farm slaughterer--Stamping or other identification of meat. [1959 c 204 § 45 .] Repealed by 1969 ex.s. c 145 § 64.
16.49.456 Limited custom slaughtering license for slaughtering livestock owned by consumer for own use--Unlawful operation--Inspection of establishment. [1961 c 91 § 3.] Repealed by 1969 ex.s. c 145 § 64.
16.49.458 Denial, suspension, revocation of limited license--Injunctions. [1961 c 91 § 4.] Repealed by 1969 ex.s. c 145 § 64.
16.49.460 Slaughtering horses, mules, burros prohibited in establishments. [1959 c 204 § 46.] Repealed by 1969 ex.s. c 145 § 64.
16.49.470 Unlawful to add horsemeat to meat of other food ani-mals--Seizure. [1959 c 204 § 47.] Repealed by 1969 ex.s. c 145 § 64.
16.49.480 Identification and stamping of horsemeat. [1959 c 204 § 48.] Repealed by 1969 ex.s. c 145 § 64.
16.49.490 Establishment's records-—Examination. [1959 c 204 § 49.] Repealed by 1969 ex.s. c 145 § 64.
16.49.520 Disposition, use of fees. [1959 c 204 § 52.] Repealed by 1969 ex.s. c 145 § 64.
16.49.900 Severability. [1959 c 204 § 53.] Repealed by 1969 ex.s. c 145 § 64 .

## Chapter 16.50 <br> HUMANE SLAUGHTER OF LIVESTOCK

16.50.010 Definitions. [1959 c 101 § 1.] Repealed by 1967 c 31 § 8.
16.50.020 Exemption. [1959 c 101 § 2.] Repealed by 1967 c 31 § 8.
16.50.030 Administration--Rules and regulations-—Electrical method approved. [1959 c 101 § 3.] Repealed by 1967 c 31 § 8.
16.50.040 Manually operated hammer or sledge prohibited. [1959 c 101 § 4.] Repealed by 1967 c 31 § 8.
16.50.050 Humane methods required. [1959 c 101 § 5.] Repealed by 1967 c $31 \S 8$.
16.50.060 Penalty for violation of RCW 16.50.040. [1959 c 101 § 6.] Repealed by 1967 c 31 § 8.
16.50.070 Exemption on ground of hardship--Application, expense, appeal. [1959 c 101 § 7.] Repealed by 1967 c 31 § 8.

## Chapter 16.52 <br> PREVENTION OF CRUELTY TO ANIMALS

16.52.150 Poisoning animals. [(i) 1941 c 105 § 1 ; RRS § 3207-1. (ii) 1941 c 105 § 3; RRS § 3207-3.] Now codified as RCW 16.52.190 and 16.52.195.
16.52.170 Wanton cruelty to fowls. [1893 c 27 § 8; RRS § 3203.] Now codified as RCW 16.52.065.

## Chapter 16.56

ANIMAL MARKS AND BRANDS
16.56.010 through 16.56 .125 [1949 c 98 §§ 2,3 and 4; 1935 c $156 ;$ Rem. Supp. 1949 §§ 3055-5, 3055-14 and 3055-15; RRS §§ 3055-1——3055-12.] Repealed by 1959 c 54 § 39.

## Chapter 16.57

IDENTIFICATION OF LIVESTOCK
16.57.190 Mandatory brand inspection, when. [1959 c 54 § 19.] Repealed by 1971 ex.s. c 135 § 7.
16.57.250 Transporting, moving livestock--Certificate or bill of sale required. [1959 c 54 § 25.] Repealed by 1971 ex.s. c 135 § 7.

## Chapter 16.60 <br> FENCES

- 16.60.070 Fence on the land of another by mistake-—Removal. [Code 1881 § 2495; 1873 p 449 § 8; 1871 p 65 § 8; 1869 p 325 § 8; RRS § 5448.] Now codified in RCW 16.60.055.


## Chapter 16.64

## COMMUNITY LIVESTOCK SALES

16.64.010 through 16.64 .040 [1947 c 187 §§ 1-4; Rem. Supp. 1947 §§ 3207-4, 3207-6; 1949 c 98 §§ 6 and 7; Rem. Supp. 1949 §§ 3207-5 and 3207-7.] Repealed by 1959 c 107 § 47. Later enactment, see chapter 16.65 RCW.

## Chapter 16.65

## PUBLIC LIVESTOCK MARKETS

16.65.070 Issuance of license to prior permittee——Revocation. [1959 c 107 § 7.] Repealed by 1971 ex.s. c 192 § 8.

## Title 17 <br> WEEDS, RODENTS AND PESTS

## Chapter 17.04 <br> WEED DISTRICTS

17.04.020 Area of district. [1937 c 193 § 1, part; 1929 c 125 § 1 , part; RRS § 2771, part. Prior: 1921 c 150 § 1, part.] Now codified in RCW 17.04.010.
17.04.040 Time, place and notice of hearing. [1929 c 125 § 2, part; RRS § 2772, part. Prior: 1921 c 150 § 2, part.] Now codified in RCW 17.04.030.
17.04.060 Resolution to create district. [1929 c 125 § 3, part; RRS § 2774. Prior: 1921 c 150 § 2, part.] Now codified in RCW 17.04.050.
17.04.080 Chairman of meeting. [1929 c 125 §4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.
17.04.090 Challenge of elector. [1929 c 125 § 4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.
17.04.100 Qualifications of electors and directors. [1929 c 125 §4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.
17.04.110 Voting——Terms of directors. [1929 c 125 § 4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.
17.04.120 Annual meeting——Vacancies. [1929 c 125 § 4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.
17.04.130 Officers-—Bonds. [1929 c 125 § 4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.
17.04.140 Change of rules and regulations. [1929 c 125 § 4, part; RRS § 2774-1, part.] Now codified in RCW 17.04.070.

## Chapter 17.08 <br> WEED EXTERMINATION AREAS

17.08.030 Notice of establishment. [1937 c 194 § 2, part; RRS § 2778-12, part.] Now codified in RCW 17.08.020.
17.08.040 Weed districts not affected. [1937 c 194 § 2, part; RRS § 2778-12, part.] Now codified in RCW 17.08.020

## Chapter 17.12 <br> AGRICULTURAL PEST DISTRICTS

17.12.070 Tax levy——Assessment for benefits. [1919 c 152 § 7; RRS § 2807.] Repealed by 1973 lst ex.s. c 195 § 133, effective January $1,1974$.
Severability --Effective dates and termination dates--Construc-tion-- 1973 lst ex.s. c 195: See notes following RCW 84.52.043.
17.12.090 Levies on state lands to be added to rental. [1919 c 152 § 8, part; RRS § 2808, part.] Now codified in RCW 17.12.080.

## Chapter 17.16 RODENTS

17.16.120 Poisons and supplies, purchase and sale of 一-Tax levy. [1921 c 140 § 6; RRS § 2793.] Repealed by 1973 1st ex.s. c 195 § 133, effective January 1, 1974.
Severability-—Effective dates and termination dates--Construc-tion-— 1973 1st ex.s. c 195: See notes following RCW 84.52.043.
17.16.140 Certain poisons may be prohibited--Special per-mits-—Exceptions. [1951 c 127 § 1.] Repealed by 1967 c 186 § 1.

Chapter 17.20

## COMMERCIAL SPRAYERS AND DUSTERS

17.20.010 through 17.20.070 [1953 c 261 §§ 1-4; 1951 c 61 §§ 1 5; 1945 c 120 §§ 2-4; Rem. Supp. 1945 §§ 2887-31- 2887-33.] Repealed by 1961 c 249 § 36. Later enactment, see chapter 17.21 RCW.

Chapter 17.21

## WASHINGTON PESTICIDE APPLICATION ACT

17.21.210 Forest land exemption--Inclusion within chapterApplication of food, drug and cosmetic act. [1961 c 249 § 21.] Repealed by 1971 ex.s. c 191 § 11.

## Chapter 17.24 <br> INSECT PESTS AND PLANT DISEASES

17.24.010 Definitions. [1943 c 150 § 1 , last am'ds 1915 c 166 § 1 ; Rem. Supp. 1943 § 2839.]

Reviser's note: RCW 17.24 .010 which purported to adopt by reference the definitions of "nursery stock" and "pests and diseases" as defined in RCW 15.08 .010 has been decodified. These were last enacted as part of 1943 c 150 § 1, and were never expressly a part of either of the two session laws codified in chapter 17.24 RCW.
17.24.020 Director's duty to inspect for pests and diseases. [1927 c 292 § 3, part; RRS § 2782, part.] Now codified in RCW 17.24.035.
17.24.040 Filing governor's approvals——Effect of orders, etc. [(i) 1927 c 292 § 2, part; RRS § 2781, part. Prior: 1921 c 105 § 2, part. (ii) 1927 c 292 § 3, part; RRS § 2782, part. Prior: 1921 c 105 § 3, part.] Now codified in RCW 17.24.030 and 17.24.035, respectively.
17.24.050 Removal of products from quarantine prohibited. [1927 c 292 § 2, part; RRS § 2781, part. Prior: 1921 c 105 § 2, part.] Now codified in RCW 17.24.030
17.24.090 Holding for inspection. [1927 c 292 § 6, part; RRS § 2785, part. Prior: 1921 c 105 § 6, part.] Now codified in RCW 17.24.080.

## Chapter 17.28 <br> MOSQUITO CONTROL DISTRICTS

17.28.180 Nuisance--Notice to owner and possessor of property. [1957 c 153 § 18.] Repealed by 1959 c 64 § 11.
17.28.190 Nuisance——Notice when owner is nonresident or cannot be found. [1957 c 153 § 19.] Repealed by 1959 c 64 § 11.
17.28.200 Nuisance——Hearing before the board. [1957 c 153 § 20.] Repealed by 1959 c 64 § 11 .
17.28.210 Nuisance——Abatement by district——Expense is lien. [1957 c 153 § 21.] Repealed by 1959 c 64 § 11 .
17.28.220 Nuisance-_Lien-_Filing notice——Action to fore-close-—Limitations. [1957 c 153 § 22.] Repealed by 1959 c 64 § 11.
17.28.230 Nuisance——Foreclosure——Disposition of proceeds of sale. [1957 c 153 § 23.] Repealed by 1959 c 64 § 11
17.28.240 Nuisance--Property of state or public corpora-tion--Exempt from lien-—Duty to repay district. [1957 c 153 § 24.] Repealed by 1959 c 64 § 11 .

## Title 18 <br> BUSINESSES AND PROFESSIONS

## Chapter 18.01 DEFINITIONS

18.01.010 through 18.01.060 The definitions contained herein were created by the 1941 Code Committee. They have no session law background and are accordingly decodified. For powers of department of motor vehicles relating to licensure of the various businesses and professions, see Chapter 43.24 RCW.

## Chapter 18.04 ACCOUNTANCY

18.04.140 Time of examination in special instances. [1949 c 226 § 13; Rem. Supp. 1949 § 8269-20.] Repealed by 1969 c 114 § 8.
18.04.150 Scope of examinations. [1949 c 226 § 14; Rem. Supp. 1949 § 8269-21.] Repealed by 1969 c 114 § 8.

## Chapter 18.08 <br> ARCHITECTS

18.08.010 through 18.08.090 Architects licensing, examination, registration, certificates, violations. [1919 c 205; RRS §§ 8270-8276.] Repealed by 1959 c 323 § 19.

## Chapter 18.15

BARBERING——MEN'S HAIRSTYLING (FORMERLY BARBERS)
18.15.030 License required--Hair cutter in beauty parlor. [1927 c 211 § $2 ;$ RRS § 8277-2a.] Repealed by 1955 c 313 § 7.
18.15.170 Disposition of fees. [1957 c 101 § 15.] Repealed by 1965 ex.s. c 126 § 4.
18.15.180 Number and gender. [1923 c 75 § 18; RRS § 8277-18.] Repealed by 1959 c 84 § 1 .

Chapter 18.18
COSMETOLOGY (FORMERLY BEAUTY CULTURE)
18.18.060 Owner's license-—Qualifications——Scope of license. [1957 c 52 § 4; 1951 c 180 § 3. Prior: 1937 c 215 § 3(d); RRS § 8278-3(d).] Repealed by 1959 c 324 § 10.
18.18.240 Revocation, etc., of licenses-—Hearing. [1937 c 215 § 16(a), part; RRS § 8278-16(a), part.] Now codified in RCW 18.18.230.
18.18.250 Revocation, etc., of licenses——Order——Record. [1937 c 215 § 16(a), part; RRS § 8278-16(a), part.] Now codified in RCW 18.18.230.
18.18.280 Revenue set aside for administration. [1953 c 168 § 5.] Repealed by 1965 ex.s. c 126 § 4 .

## Chapter 18.20 <br> BOARDING HOMES

18.20.080 Advisory boarding home council-Members-Terms--Meetings——Reimbursement. [1957 c 253 § 8.] Repealed by 1971 ex.s. c $189 \S 17$.

## Chapter 18.22 <br> PODIATRY (FORMERLY: CHIROPODY)

18.22.080 License--Reciprocity with other states. [1935 c 48 § $5 ; 1921$ c 120 § $10 ;$ RRS § 10097.] Repealed by 1955 c 149 § 15.
18.22.090 License——Recording in county. [(i) 1917 c 38 § 11 ; RRS § 10084. (ii) 1917 c 38 § 2; RRS § 10075.] Repealed by 1955 c 149 § 15 .
18.22.100 License——Recording——County clerk's duties—— Fee. [1917 c 38 § 12; RRS § 10085.] Repealed by 1955 c 149 § 15.
18.22.180 Revocation--Notation on record. [1917 c 38 § 14, part; RRS § 10087, part.] Deleted by 1957 c 52 §§ 16, 18.
18.22.190 Health regulations. [1921 c 120 § 7; 1917 c 38 § 17 ; RRS § 10090.] Repealed by 1955 c 149 § 15.

Chapter 18.26
CHIROPRACTIC DISCIPLINARY BOARD
18.26.260 Appeal from decision of board-—Scope of review. [1967 c 171 § 26.] Repealed by 1975 1st ex.s. c 39 § 12.

## Chapter 18.29

DENTAL HYGIENIST
18.29.055 Employment-—Topical applications. [1951 c 256 § 5.] Repealed by 1969 c 47 § 8.

## Chapter 18.32 <br> DENTISTRY

18.32.130 Applicants——Educational prerequisites. [1935 c 112 § 5, part; RRS § 10031-5, part.] Now codified in RCW 18.32.040
18.32.140 Applicants——Photograph. [1935 c 112 § 5, part; RRS § 10031-5, part.] Now codified in RCW 18.32.040.
18.32.150 Applicants-Weight given to national certificate. [1935 c 112 § 5, part; RRS § 10031-5, part.] Now codified in RCW 18.32.040.
18.32.370 Enforcement provisions--Certificate of director or county auditor as evidence. [1935 c 112 § 22, part; RRS § 10031-22, part.] Now codified in RCW 18.32.080.

Chapter 18.36
DRUGLESS HEALING
18.36.070 Applicant——Affidavit of eligibility. [1919 c 36 § 11, part; RRS § 10121, part.] Now codified in RCW 18.36.050.
18.36.080 Applicant——Educational prerequisites. [1919 c 36 § 3, part; RRS § 10113, part.] Now codified in RCW 18.36.040.
18.36.090 Examination--Regulations. [(i) 1919 c 36 § 3, part; RRS § 10113, part. (ii) 1919 c 36 § 11, part; RRS § 10121, part.] Now codified in RCW 18.36.040 and 18.36.050.
18.36.100 License-—Scope. [1919 c 36 § 4, part; RRS § 10114 , part.] Now codified in RCW 18.36.060.
18.36.160 Refusal and revocation of licenses--Generally. [1919 c 36 § 3, part; RRS § 10113, part.] Now codified in RCW 18.36.040.
18.36.180 Revocation for want of educational qualificationsContent of order to appear. [1925 c 10 § 1, part; RRS § 10125-1, part.] Now codified in RCW 18.36.170.
18.36.190 Revocation for want of educational qualificationsService of order——Return date. [1925 c 10 § 1, part; RRS § 10125-1, part.] Now codified in RCW 18.36.170.
18.36.250 Violations——Penalty. [1919 c 36 § 17; RRS § 10125.] Now codified as RCW 18.36.165.

## Chapter 18.37 <br> ELECTRICIANS

18.37.110 Apprentices——Registration——Permit to work. [1973 1st ex.s. c 206 § 11.] Repealed by 1975 1st ex.s. c 70 § 4.

## Chapter 18.39 EMBALMERS--FUNERAL DIRECTORS

18.39.060 Application fee--Final fee. [1937 c 108 § 6, part; RRS § 8318-1, part.] Now codified in RCW 18.39.050.
18.39.090 Examination——Embalmer——Subjects. [1947 c 105 § 2, part; 1945 c 150 § 1, part; 1937 c 108 § 4, part; Rem. Supp. 1947 § 8316-1, part.] Now codified in RCW 18.39.040.
18.39.110 License——For each place of business. [1937 c 108 § 2, part; RRS § 3314-1, part.] Now codified in RCW 18.39.020.
18.39.140 License——Annual renewal. [1937 c 108 § 6, part; RRS § 8318-1, part.] Now codified in RCW 18.39.050.
18.39.200 Revocation and suspension of licenses--Grounds. [1937 c 108 § 11, part; RRS § 8323, part.] Now codified in RCW 18.39.180

## Chapter 18.45 <br> FURNITURE AND BEDDING INDUSTRY

18.45.520 Advisory council——Membership--Terms. [1951 c 183 § 52.] Repealed by 1971 ex.s. c 189 § 17.
18.45.530 Advisory council——Membership representation-Meetings. [1951 c 183 § 53.] Repealed by 1971 ex.s. c 189 § 17.
18.45.540 Advisory council--Removal, compensation of mem-bers-—Powers of council. [1951 c 183 § 54.] Repealed by 1971 ex.s. c 189 § 17

## Chapter 18.50 <br> MIDWIFERY

18.50.090 Must call physician-—When. [1917 c 160 § 8, part; RRS § 10181, part.] Now codified in RCW 18.50.010.
18.50.110 Revocation of license--Notice--Hearing. [1917 c 160 § 7, part; RRS § 10180, part.] Now codified in RCW 18.50.100.

Chapter 18.51
NURSING HOMES
18.51.080 Rules and regulations--Time for compliance. [1951 c 117 § 9.] Repealed by 1953 c 160 § 10.
18.51.090 Inspection of nursing homes--Approval of new facilities. [1953 c 160 § 6; 1951 c 117 § 10.] Repealed by 1975 1st ex.s. c 99 § 17.

Reviser's note: This section was also amended by 1975 1st ex.s. c 213 § 2 without cognizance of the repeal thereof.
18.51.120 Information confidential. [1953 c 160 § 7; 1951 c 117 § 13.] Repealed by 1975 1st ex.s. c $99 \$ 17$.
18.51.130 Appeal from decision of department-—Procedure. [1953 c 160 § 8; 1951 c 117 § 14.] Repealed by 1975 lst ex.s. c 99 § 17.

## Chapter 18.53 <br> OPTOMETRY

18.53.080 Examinations. [1937 c 155 § 1, part; 1919 c 144 § 5, part; Rem. Supp. 1937 § 10150 , part.] Now codified in RCW 18.53.060.
18.53.090 Record of certificates-CCounty clerk - ReportsPenalty. [1919 c 144 § 6; RRS § 10151. Prior: 1909 c 235 §§ 4, 6.] Repealed by 1975 lst ex.s. c 69 § 16.
18.53.110 Revocation--Notice——Hearing——Reinstatement. [1919 c 144 § 12; RRS § 10157. Formerly 18.53 .110 through 18.53.130.] Repealed by 1963 c 25 § 19. Later enactment, see chapter 18.54 RCW.
18.53.120 Revocation-—Hearing. [1919 c 144 § 12, part; RRS § 10157, part.] Now codified in RCW 18.53.110.
18.53.130 Reinstatement. [1919 c 144 § 12, part; RRS § 10157, part.] Now codified in RCW 18.53.110

## Chapter 18.57 <br> OSTEOPATHY

18.57.010 Definitions. [1921 c 82 § 1, part; 1919 c 4 § 17, part; RRS § 10069, part.] Now codified in RCW 18.57.130.
18.57.060 Applicant——Osteopathy license——Eligibility requirements. [1919 c 4 § 4, part; RRS § 10056, part.] Now codified in RCW 18.57.020.
18.57.070 Applicant--Osteopathy and surgery——Eligibility requirements. [1919 c 4 § 4, part; RRS § 10056, part.] Now codified in RCW 18.57.020.
18.57.090 Examination-Osteopathy and surgery license. [(i) 1919 c 4 § 4, part; RRS § 10056, part. (ii) 1919 c 4 § 5, part; RRS § 10057, part.] Now codified in RCW 18.57.020 and 18.57.080.
18.57.120 License——Annual renewal. [1919 c 4 § 6, part; RRS § 10058, part.] Now codified in RCW 18.57.050.
18.57.190 Revocation of license--Grounds. [1919 c 4 § 10, part; RRS § 10062, part.] Now codified in RCW 18.57.180.
18.57.200 Refusal or revocation of license--Citation-—Service. [1919 c 4 § 10 , part; RRS § 10062 , part.] Now codified in RCW 18.57.180.
18.57.210 Refusal or revocation of license——Default——Reference to hearing committee. [1919 c 4 § 10, part; RRS § 10062, part.] Now codified in RCW 18.57.180.
18.57.220 Refusal or revocation of license--Hearing--Generally. [1919 c 4 § 10 , part; RRS § 10062, part.] Now codified in RCW 18.57.180.
18.57.230 Refusal or revocation of license--Hearing, recalcitrancy of witnesses--Remedy. [1919 c 4 § 10, part; RRS § 10062, part.] Now codified in RCW 18.57.180.

## Chapter 18.60 <br> PATENT MEDICINE PEDDLERS

18.60.010 License——Annual fee. [1949 c 153 § 3, part; 1935 c 98 § 7, part; 1899 c 121 § 16, part; Rem. Supp. 1949 § 10141, part.] Now codified in RCW 18.64.047.
18.60.020 Application and issuance. [1949 c 153 § 3, part; 1935 c 98 § 7, part; 1899 c 121 § 16, part; Rem. Supp. 1949 § 10141, part.] Now codified in RCW 18.64.047.
18.60.030 Violations-—Penalty. [1949 c 153 § 3, part; 1935 c 98 § 7, part; 1899 c 121 § 16, part; Rem. Supp. 1949 § 10141 , part.] Now codified in RCW 18.64.047.

## Chapter 18.64 <br> PHARMACISTS

18.64.010 Definitions. [(i) 1931' c 56 § 1, part; 1927 c 253 § 1 , part; 1923 c 180 § 3, part; RRS § 10r26-3, part. (ii) 1935 c 98 § 6, part; 1909 c 213 § 7, part; 1899 c 121 § 13, part; 1891 c 153 § 13, part; RRS § 10138, part.] Now codified in RCW 18.64 .080 and 18.64.250.
18.64.030 Licensing——Exemptions. [1935 c 98 § 6, part; 1909 c 213 § 7, part; 1899 c 121 § 13, part; RRS § 10138, part. Prior: 1891 c 153 § 13, part.] Now codified in RCW 18.64.250.
18.64.055 Disposition of moneys received. [1935 c 98 § 10; RRS § 10145-2. Formerly RCW 18.64.050, part.] Repealed by 1963 c 38 § 25.
18.64.060 Pharmacist and assistant pharmacist applicants-ELigibility. [1923 c 180 § 2; RRS § 10126-2.] Repealed by 1963 c 38 § 25.
18.64.065 Certificate of pharmacist or assistant pharmacist—— Persons qualified. [1923 c 180 § 1; RRS § 10126-1. Prior: 1899 c 121 § 2; 1891 c 153 § 2. Formerly RCW 18.64.070, part.] Repealed by 1963 c 38 § 25.
18.64.070 Certificate by graduation-—Requirements. [1927 c 253 § 2; 1923 c 180 § 4; RRS § 10126-4. Prior: 1899 c 121 § 3; 1891 c 113 § 3. FORMER PART OF SECTION: 1923 c 180 § 1 ; 1899 c 121 § 2 ; RRS § 10126-1, now codified as RCW 18.64.065.] Repealed by 1963 c 38 § 25.
18.64.090 Registration of pharmacists of other states. [1927 c 253 § 3; 1923 c 180 § 5; RRS § 10126-5. Formerly RCW 18.64.130, part. FORMER PART OF SECTION: 1931 c 56 § 1, part; 1927 c 253 § 1, part; 1923 c 180 § 3, part; RRS § 10126-3, part, now codified in RCW 18.64.080.] Repealed by 1963 c 38 § 25.
18.64.100 Assistant pharmacist license--Issue--Conversion to pharmacist license. [1923 c 180 § 7; RRS § 10126-7. Prior: 1899 c 121 § 5; 1893 c 113 § 1.] Repealed by 1963 c 38 § 25.
18.64.120 Registered apprentices——Fee. [1909 c 213 § 3; 1899 c 121 § 6; RRS § 10131.] Repealed by 1963 c 38 § 25.
18.64.130 Reciprocation with other states. [1927 c 253 § 3, part; 1923 c 180 § 5, part; RRS § 10126-5, part.] Now codified in RCW 18.64.090.
18.64.150 License-Display. [1949 c 153 § 2, part; 1935 c 98 § 5, part; 1899 c 121 § 11, part; Rem. Supp. 1949 § 10136, part.] Now codified in RCW 18.64.140.
18.64.170 Refusal, suspension, and revocation of other licensesComplaint for revocation--Notice. [1909 c 213 § 10, part; RRS § 10143, part.] Now codified in RCW 18.64.160.
18.64.180 Refusal, suspension, and revocation of other licenses--Revocation--Hearing. [1909 c 213 § 10, part; RRS § 10143, part.] Now codified in RCW 18.64.160.
18.64.190 Refusal, suspension, and revocation of other licensesDecision of board--Record. [1909 c 213 § 10, part; RRS § 10143, part.] Now codified in RCW 18.64.160.
18.64.210 Refusal, suspension, and revocation of other licensesNotice of appeal-—Bond. [1909 c 213 § 11, part; RRS § 10144, part.] Now codified in RCW 18.64.200.
18.64.220 Refusal, suspension, and revocation of other licensesDocketing and trial in superior court. [1909 c 213 § 11, part; RRS § 10144, part.] Now codified in RCW 18.64.200.
18.64.230 Refusal, suspension, and revocation of other licensesAppeal to supreme court. [1909 c 213 § 11, part; RRS § 10144, part.] Now codified in RCW 18.64.200.
18.64.240 Refusal, suspension, and revocation of other licensesJudgment against board. [1909 c 213 § 11, part; RRS § 10144, part.] Now codified in RCW 18.64.200.

## Chapter 18.67 <br> PHARMACY OWNERS--WHOLESALE DRUGGIST

18.67.010 Definition. [1899 c 121 § 1, part; RRS § 10126, part.] Now codified in RCW 18.64.020.
18.67.020 License required--Fee——Penalty. [1949 c 153 § 4; 1935 c 98 § 8; 1909 c 213 § 12; Rem. Supp. 1949 § 10145.] Now codified as RCW 18.64.043.
18.67.030 License——Exemption. [1935 c 98 § 6, part; 1909 c 213 § 7, part; 1899 c 121 § 13, part; RRS § 10138, part. Prior: 1891 c 153 § 13, part.] Now codified in RCW 18.64.250.
18.67.040 Registered pharmacist on premises required-—Penalty. [1935 c 98 § 6, part; 1909 c 213 § 7, part; 1899 c 121 § 13, part; RRS § 10138, part. Prior: 1891 c 153 § 13, part.] Now codified in RCW 18.64.250.
18.67.050 Liquor sold for medicinal purposes only. [1909 c 213 § 8, part; 1899 c 121 § 15 , part; RRS § 10140, part. Prior: 1891 c 153 § 13, part.] Now codified in RCW 18.64.243.
18.67.060 Liquor and poison sales record. [1909 c 213 § 8, part; 1899 c 121 § 15, part; RRS § 10140, part. Prior: 1891 c 153 § 13, part.] Now codified in RCW 18.64.243.
18.67.070 Poisons sold for legitimate purposes only. [1909 c 213 § 8, part; 1899 c 121 § 15 , part; RRS § 10140, part. Prior: 1891 c 153 § 13, part.] Now codified in RCW 18.64.243.
18.67.080 Prescriptions--Labels. [1939 c 28 § 2; RRS § 6154-2.] Now codified as RCW 18.64.246.
18.67.090 Prescription records. [1939 c 28 § 1 ; RRS § 6154-1.] Now codified as RCW 18.64.245.
18.67.091 Penalty for violation of RCW 18.67.080, 18.67.090. [1939 c 28 § 3; RRS § 6154-3.] Now codified as RCW 18.64.247.
18.67.100 Responsibility for drug purity. [1899 c 121 § 14 , part; RRS § 10139, part. Prior: 1891 c 153 § 15.] Now codified as RCW 18.64.270.
18.67.110 Strychnine sales——Record——Reports. [(i) 1941 c 105 § 2; Rem. Supp. 1941 § 3207-2. (ii) 1941 c 105 § 3; Rem. Supp. 1941 § 3207-3.] Now codified as RCW 16.52.193 and 16.52.195.
18.67.120 Unlawful acts——Adulteration-—False advertising. [1899 c 121 § 14, part; RRS § 10139, part. Prior: 1891 c 153 § 15, part.] Now codified in RCW 18.64.270.
18.67.130 Violations——Penalty. [1935 c 98 § 6, part; 1899 c 121 § 13, part; RRS § 10138, part.] Now codified in RCW 18.64.250.
18.67.140 Wholesale druggist license. [1949 c 153 § 5; Rem. Supp. 1949 § 10145-4.] Now codified as RCW 18.64.045.

## Chapter 18.71 <br> PHYSICIANS AND SURGEONS

18.71.096 Conditional certificate or license for out-of-state licensees while engaged by department of social and health services-Duration--Renewal. [1973 1st ex.s. c 4 § 2; 1967 c 138 § 2; 1965 c 29 § 2; 1963 c 65 § 1 ; 1959 c 189 § 2.] Repealed by 1975 lst ex.s. c 171 § 20.
18.71.110 Unprofessional conduct. [1915 c 65 § 1; RRS § 10015.] Repealed by 1955 c 202 § 47. Later enactment, see RCW 18.72.030.
18.71.130 Revocation of license--Grounds. [1919 c 134 § 7, part; RRS § 10014, part.] Deleted by 1955 c 202 §§ 37, 39. Later enactment, see chapter 18.72 RCW.
18.71.150 Refusal of license——Default——Reference to hearing committee. [1919 c 134 § 7, part; RRS § 10014, part.] Deleted by 1955 c 202 §§ 37, 41. Later enactment, see chapter 18.72 RCW.
18.71.160 Refusal of license——Hearing——Generally. [1919 c 134 § 7, part; RRS § 10014, part.] Deleted by 1955 c 202 §§ 37, 42. Later enactment, see chapter 18.72 RCW.
18.71.170 Refusal or revocation of licenses--Hearing-—Recalcitrancy of witnesses. [1919 c 134 § 7, part; RRS § 10014, part.] Deleted by 1955 c 202 §§ 37, 43. Later enactment, see chapter 18.72 RCW.
18.71.900 Interchangeable terms. [1909 c 192 § 21.] Repealed by 1975 lst ex.s. c 171 § 20.

## Chapter 18.78 <br> PRACTICAL NURSES

18.78.180 Certain practical nurses may administer medications under supervision. [1961 c 231 § 1.] Repealed by 1963 c 15 § 6. Later enactment, see RCW 18.78.181.
18.78.181 Certain practical nurses may administer medications under supervision. [1963 c 15 § 5.] Repealed by 1967 c 79 § 8. Later enactment, see RCW 18.78.182.

## Chapter 18.81 <br> PROPHYLACTIC VENDORS

18.81.030 Retail licenses——Eligibility. [1939 c 192 § 3; RRS § 10146-3.] Repealed by 1971 ex.s. c $185 \S 4$.

Chapter 18.85

## REAL ESTATE BROKERS AND SALESMEN

18.85.020 Real estate director. [1941 c 252 § 1; Rem. Supp. 1941 § 8340-24.] Repealed by 1953 c 235 § 19.
18.85.070 Examining commission--Appointment. [1951 c 222 § 5, last am'ds 1941 c 252 § 13; Rem. Supp. 1945 § 8340-36.] Repealed by 1953 c 235 § 19.

## Chapter 18.88 <br> REGISTERED NURSES (FORMERLY: REGISTERED PROFESSIONAL NURSES)

18.88.040 Nurse planning council created-—Duties. [1949 c 202 § 3; Rem. Supp. 1949 § 10173-2a.] Repealed by 1973 c 133 § 30.

## Chapter 18.92

VETERINARY MEDICINE, SURGERY, AND DENTISTRY
18.92.020 Board of veterinary examiners--AppointmentQualifications. [1941 c 71 § 3; Rem. Supp. 1941 § 10040-3. Prior: 1907 c 124 § 5.] Repealed by 1959 c 92 § 15.
18.92.080 Applications--Approval——Refusal. [1941 c 71 § 6, part; Rem. Supp. 1941 § 10040-6, part.] Now codified in RCW 18.92.070.
18.92.090 Application--Fees. [(i) 1941 c 71 § 10; Rem. Supp. 1941 § 10040-10. Now codified as RCW 18.92.115. (ii) 1941 c 71 §

19, part; Rem. Supp. 1941 § 10040-19, part. Now codified as RCW 18.92.145.]
18.92.110 Examinations——Regulations. [1941 c 71 § 8; Rem. Supp. 1941 § 10040-8.] Repealed by 1967 ex.s. c $50 \S 12$.
18.92.155 Board may recommend suspension, revocation of licens-es-—Procedure. [1959 c 92 § 6.] Repealed by 1967 ex.s. c 50 § 12.
18.92.170 Revocation and suspension of licenses--Grounds. [1941 c 71 § 13, part; Rem. Supp. 1941 § 10040-13, part.] Now codified in RCW 18.92.160.
18.92.190 Revocation and suspension of licenses--Hearing, generally. [1941 c 71 § 14, part; Rem. Supp. 1941 § 10040-14, part.] Now codified in RCW 18.92.180.
18.92.200 Revocation and suspension of licenses - - Hearing- -Witnesses--Subpoenas. [1941 c 71 § 14, part; Rem. Supp. 1941 § 10040-14, part.] Now codified in RCW 18.92.180.

## Chapter 18.106 PLUMBERS

18.106.120 Apprentices--Registration——Permit to work. [1973 1st ex.s. c 175 § 12.] Repealed by 1975 1st ex.s. c 71 § 4.

Title 19
BUSINESS REGULATIONS——MISCELLANEOUS

## Chapter 19.10 <br> CHARITABLE TRUSTS

19.10.030 Certain nonprofit foundations exempt from notice and filing requirements. [1967 ex.s. c 53 § 3.] Repealed by 1971 ex.s. c 226 § 7.

Chapter 19.12

## CHRISTMAS TREE EXPORTING

19.12.010 Definition. [1937 c 112 § 1, part; 1931 c 26 § 1, part; 1929 c 141 § 1 , part; RRS § 8291-1, part.] Repealed by 1957 c 86 § 1.
19.12.020 Severance tax imposed——Rate——Tags. [1937 c 112 § 2, part; 1931 c 26 § 2, part; 1929 c 141 § 2, part; RRS § 8291-2, part.] Repealed by 1957 c 86 § 1.
19.12.030 Disposition of tax. [1937 c 112 § 2, part; 1931 c 26 § 2, part; 1929 c 141 § 2, part; RRS § 8291-2, part.] Repealed by 1957 c 86 § 1.
19.12.040 Attachment of tags to shipment. [1937 c 112 § 3; 1931 c 26 § 3; 1929 c 141 § 3; RRS § 8291-3.] Repealed by 1957 c 86 § 1.
19.12.050 Shipment or carriage without tax payment prohibited. [1937 c 112 § 1, part; 1931 c 26 § 1 , part; 1929 c 141 § 1, part; RRS § 8291-1, part.] Repealed by 1957 c 86 § 1.
19.12.060 Scope of chapter. [1937 c 112 § 4 ; 1929 c 141 § 4; RRS § 8291-4.] Repealed by 1957 c 86 § 1.
19.12.080 Reports by carriers. [1937 c 112 § 5; RRS § 8291-5.] Repealed by 1957 c 86 § 1.

## Chapter 19.16 <br> COLLECTION AGENCIES

19.16.010 through 19.16 .050 [1929 c 90 §§ $1-5$; RRS §§ 5847-4-5847-8.] Repealed by 1971 ex.s. c 253 § 43.
19.16.350 Board——Powers_—Duties. [1971 ex.s. c 253 § 26.] Repealed by 1973 lst ex.s. c $20 \S 10$.
19.16.370 License-—Denial, suspension, revocation, or refusal to renew-Grounds. [1971 ex.s. c 253 § 28.] Repealed by 1973 lst ex.s. c 20 § 10 .

Chapter 19.20
CONVICT-MADE GOODS
19.20.030 Importation for sale forbidden. [1933 c 178 § 1 , part; 1927 c 294 § 1, part; RRS § 5847-1, part.] Now codified in RCW 19.20.020.
19.20.040 Exemption of state institutions. [1933 c 178 § 1, part; 1927 c 294 § 1, part; RRS § 5847-1, part.] Now codified in RCW 19.20.020.
19.20.050 Exemption of federal institutions and prison sales. [1933 c 178 § 1, part; 1927 c 294 § 1, part; RRS § 5847-1, part.] Now codified in RCW 19.20.020.

## Chapter 19.24 <br> COPYRIGHT PROTECTION

19.24.030 Copyright pools——Royalties on piece system. [1937 c 218 § 3, part; RRS § 3802-2, part.] Now codified in RCW 19.24.020.
19.24.070 Declaration of police power. [1937 c 218 § 7, part; RRS § 3802-6, part.] Now codified in RCW 19.24.060.
19.24.080 Purpose of legislation. [1937 c 218 § 7, part; RRS § 3802-6, part.] Now codified in RCW 19.24.060.
19.24.090 Situs of copyrighted work. [1937 c 218 § 7, part; RRS § 3802-6, part.] Now codified in RCW 19.24.060.
19.24.110 Doing business in this state——Evidence of. [1937 c 218 § 8, part; RRS § 3802-7, part.] Now codified in RCW 19.24.100.
19.24.120 Process——Secretary of state as agent. [1937 c 218 § 8, part; RRS § 3802-7, part.] Now codified in RCW 19.24.100.
19.24.130 Process——Service upon nonresident. [1937 c 218 § 8, part; RRS § 3802-7, part.] Now codified in RCW 19.24.100.
19.24.150 Injunction-—To whom to be applicable. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.160 Injunction——Enforcement——Receiver. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.170 Receivership——Scope. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.180 Receivership-Collection of disputed license fees. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.190 Anti-monopoly board-Convening by court, when. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.200 Anti-monopoly board——Membership——Duties. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.210 Receiver——License fees fixed by board. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.220 Receiver-—Term of administration. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.230 Receiver——Attorney——Fees. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.240 Escheat of copyrights to state-OOrder to show cause. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.250 Escheat of copyrights——Procedure. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.260 Escheat——Recording by receiver——Disposition. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.
19.24.270 Escheated property-—Biennial reports by treasurer. [1937 c 218 § 9, part; RRS § 3802-8, part.] Now codified in RCW 19.24.140.

## Chapter 19.28

ELECTRICIANS AND ELECTRICAL INSTALLATIONS
19.28.020 Methods, standards generally. [1935 c 169 § 1, part; RRS § 8307-1, part.] Now codified in RCW 19.28.010.
19.28.030 Material and equipment standards generally. [1935 c 169 § 1, part; RRS § 8307-1, part.] Now codified in RCW 19.28.010.
19.28.040 Cities may impose higher standards. [1935 c 169 § 1 , part; RRS § 8307-1, part.] Now codified in RCW 19.28.010.
19.28.050 Waterworks--Consent for connection to pipes. [1935 c 169 § 1 , part; RRS § $8307-1$, part.] Now codified in RCW 19.28.010.
19.28.080 Electrical inspectors, state-Appointment. [1935 c 169 § 3, part; RRS § 8307-3, part.] Now codified in RCW 19.28.070.
19.28.090 Electrical inspectors, state-—Salaries and expenses. [1935 c 169 § 3, part; RRS § 8307-3, part.] Now codified in RCW 19.28.070.
19.28.100 Electrical inspectors, state--Temporary inspec-tors--Payment. [1935 c 169 § 3, part; RRS § 8307-3, part.] Now codified in RCW 19.28.070.
19.28.110 Electrical inspectors, state——Responsibility of state for payment limited. [1935 c 169 § 3, part; RRS § 8307-3, part.] Now codified in RCW 19.28.070.
19.28.130 License--Application. [1935 c 169 § 4, part; RRS § 8307-4, part.] Now codified in RCW 19.28.120.
19.28.140 License——Scope. [1935 c 169 § 4, part; RRS § 8307-4, part.] Now codified in RCW 19.28.120.
19.28.150 Licensee's bond--Amount--Surety. [1935 c 169 § 4, part; RRS § 8307-4, part.] Now codified in RCW 19.28.120.
19.28.160 Licensee's bond——Approval by attorney general. [1935 c 169 § 4, part; RRS § $8307-4$, part.] Now codified in RCW 19.28.120.
19.28.170 Licensee's bond-Conditions. [1935 c 169 § 4, part; RRS § 8307-4, part.] Now codified in RCW 19.28.120.
19.28.220 Inspections--Disconnection by department authorized. [1935 c 169 § 8, part; RRS § 8307-8, part.] Now codified in RCW 19.28.210.
19.28.230 Inspections--Work not to be concealed until inspected. [1935 c 169 § 8, part; RRS § 8307-8, part.] Now codified in RCW 19.28.210.
19.28.240 Inspections——Utilities must require inspection certificate. [1935 c 169 § 8, part; RRS § 8307-8, part.] Now codified in RCW 19.28.210.
19.28.280 Electrical board of appeals-—Quorum——Decision final. [1935 c 169 § 12, part; RRS § 8307-12, part.] Now codified in RCW 19.28.270.
19.28.290 Electrical board of appeals-Compensation. [1935 c 169 § 12, part; RRS § 8307-1 2, part.] Now codified in RCW 19.28.270.
19.28.320 Revocation or suspension--Appeal to board. [1935 c 169 § 7, part; RRS § 8307-7, part.] Now codified in RCW 19.28.310.

## Chapter 19.32 <br> FOOD LOCKERS

19.32.070 Revocation or suspension of licenses--Notice, hearing. [1943 c 115 § 5(b); Rem. Supp. 1943 § 6294-129(b).] Now codified in RCW 19.32.060.
19.32.080 Revocation or suspension of licenses——Review. [1943 c 117 § 5(c); Rem. Supp. 1943 § 6294-129(c).] Now codified in RCW 19.32.060.
19.32.120 Employees--Must have health certificate. [1943 c 117 § 6(b), part; Rem. Supp. 1943 § 6294-130(b), part.] Now codified in RCW 19.32.110.
19.32.130 Health certificates——Fee——Duration. [1943 c 117 § 6(b), part; Rem. Supp. 1943 § 6294-130(b), part.] Now codified in RCW 19.32.110.
19.32.140 Health certificate——Revocation. [1943 c 117 § 6(c), part; Rem. Supp. 1943 § 6294-130(c), part.] Now codified in RCW 19.32.110.

## Chapter 19.48 HOTELS

19.48.040 Liability for loss of valuables when safe or vault fur-nished--Failure of guests to use safe. [1933 c 114 § 1, part; 1929 c

216 § 2, part; 1915 c 190 § 3, part; 1890 p 95 § 1, part; RRS § 6862, part.] Now codified in RCW 19.48.030.
19.48.050 Liability for loss of valuables when safe or vault fur-nished--One thousand dollar limit-Exceptions. [1933 c 114 § 1, part; 1929 c 216 § 2, part; 1915 c 190 § 3, part; 1890 p 95 § 1, part; RRS § 6862, part.] Now codified in RCW 19.48.030.
19.48.060 Liability for loss of valuables when safe or vault fur-nished--Limited to negligence. [1933 c 114 § 1, part; 1929 c 216 § 2, part; 1915 c 190 § 3, part; 1890 p 95 § 1, part; RRS § 6862, part.] Now codified in RCW 19.48.030.
19.48.080 Liability for loss of baggage and other property—— Specific schedule of limits. [1929 c 216 § 3, part; 1917 c 57 § 1, part; 1915 c 190 § 4, part; RRS § 6863, part.] Now codified in RCW 19.48.070.
19.48.090 Liability for loss of baggage and other propertyStorage. [1929 c 216 § 3, part; 1917 c 57 § 1, part; 1915 c 190 § 4, part; RRS § 6863, part.] Now codified in RCW 19.48.070.
19.48.100 Storage——Sale for charges——Delivery to warehouse company. [1929 c 216 § 3, part; 1917 c 57 § 1 , part; 1915 c 190 § 4, part; RRS § 6863, part.] Now codified in RCW 19.48.070.
19.48.120 Obtaining accommodations by fraud——Proof of fraudulent intent. [1929 c 216 § 6, part; 1915 c 190 § 7, part; 1890 p 96 § 2, part; RRS § 6866, part.] Now codified in RCW 19.48.110.

## Chapter 19.52 <br> INTEREST--USURY

19.52.040 Usury——Contract of agent binds principal. [1899 c 80 § 7, part; RRS § 7304, part.] Now codified in RCW 19.52.030.
19.52.050 Usury-—Dual agency. [1899 c 80 § 7, part; RRS § 7304, part.] Now codified in RCW 19.52.030.

## Chapter 19.60

## PAWN BROKERS AND SECOND-HAND DEALERS

19.60.110 Violations and penalties. [1909 c 249 § 233; RRS § 2485.] Now codified as RCW 19.60.063.

## Chapter 19.72 <br> SURETYSHIP

19.72.010 Definitions. [1937 c 145 § 1; RRS § 9942.] [SLC-RO17.] Now codified as RCW 19.72.109.
19.72.050 Individual sureties--Examination. [1927 c 162 § 3, part; RRS § 958-3, part.] Now codified in RCW 19.72.040.
19.72.120 Release from official's, executor's, licensee's, etc., bond--Release from bond--Service of notice--Proof. [1937 c 145 § 2, part; RRS § 9943, part.] [SLC-RO-17.] Now codified in RCW 19.72.110.

## Chapter 19.76 <br> TRADEMARKS

19.76.010 Recording. [1897 c 47 § 3, part; 1891 c 16 § 2 ; RRS § 11539, part.] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.

Construction: "The word 'person,' in this act, shall be construed to include a person, co-partnership, corporation, association or union of workingmen." [1897 c 47 § 9.] Repealed by 1955 c 211 § 21.
19.76.020 Recording fee. [1897 c 47 § 3, part; 1891 c 16 § 2 ; RRS § 11539 , part.] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.
19.76.030 Certificate of record. [1897 c 47 § 3, part; 1891 c 16 § 2; RRS § 11539 , part.] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.
19.76.040 Counterfeiting trademarks--Penalty. [(i) 1897 c 47 § 1 ; 1895 c 133 § 1 ; 1891 c 16 § 1 ; RRS § 11537. (ii) 1897 c 47 § 2; 1895 c 133 § 1 ; 1891 c 16 §5; RRS § 11538.] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.
19.76.050 Counterfeiting trademarks--Injunction. [1897 c 47 § 5; RRS § 11541 .] Repealed by 1955 c 211 § 21 . Later enactment, see chapter 19.77 RCW.
19.76.060 Defacing or removing trademark--Penalty. [1897 c 47 § 8; RRS § 11544.] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.
19.76.070 Fraudulent filing of trademark--Civil liability-Penalty. [1897 c 47 § 4; RRS § 11540 .] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.
19.76.080 Unauthorized use of trademark-—Penalty. [1897 c 47 § 6; 1891 c 16 § 5 ; RRS § 11542 .] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.
19.76.090 Unauthorized use of name or seal of another--Penalty. [1897 c 47 § 7; RRS § 11543.] Repealed by 1955 c 211 § 21. Later enactment, see chapter 19.77 RCW.

## Chapter 19.80 <br> TRADE NAMES

19.80.050 Compliance must be alleged in order to sue. [1907 c 145 § 5, part; RRS § 9980, part.] Now codified in RCW 19.80.040.

## Chapter 19.88 <br> UNFAIR COMPETITION--FAIR TRADE

19.88.010 Definitions. [(i) 1937 c 176 § 5; RRS § 5854-15. Now codified as RCW 19.89.010. (ii) 1939 c 221 § 1 ; RRS § 5854-21. Now codified as RCW 19.90.010.]
19.88.020 Resale price fixing-_When valid. [1937 c 176 § 2; RRS § 5854-12.] Now codified as RCW 19.89.020.
19.88.030 Resale price fixing——Enforcement of agreements. [(i) 1937 c 176 § 3; RRS § 5854-13. Now codified as RCW 19.89.030. (ii) 1937 c 176 § 4; RRS § 5854-14. Now codified as RCW 19.89.040.]
19.88.040 Price cutting practices forbidden--Generally. [1939 c 221 § 4; RRS § 5854-24.] Now codified as RCW 19.90.040.
19.88.050 Price cutting--Locality discrimination. [1939 c 221 § 2, part; RRS § 5854-22, part.] Now codified in RCW 19.90.020.
19.88.060 Price cutting——Exceptions——Quantity discounts—— Freight differentials. [1939 c 221 § 2, part; RRS § 5854-22, part.] Now codified in RCW 19.90.020.
19.88.070 Price cutting——Exceptions——Functional classifications. [1939 c 221 § 2, part; RRS § 5854-22, part.] Now codified in RCW 19.90.020.
19.88.080 Price cutting--Exceptions——Motion picture films. [1939 c 221 § 2, part; RRS § 5854-22, part.] Now codified in RCW 19.90.020.
19.88.090 Price cutting--Exceptions——Rates established by public service commission. [1939 c 221 § 2 , part; RRS § 5854-22, part.] Now codified in RCW 19.90.020.
19.88.100 Price cutting--Exceptions--General. [1939 c 221 § 7; RRS § 5854-27.] Now codified as RCW 19.90.070.
19.88.110 Price cutting contracts void. [1939 c 221 § 8; RRS § 5854-28.] Now codified as RCW 19.90.080.
19.88.120 Price cutting——Violations——Penalties. [1939 c 221 § 10; RRS § 5854-30.] Now codified as RCW 19.90.100.
19.88.130 Price cutting--Proof of costs. [(i) 1939 c 221 §5; RRS § 5854-25. Now codified as RCW 19.90.050. (ii) 1939 c 221 § 6, part; RRS § 5854-26, part. Now codified in RCW 19.90.060. (iii) 1939 c 221 § 12; RRS § 5854-32. Now codified as RCW 19.90.120.]
19.88.140 Price cutting——Proof of intent. [(i) 1939 c 221 § 3, part; RRS § 5854-23, part. Now codified in RCW 19.90.030. (ii) 1939 c 221 § 6, part; RRS § 5854-26, part. Now codified as RCW 19.90.060.]
19.88.150 Price cutting——Collusion. [(i) 1939 c 221 § 3, part; RRS §5854-23, part. Now codified in RCW 19.90.030. (ii) 1939 c 221 § 11; RRS § 5854-31. Now codified as RCW 19.90.110.]
19.88.160 Price cutting——Injunction-—Damages. [1939 c 221 § 9; RRS § 5854-29.] Now codified as RCW 19.90.090.
19.88.170 Price cutting--Injunction in name of state. [1939 c 221 § 13; RRS § 5854-33.] Now codified as RCW 19.90.130.

## Chapter 19.89

## FAIR TRADE ACT

19.89.010 Definitions. [1937 c 176 § 5; RRS § 5854-15. Prior: 1935 c 177 § 2. Formerly RCW 19.88.010, part.] Repealed by 1975 c 55 § 1.
19.89.020 Resale price fixing--When valid. [1937 c 176 § 2; RRS § 5854-12. Prior: 1935 c 177 § 3. Formerly RCW 19.88.020.] Repealed by 1975 c 55 § 1.
19.89.030 Unlawful advertisements or sale in violation of agreement. [1937 c 176 § 3; RRS § 5854-13. Prior: 1935 c 177 § 4. Formerly RCW 19.88.030, part.] Repealed by 1975 c 55 § 1.
19.89.040 Application of chapter--Agreements affected. [1937 c 176 § 4; RRS § 5854-14. Formerly RCW 19.88.030, part.] Repealed by 1975 c 55 § 1 .
19.89.900 Severability——1937 c 176. [1937 c 176 § 6.] Repealed by 1975 c 55 § 1 .
19.89.910 Short title. [1937 c 176 § 1.] Repealed by 1975 c 55 § 1.

## Chapter 19.92 <br> WEIGHTS AND MEASURES

19.92.005 through 19.92.090 Weights and measures--Standards, division, sealers, sales, apples, berries, etc. [1945 c 104 § 2; 1937 c 167 § 1; 1927 c 194 §§ $1-5,12,16,18,22 ; 1923$ c 126 § $1 ; 1917$ c 122 §§ 2-4; 1917 c 85 § $1 ; 1913$ c 52 §§ $1,3,5,9 ; 1890$ p 266 § $1 ;$ RRS §§ 11617-11621, 11628, 11632, 11634, 11638.] Repealed by 1959 c 291 § 40.
19.92.130 through 19.92.230 Weights and measures-—Butter, coal, cranberries, flour, ice, milk, potatoes, vinegar, wood. [1945 c 138 §§ 1,$2 ; 1945$ c $104 \S 1 ; 1927$ c $194 \S \S 9,11,13,14,15,17,19,20,21$, 23; 1923 c 126 § $1 ; 1919$ c 102 § $1 ; 1913$ c 52 § $9 ; 1907$ c 100 § 1 ; 1899 c 88 § 1 ; RRS §§ $11625,11627,11629-11631,11633,11635-$ 11637, 11639, 11640-1, 11640-2.] Repealed by 1959 c 291 § 40.
19.92.250 through 19.92.280 Weights and measures--Unlawful practices, violations, enforcements. [1927 c 194 §§ 6, 7, 8, 24; 1913 c 52 §§ 6, 7, 8; 1907 c $100 \S 2$; RRS §§ 11622, 11623, 11624, 11640.] Repealed by 1959 c 291 § 40.

## Chapter 19.93

WEIGHTS AND MEASURES——1959 ACT
19.93.010 through 19.93 .380 [1959 c 291 §§ 1 through 38.] Repealed by 1969 c 67 § 56. Later enactment, see chapter 19.94 RCW.
19.93.900 Severability. [1959 c 291 § 39.] Repealed by 1969 c 67 § 56.

## Title 20

## COMMISSION MERCHANTS——AGRICULTURAL

 PRODUCTSChapter 20.04 Definitions and exclusions. [1955 c 14 §§ 20.04.01020.04.120; 1955 c 262 § 4.] Repealed by 1959 c 139 § 51.

Chapter 20.08 Licenses and fees. [1955 c 14 §§ 20.08.010-20.08. 110 ; 1955 c 262 § 3 ; 1951 c 244 § 1.] Repealed by 1959 c 139 § 51.

Chapter 20.12 Bonds and insurance. [1955 c 14 §§ 20.12.01020.12.040; 1955 c 262 §§ 1, 2.] Repealed by 1959 c 139 § 51.

Chapter 20.16 Dealings with consignors--Manifests-Commissions. [1955 c 14 §§ 20.16.010-20.16.040.] Repealed by 1959 c 139 § 51 .

Chapter 20.20 Records--Reports——Audits. [1955 c 14 §§ 20-.20.010-20.20.060.] Repealed by 1959 c 139 § 51.

Chapter 20.24 Investigations--Violations--Penalties. [1955 c 14 §§ 20.24.010-20.24.070.] Repealed by 1959 c 139 § 51.

Chapter 20.98 Construction. [1955 c 14 §§ 20.98.010-20.98.060.] Repealed by 1959 c 139 § 51.

## Title 21

## SECURITIES AND INVESTMENTS

Chapter 21.04 Securities act. [1951 c 230; 1949 c 150; 1947 c 189; 1943 c 231; 1943 c 169; 1939 c 124; 1937 c 182; 1935 c 97; 1923 c 69; RRS §§ 5853-1——5853-23.] Repealed by 1959 c 282 § 68.

Chapter 21.08 Metalliferous mining securities. [1951 c 64; 1937 c 178; RRS §§ 5853-31——5853-42.] Repealed by 1959 c 282 § 68.
Chapter 21.12 Oil, gas, and mining leases. [1939 c 110; RRS §§ 5853-51-5853-58.] Repealed by 1959 c 282 § 68.

## Chapter 21.16

TRANSFER OF SECURITIES BY FIDUCIARIES
21.16.010 "Fiduciary" defined. [1947 c 159 § 2; Rem. Supp. 1947 § 3923-41.] Repealed by 1961 c 150 § 12. Later enactment, see chapter 21.17 RCW .
21.16.020 Registration or transfer by fiduciary or nominee. [1947 c 159 § 1; Rem. Supp. 1947 § 3923-40.] Repealed by 1961 c 150 § 12. Later enactment, see chapter 21.17 RCW .

Chapter 21.20
SECURITIES ACT OF WASHINGTON
21.20.150 Registration by notification--Requirements. [1959 c 282 § 15.] Repealed by 19751 st ex.s. c 84 § 28.
21.20.160 Contents of registration statement by notification. [1959 c 282 § 16.] Repealed by 1975 1st ex.s. c 84 § 28.
21.20.170 Time of taking effect of registration statement by notification. [1959 c 282 § 17.] Repealed by 1975 1st ex.s. c 84 § 28.

Title 22
WAREHOUSING AND DEPOSITS

## Chapter 22.01 GENERAL PROVISIONS

22.01.010 Ownership of goods by warehouseman does not defeat receipt. [1955 c 164 § 1.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.180(2).

## Chapter 22.04

## UNIFORM WAREHOUSE RECEIPTS

22.04.010 through 22.04.610. [1913 c 99 §§ 1-60.] Repealed, effective midnight on June 30, 1967, by Article 10 of the Uniform Commercial Code, 1965 ex.s. c. 157 (Title 62A RCW).

Effective date-— 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer-- 1965 ex.s. c 157: Provision for transition: RCW 62A.10-102.

General repealer——1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - 1965 ex.s. c 157: R CW 62A.10-104.

## COMPARATIVE TABLE

Chapter 22.04 (Uniform Warehouse Receipts) to Title 62A RCW (Uniform Commercial Code).

Chapter 22.04
22.04 .010
22.04 .020
22.04.030
22.04.040
22.04.050
22.04.060
22.04.070
22.04.080
22.04.090
22.04.100
22.04.110

Title 62A

62A.1-201(45)
62A.7-201
62A.7-104
62A.7-202
62A.7-104
62A.7-204
62A.7-104
62A.7-104
62A.7-402
62A.7-104(2)
62A.7-403
62A.2-705
62A.7-403
62A.7-403
62A.7-404

| Chapter 22.04 | Title 62A |
| :---: | :---: |
| 22.04.120 | 62A.2-705 |
|  | 62A.7-403 |
| 22.04.130 | 62A.7-403 |
| 22.04.140 | 62A.7-208 |
| 22.04.150 | 62A.7-601 |
| 22.04.160 |  |
| 22.04.170 | 62A.7-403 |
|  | 62A.7-603 |
| 22.04.180 | 62A.7-603 |
| 22.04.190 |  |
| 22.04.200 | 62A.7-403 |
| 22.04.210 | 62A.7-203 |
|  | 62A.7-401 |
| 22.04.220 | 62A.7-204 |
| 22.04.230 | 62A.7-207 |
| 22.04.240 | 62A.7-207 |
| 22.04.250 |  |
| 22.04.260 | 62A.7-602 |
| 22.04.270 |  |
| 22.04.280 | 62A.7-209 |
|  | 62A.7-307 |
| 22.04.290 | 62A.7-209 |
|  | 62A.7-307 |
| 22.04.300 | 62A.7-209 |
|  | 62A.7-307 |
| 22.04.310 | 62A.7-209 |
|  | 62A.7-307 |
| 22.04.320 | 62A.7-209 |
|  | 62A.7-307 |
| 22.04.330 | 62A.7-209 |
|  | 62A.7-307 |
| 22.04.340 | 62A.7-210 |
|  | 62A.7-308 |
| 22.04.350 | 62A.7-206 |
| 22.04.360 | 62A.7-210(7) |
| 22.04.370 | 62A.7-210(9) |
| 22.04.380 | 62A.7-501 |
| 22.04.390 | 62A.7-501 |
| 22.04.400 | 62A.7-501 |
| 22.04.410 | 62A.7-501 |
| 22.04.420 | 62A.7-502 |
|  | 62A.7-503 |
|  | 62A.7-504 |
| 22.04.430 | 62A.7-504 |
| 22.04.440 | 62A.7-506 |
| 22.04.450 | 62A.7-507 |
| 22.04.460 | 62A.7-505 |
| 22.04.470 | 62A.7-508 |
| 22.04.480 | 62A.7-501 |
| 22.04.490 | 62A.7-502 |
| 22.04.500 | 62A.2-705 |
|  | 62A.7-502 |
| 22.04.510 | , |
| 22.04.520 | - |
| 22.04.530 | - |
| 22.04.540 | - |
| 22.04.550 | - |
| 22.04.560 |  |
| 22.04.570 | 62A.1-103. |
| 22.04.580 | 62A.1-102(1) |
| 22.04.585 | 62A.1-201(1) |
|  | 62A.1-201(14) |
|  | 62A.1-201(17) |
|  | 62A.1-201(19) |
|  | 62A.1-201(20) |
|  | 62A.1-201(28) |
|  | 62A.1-201(30) |
|  | 62A.1-201(32) |
|  | 62A.1-201(33) |
|  | 62A.1-201(44) |
|  | 62A.7-102 |
| 22.04.590 | 62A.7-104 |
| 22.04.600 |  |
| 22.04.610 |  |

## GRAIN AND TERMINAL WAREHOUSES——COMMODITY INSPECTION

22.08.010 Definitions. [1955 c 300 § 1; 1937 c 90 § 1 ; RRS § 6978. Prior: 1919 c 189 § 1; 1911 c 91 § 1.] Repealed by 1963 c $124 \S$ 62. Later enactment, see RCW 22.09.010.
22.08.020 Powers and duties of director of agriculture-- 1919 act. [1919 c 189 § 2; RRS § 6979. Prior: 1911 c 91 § 2; 1909 c 137 § 1. FORMER PARTS OF SECTION: 1921 c 137 § 1 recodified as RCW 22.08.021 and 1921 c 145 § 8 footnoted following chapter digest.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.020.
22.08.021 Powers and duties of the director of agriculture-- 1921 act. [1921 c 137 § 1 ; RRS § 7014. Formerly RCW 22.08.020, part.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.020.
22.08.025 Employees. [1919 c 189 § 9; RRS § 6986. Prior: 1911 c 91 § 9.] Repealed by 1963 c 124 § 62.
22.08.030 Inspection points. [1921 c 145 § 2; 1919 c 189 § 8; RRS § 6985. Prior: 1911 c 91 § 8; 1909 c 137 § 7; 1895 c 109 § 2.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.380.
22.08.040 Warehouse charges to be just and reasonable. [1919 c 189 § 10; RRS § 6987. Prior: 1911 c 91 § 10; 1909 c 137 § 9. FORMER PART OF SECTION: 1919 c 189 § 11 , recodified as RCW 22.08.041.] Repealed by 1963 c 124 § 62.
22.08.041 Procedure for fixing rates——Review——Enforcement. [1919 c 189 § 11; RRS § 6988. Prior: 1911 c 91 § 11; 1909 c 137 § 10. Formerly RCW 22.08.040, part.] Repealed by 1963 c 124 § 62.
22.08.050 Standard grades to be fixed--Procedure, rules, changes, discounts, premiums on sales, etc. [1923 c 48 § 1; 1921 c 144 § 1 ; 1919 c 189 § 12; RRS § 6989. Prior: 1911 c 91 § 12; 1909 c 137 $\S \S 11,12,13,14$. Formerly RCW 22.08.050, 22.08.060, 22.08.070 and 22.08.080.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.390.
22.08.060 Grades, establishment or change of - Rules and regulations. [1923 c 48 § 1 , part; RRS § 6989, part.] Recodified in RCW 22.08.050 and subsequently repealed by 1963 c 124 § 62.
22.08.070 Copies of grades. [1923 c 48 § 1, part; RRS § 6989, part.] Recodified in RCW 22.08 .050 and subsequently repealed by 1963 c 124 § 62.
22.08.080 Discounts, premiums on grain sales. [1923 c 48 § 1, part; RRS § 6989, part.] Recodified in RCW 22.08 .050 and subsequently repealed by 1963 c 124 § 62.
22.08.090 Fees and charges--Grain and hay inspection fund created. [1951 c 171 § $1 ; 1935$ c 157 § $1 ; 1933$ ex.s. c 25 § $1 ; 1931$ c 46 § 2; 1921 c 74 § 1 ; 1919 c 189 § 13; RRS § 6991. Prior: 1911 c 91 § 13 ; 1909 c 137 § 13; 1895 c 109 § 30.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22.09.460, 22.09.500.
22.08.100 Inspectors' certificates--Appeal, director's decision final——Records. [1919 c 189 § 14; RRS § 6992. Prior: 1911 c 91 § 14; 1909 c 137 § 14.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.420.
22.08.110 Interest in commodities prohibited. [1919 c 189 § 6; RRS §6983. Prior: 1911 c 91 § 6; 1909 c 137 § 5; 1895 c 109 § 5.] Repealed by 1963 c 124 § 62.
22.08.120 Penalty for neglect of duty, etc., by inspector. [1919 c 189 § 7; RRS § 6984. Prior: 1911 c 91 § 7; 1909 c 137 § 6; 1895 c 109 § 9.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.440.
22.08.130 Misconduct of inspectors. [1919 c 189 § 15 ; RRS § 6993. Prior: 1911 c 91 § 15.] Repealed by 1963 c 124 § 62.
22.08.140 Appeal from inspector's grading. [1921 c 145 § 3; 1919 c 189 § 16; RRS § 6994. Prior: 1911 c 91 § 16; 1909 c 137 § 16; 1895 c 109 § 10.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.450.
22.08.150 Inspection and grading for export. [1955 c 315 § 1; 1919 c 189 § 17; RRS § 6995. Prior: 1911 c 91 § 17.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.210.
22.08.160 Warehouseman's license. [1955 c 388 § 2. Prior: 1933 c 186 § 1, part; 1931 c 46 § 3, part; 1923 c 123 § 8, part; 1919 c 189 § 18, part; 1911 c 91 § 18, part; RRS § 6996, part.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22.09.030 through 22.09.070, and 22.09.540.
22.08.170 Surety bonds. [1955 c 388 § 3. Prior: 1933 c 186 § 1 , part; 1931 c 46 § 3, part; 1923 c 123 § 8, part; 1919 c 189 § 18, part; 1911 c 91 § 18, part; RRS § 6996, part.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22.09.090, 22.09.100.
22.08.180 Right of action on bond--Liability of surety limited. [1937 c 90 § 2; RRS § 6996-1.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22.09.090, 22.09.100, and 22.09.370.
22.08.190 Change of capacity to be reported. [1937 c 90 § 8; RRS § 6996-2.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.090.
22.08.200 Insurance policy on grain required-Cancellation. [1953 c 149 § 1; 1947 c 103 § 1; Rem. Supp. 1947 § 11569-15.] Recodified as RCW 22.14.010 and subsequently repealed by 1963 c 124 § 62.
22.08.210 Recourse of receipt holder against insurance on building. [1947 c 103 § 2; Rem. Supp. 1947 § 11569-16.] Recodified as RCW 22.14 .020 and subsequently repealed by 1963 c 124 § 62.
22.08.220 Effect of fraud--Limitation of insurance recovery. [1947 c 103 § 3, part; Rem. Supp. 1947 § 11569-17, part.] Recodified in RCW 22.14.030 and subsequently repealed by 1963 c 124 § 62.
22.08.230 Liability of warehouseman for loss by fire and casualty. [1947 c 103 § 3, part; Rem. Supp. 1947 § 11569-17, part.] Recodified in RCW 22.14.030 and subsequently repealed by 1963 c 124 § 62.
22.08.240 Storage rates to be posted. [1919 c 189 § 19; RRS § 6997. Prior: 1911 c 91 § 19.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.240.
22.08.250 Examination of warehouses. [1919 c 189 § 20; RRS § 6998. Prior: 1911 c 91 § 20.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.340.
22.08.260 Rate discrimination, unreasonable preferences prohibited. [1919 c 189 § 21; RRS § 6999. Prior: 1911 c 91 § 21; 1909 c 137 § 20.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.190.
22.08.270 Duty of warehouseman to serve. [1937 c 90 § 3; RRS § 7000. Prior: 1931 c 46 § 4; 1921 c 154 § 4; 1919 c 189 § 22; 1911 c 91 § 22; 1909 c 137 § 21.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.130.
22.08.280 Delivery of commodities--Trust receipts. [1923 c 146 § 1 ; 1919 c 189 § 23; RRS § 7001. Prior: 1911 c 91 § 23; 1909 c 137 § 22.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22.09.150, 22.09.250.
22.08.290 Warehouse receipts. [1937 c 90 § 4; RRS § 7000-1. Prior: 1931 c 46 § 5; 1923 c 146 § 1.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.290.
22.08.300 Dealing in unauthorized receipts prohibited--Penalty. [1937 c 90 § 5; RRS § 7000-2.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.310.
22.08.310 Deposits as bailments. [1937 c 90 § 6; RRS § 7000-3.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.520.
22.08.320 Action in event of shortage. [1937 c 90 § 7; RRS § 7000-4.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.350.
22.08.330 Reports of warehouseman-—Penalty. [1937 c 90 § 9; RRS § 7000-5.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.200.
22.08.340 Loading facilities--Hay inspection. [1921 c 145 § 6; 1919 c 189 § 25; RRS § 7003. Prior: 1911 c 91 § 25; 1909 c 137 § 24.] Repealed by 1963 c 124 § 62.
22.08.350 Inspection at noninspection points--Charges. [1919 c 189 § 26; RRS § 7004. Prior: 1911 c 91 § 26.] Repealed by 1963 c 124 § 62.
22.08.360 Disposition of samples. [1919 c 189 § 27; RRS § 7005. Prior: 1911 c 91 § 27.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.410.
22.08.370 Car examinations——Penalty. [1919 c 189 § 28; RRS § 7006. Prior: 1911 c 91 § 28; 1909 c 137 § 29.] Repealed by 1963 c 124 § 62.
22.08.380 Side tracks, loading facilities, track scales, inspection of scales-Penalty. [1921 c 145 § 7; 1919 c 189 § 29; RRS § 7007. Prior: 1911 c 91 § 29. Formerly RCW 22.08.380, 22.08.390, 22.08.400.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22 .09.280, 22.09.470.
22.08.390 Track scales for weighing. [1921 c 145 § 7, part; 1919 c 189 § 29, part; RRS § 7007, part.] Recodified in RCW 22.08.380 and subsequently repealed by 1963 c 124 § 62.
22.08.400 Inspection of scales. [1921 c 145 § 7, part; 1919 c 189 § 29, part; RRS § 7007, part.] Recodified in RCW 22.08.380 and subsequently repealed by 1963 c 124 § 62.
22.08.410 Police protection. [1919 c 189 § 30; RRS § 7008. Prior: 1911 c 91 § 30; 1909 c 137 § 30.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.270.
22.08.420 Shipper's weight and grade, where conclusive. [1919 c 189 § 31; RRS § 7010. Prior: 1911 c 91 § 31.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.490.
22.08.430 Penalties. [1919 c 189 § 32; RRS § 7011. Prior: 1909 c 137 § 31; 1895 c 109 § 40.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.560.
22.08.900 Actions and proceedings under law prior to 1919 continued. [1919 c 189 § 35; RRS § 7013.] Repealed by 1963 c 124 § 62.
22.08.910 Severability-—1919 act. [1919 c 189 § 33; RRS § 7012.] Repealed by 1963 c 124 § 62.
22.08.920 Severability--1921 act. [1921 c 144 § 2; RRS § 6990.] Repealed by 1963 c 124 § 62.
22.08.930 Invalidity, effect, construction of 1937 act. [1937 c 90 § 12; RRS § 7000-7.] Repealed by 1963 c 124 § 62.

## Chapter 22.12

## 1915 TERMINAL WAREHOUSE ACT

22.12.010 Definitions. [1915 c 170 § 1; RRS § 11549. Cf. 1911 c 91 § 1.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.010.
22.12.020 License required-_Fee--Bond-_Revocation. [1915 c 170 § 2; RRS § 11550 . Cf. 1911 c 91 § 18. Formerly RCW 22.12.020, 22.12.030.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.030 through 22.09.060, 22.09.080, and 22.09.090.
22.12.030 Revocation of license. [1915 c 170 § 2, part; RRS § 11550, part.] Recodified in RCW 22.12.010 and subsequently repealed by 1963 c 124 § 62.
22.12.040 Unlawful to operate without license. [1915 c 170 § 3; RRS § 11551.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.030.
22.12.050 Grain must be inspected and weighed. [1915 c 170 § 4; RRS § 11552.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.210.
22.12.060 Registrar of warehouse receipts. [1915 c 170 §5; RRS § 11553.] Repealed by 1963 c 124 § 62.
22.12.070 Class A warehouse receipts. [1915 c 170 § 6; RRS § 11554.] Repealed by 1963 c 124 § 62.
22.12.080 Cancellation of receipts. [1915 c 170 § 7; RRS § 11555.] Repealed by 1963 c 124 § 62.
22.12.090 Delivery of grain--New receipt for undelivered grain. [1915 c 170 § 8; RRS § 11556.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.250.
22.12.100 Division or consolidation of receipts. [1915 c 170 § 9 ; RRS § 11557.] Repealed by 1963 c 124 § 62.
22.12.110 Information to be furnished registrar. [1915 c 170 § 10 ; RRS § 11558 .] Repealed by 1963 c 124 § 62.
22.12.120 Class B warehouse receipts. [1915 c 170 § 11 ; RRS § 11559.] Repealed by 1963 c 124 § 62.
22.12.130 Weighing and inspection fees. [1915 c 170 § 12 ; RRS § 11560.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.460.
22.12.140 Duplicate receipt in case of loss. [1915 c 170 § 13; RRS § 11561.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.320.
22.12.150 Penalty for unlawful issue of receipts or delivery of grain. [1915 c 170 § 14; RRS § 11562.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.250.
22.12.160 General penalty provision. [1915 c 170 § 15 ; RRS § 11563.] Repealed by 1963 c 124 § 62. Later enactment, see RCW 22.09.560.
22.12.170 Chapter cumulative of other laws. [1915 c 170 § 16; RRS § 11564 .] Repealed by 1963 c 124 § 62.

Chapter 22.14
GRAIN WAREHOUSE INSURANCE
22.14.010 Insurance policy on grain required-Cancellation. [1953 c 149 § 1 ; 1947 c 103 § 1 ; Rem. Supp. 1947 § $11569-15$. Formerly RCW 22.08.200.] Repealed by 1963 c 124 § 62. Later enactments, see RCW 22.09.060, 22.09.090, 22.09.110, 22.09.120.
22.14.020 Recourse of receipt holder against insurance on building. [1947 c 103 § 2; Rem. Supp. 1947 § 11569-16. Formerly RCW 22.08.210.] Repealed by 1963 c 124 § 62.
22.14.030 Effect of fraud on insurance recovery, limitationWarehouseman's liability for loss. [1947 c 103 § 3; Rem. Supp. 1947 § 11569-17. Formerly RCW 22.08.220 and 22.08.230.] Repealed by 1963 c 124 § 62.

## Chapter 22.20 <br> STORAGE WAREHOUSEMEN

Chapter 22.20 RCW was reenacted in 1961 and is now codified as follows:

| Formerly | Herein |
| :--- | :--- |
|  |  |
| 22.20 .010 | 81.92 .010 |
| 22.20 .012 | 81.92 .020 |
| 22.20 .020 | 81.92 .030 |
| 22.20 .030 | 81.92 .040 |
| 22.20 .040 | 81.92 .050 |
| 22.20 .050 | 81.92 .060 |
| 22.20 .060 | 81.92 .070 |
| 22.20 .070 | 81.92 .080 |
| 22.20 .080 | 81.92 .090 |
| 22.20 .090 | 81.92 .100 |
| 22.20 .100 | 81.92 .110 |
| 22.20 .110 | 81.92 .120 |
| 22.20 .120 | 81.92 .130 |
| 22.20 .130 | 81.92 .140 |
| 22.20 .135 | 81.92 .150 |
| 22.20 .140 | 81.92 .170 |
| 22.20 .900 | Superseded by |
|  | 81.98 .030 |

Chapter 22.24
WHARFINGERS AND WAREHOUSEMEN
Chapter 22.24 RCW was reenacted in 1961 and is now codified as follows:

| Formerly | Herein |
| :--- | :--- |
|  |  |
| 22.24 .010 | 81.94 .010 |
| 22.24 .012 | 81.94 .020 |
| 22.24 .020 | 81.94 .030 |
| 22.24 .030 | 81.94 .040 |
| 22.24 .040 | 81.94 .050 |
| 22.24 .050 | 81.94 .060 |
| 22.24 .060 | 81.94 .070 |


| Formerly | Herein |
| :--- | :--- |
| 22.24 .070 | 81.94 .080 |
| 22.24 .080 | 81.94 .090 |
| 22.24 .090 | 81.94 .100 |
| 22.24 .100 | 81.94 .110 |
| 22.24 .110 | 81.94 .120 |

Chapter 22.28
SAFE DEPOSIT COMPANIES
22.28.050 Sale of contents to satisfy delinquent rent. [1923 c 186 § 4, part; RRS § 3385, part.] Now codified in RCW 22.28.040.
22.28.070 Remedy not exclusive. [1923 c 186 § 5, part; RRS § 3386, part.] Now codified in RCW 22.28.060.

## ACCESS TO CONTENTS AFTER DEATH

22.28.100 through 22.28 .150 [1957 c 274 §§ 1 through 6.] Repealed by 1965 c 79 § 1 .

## Title 23

CORPORATIONS AND ASSOCIATIONS (PROFIT)

## Chapter 23.01

PRIVATE BUSINESS CORPORATIONS ACT
23.01.010 through 23.01 .220 [1933 c 185 §§ $1-20 ; 1939$ c 143 §§ 1, 2; 1947 c 195 § 1; 1949 c 172 § 1.] Repealed effective July 1,1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.

Repealer-—Effective date——Construction-—1965 c 53: Chapter 23A. 98 RCW.
23.01.225 Shares issued or transferred in joint tenancy form-Presumption--Transfers pursuant to direction of survivor. [1963 c 132 § 1.] Repealed effective July 1,1967 by 1965 c 53 § 166 [RCW 23A.98.040] and reenacted by 1965 c $53 \S 35$, see RCW 23A.08.320.
23.01.226 Recodified as RCW 23A.08.325. See Supplementary Table of Disposition of Former RCW Sections, this volume.
23.01.230 through 23.01.310 [1933 c 185 §§ 21-30; 1939 c 143 §§ 4, 11.] Repealed effective July 1, 1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table below.
Repealer-—Effective date——Construction——1965 c 53: Chapter 23A. 98 RCW.
23.01.315 Shareholders' action without meeting - Procedure - Effect. [1961 c 160 § 1.] Repealed effective July 1, 1967 by 1965 c 53 § 166 [RCW 23A.98.040] and substantially reenacted by 1965 c 53 § 156, see RCW 23A.44.090.
23.01.320 through 23.01.410 [1933 c 185 §§ 31-38; 1939 c 143 §§ $5,6,13 ; 1943$ c 32 § $1 ; 1949$ c 170 §§ 1,$2 ; 1959$ c 12 § 1.] Repealed effective July 1, 1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.

Repealer-—Effective date——Construction-—1965 c 53: Chapter 23A. 98 RCW.
23.01.415 Restated articles. [1961 c 208 § 1.] Repealed effective July 1, 1967 by 1965 c 53 § 166 [RCW 23A.98.040] and reenacted by 1965 c 53 § 35, see RCW 23A.16.070.
23.01.420 through 23.01.970 [1933 c 185 §§ 39-68; 1939 c 143 §§ $7-10,15,17$; 1941 c 103 § 7; 1949 c 188 § $1 ; 1955$ c 92 § 1.] Repealed effective July 1, 1967, by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.

## COMPARATIVE TABLE

Chapter 23.01 RCW (Private Business Corporations Act) to Title 23A RCW (Washington Business Corporation Act)
Chapter 23.01
Title 23A

| 23.01 .010 | 23 A .04 .010 |
| :--- | :--- |
| 23.01 .020 | 23 A .08 .010 |
|  | 23 A .12 .010 |
| 23.01 .030 | 23 A .12 .020 |

Table of Disposition of Former RCW Sections

| Chapter 23.01 | Title 23A |
| :---: | :---: |
| 23.01 .040 | 23A.08.050 |
|  | 23A. 32.030 |
|  | 23A. 32.040 |
| 23.01 .050 | 23A.12.030 |
| 23.01 .060 | 23A. 08.140 |
| 23.01 .070 | 23A.12.050 |
| 23.01 .080 | 23A.08.450(5) |
|  | 23A.12.050 |
|  | 23A.44.100 |
| 23.01 .090 | 23A. 12.040 |
|  | 23A.44.080 |
| 23.01 .100 |  |
| 23.01 .110 | 23A.08.020 |
| 23.01.120 | 23A.08.020 |
|  | 23A.08.030 |
| 23.01.130 | 23A.08.120 |
|  | 23A.08.130 |
| 23.01 .140 | 23A.08.190 |
| 23.01.150 | 23A.08.150 |
|  | 23A.08.160 |
| 23.01 .160 | 23A.08.160 |
| 23.01 .170 | 23A.08.170 |
| 23.01.180 |  |
| 23.01 .190 |  |
| 23.01.200 | 23A.08.210 |
| 23.01.210 |  |
| 23.01.220 | 23A.08.310 |
| 23.01.225 | 23A.08.320 |
| 23.01 .230 | 23A.08.140 |
| 23.01 .240 | 23A. 08.170 |
| 23.01 .250 | 23A.08.420 |
|  | 23A.08.430 |
| 23.01.260 | 23A.08.450 |
| 23.01.270 (1), (2) | 23A.08.230 |
| 23.01.280 | 23A.08.250 |
|  | 23A.08.260 |
|  | 23A.08.270 |
|  | 23A.44.080 |
| 23.01 .290 | 23A.08.270 |
|  | 23A.08.280 |
|  | 23A.08.300 |
| 23.01.300 | 23A.08.330 |
| 23.01.310 | 23A.08.290 |
| 23.01.315 | 23A.44.090 |
| 23.01.320 | $\text { 23A. } 08.340$ |
|  | 23A.08.500 |
| 23.01.330 | 23A.08.470 |
|  | 23A.08.490 |
| 23.01.340 | 23A.08.480 |
| 23.01.350 | 23A.08.480 |
| 23.01.360 |  |
| 23.01 .370 | 23A.08.090 |
|  | 23A.08.100 |
|  | 23A. 32.080 |
| 23.01 .380 | 23A. 08.500 |
| 23.01.390 | 23A. 24.010 |
|  | 23A. 24.020 |
| 23.01 .400 | 23A.16.010 |
|  | 23A. 16.020 |
|  | 23A. 16.030 |
| 23.01.410 | 23A. 16.040 |
|  | 23A. 16.050 |
|  | 23A. 16.060 |
| 23.01 .415 | 23A. 16.070 |
| 23.01.420 | 23A. 16.010 |
|  | 23A. 16.020 |
|  | 23A.16.030 |
| 23.01.430 | 23A. 16.120 |
| 23.01.440 | 23A. 16.090 |
|  | 23A. 16.100 |
| 23.01.450 | 23A. 24.030 |
|  | 23A.24.040 |
| 23.01 .460 | 23A. 20.010 |
|  | 23A.20.020 |


| Chapter 23.01 | Title 23A |
| :---: | :---: |
|  | 23A. 20.070 |
| 23.01.470 | 23A. 20.030 |
|  | 23A. 20.040 |
| 23.01 .480 | 23A. 20.040 |
| 23.01.490 | 23A. 20.060 |
|  | 23A.32.120 |
| 23.01.500 | 23A. 20.060 |
| 23.01.510 | 23A. 20.060 |
|  | 23A. 20.070 |
|  | 23A. 24.030 |
|  | 23A. 24.040 |
| 23.01.520 | 23A. 28.010 |
|  | 23A. 28.020 |
|  | 23A. 28.030 |
|  | 23A. 28.130 |
| 23.01.530 | 23A.28.010 |
|  | through |
|  | 23A. 28.120 |
| 23.01.540 | 23A. 28.130 |
|  | through |
|  | 23A.28.250 |
| 23.01.550 | 23A.28.130 |
|  | through |
|  | 23A.28.250 |
| 23.01.560 | 23A. 28.180 |
| 23.01.570 | 23A. 28.190 |
| 23.01.580 | 23A.28.180 |
| 23.01.590 |  |
| 23.01.600 | 23A.28.050 |
|  | 23A. 28.150 |
| 23.01.610 | 23A.28.160 |
| 23.01 .620 |  |
| 23.01.630 | 23A. 28.110 |
|  | 23A. 28.220 |
|  | 23A. 28.230 |
| 23.01 .640 | 23A. 28.180 |
| 23.01.650 | 23A. 28.130 |
|  | 23A. 28.140 |
|  | 23A. 28.150 |
|  | 23A. 32.160 |
|  | 23A. 32.170 |
| 23.01 .900 | 23A.44.140 |
| 23.01 .910 | 23A. 98.040 |
| 23.01.920 | 23A.44.140 |
|  | 23A.98.030 |
| 23.01 .930 | 23A.98.020 |
| 23.01 .940 | 23A.08.010 |
| 23.01 .950 |  |
| 23.01 .960 | 23A.98.050 |
| 23.01 .970 | 23A.98.010 |
|  |  |

23.04.010 Scope of definitions. This section was created by the 1941 Code Committee but has no session law background and is accordingly decodified.
23.04.020 "Domestic corporation." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(2).
23.04.030 "Articles of incorporation." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(3).
23.04.040 "Incorporator." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(4).
23.04.050 "Subscriber." [1933 c 185 § 1, part; RRS § 3803-1, part.) Now codified as RCW 23.01.010(5).
23.04.060 "Shares." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(6)
23.04.070 "Shareholder." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(7).
23.04.080 "Certificate of stock." [1933 c 185 § 1 , part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(8).
23.04.090 "Allotment." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(9).
23.04.100 "Capital stock." [1933 c 185 § l, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(10).
23.04.110 "Assets." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(11).
23.04.120 "Capital." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(12).
23.04.130 "Registered office." [1933 c 185 § 1 , part; RRS § 3803-1, part.] Now ćodified as RCW 23.01.010(13).
23.04.140 "Unincorporated association." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(14).
23.04.150 "Court." [1933 c 185 § 1, part; RRS § 3803-1, part.] Now codified as RCW 23.01.010(15).
23.04.160 "Charter." This section was created by the 1941 Code Committee but has no session law background and is accordingly decodified.

## Chapter 23.08 <br> GENERAL PROVISIONS

23.08.010 Application of title. [1933 c 185 § 61; part; RRS § 3803-61, part.] Now codified as RCW 23.01.900.
23.08.020 Subscriptions for shares before incorporation. [1933 c 185 § 6; RRS § 3803-6.] Now codified as RCW 23.01.060.
23.08.030 Paid-in capital-Minimum. [1933 c 185 § 7; RRS § 3803-7.] Now codified as RCW 23.01.070.
23.08.040 Commencement of business--Prerequisites. [1939 c 143 § 2; 1933 c 185 § 8; RRS § 3803-8.] Now codified as RCW 23.01.080.
23.08.050 Certificate evidence of incorporation. [1933 c 185 § 9; RRS § 3803-9.] Now codified as RCW 23.01.090.
23.08.060 Filing or recording——Effect. [1933 c 185 § 10; RRS § 3803-10.] Now codified as RCW 23.01.100.
23.08.070 Powers of corporation. [1933 c 185 § 11 ; RRS § 3803-11.] Now codified as RCW 23.01.110.
23.08.080 Stock in other corporations--Purchase of own shares. [1947 c 195 § 1; 1933 c 185 § 12; Rem. Supp. 1947 § 3803-12.] Now codified as RCW 23.01.120.
23.08.090 Bylaws——Authority to make. [1933 c 185 § 26; RRS § 3803-26.] Now codified as RCW 23.01.270.
23.08.100 Monopolies. [1933 c 185 § 65; RRS § 3803-65.] Now codified as RCW 23.01.940.
23.08.110 Alien ownership of stock. [1937 c 70 § 16, part; RRS § 3836-16, part.] Repealed by 1953 c 10 § 3.

## Chapter 23.12 <br> CREATION OF BUSINESS CORPORATIONS AND AMENDMENT OF CHARTERS

23.12.010 Who may incorporate hereunder. [1933 c 185 § 2; RRS § 3803-2.] Now codified as RCW 23.01.020.
23.12.020 Articles-Contents. [1933 c 185 § 3; RRS § 3803-3.] Now codified as RCW 23.01.030.
23.12.030 Corporate name. [1933 c 185 § 4; RRS § 3803-4.] Now codified as RCW 23.01.040.
23.12.040 Filing articles-Certificate of incorporation--Issuance. [1939 c 143 § 1 ; 1933 c 185 § 5; RRS § 3803-5.] Now codified as RCW 23.01.050.
23.12.050 Statement of value of nonpar stock--Revaluation- Appeal. [1937 c $70 \S 7$; RRS § 3836-7.] Now codified as RCW 23.60.020.
23.12.060 Amendment of articles. [1933 c 185 § 37; RRS § 3803-37.] Now codified as RCW 23.01.400.
23.12.070 Amendatory articles--Certificate. [1939 c 143 § 6; 1933 c 185 § 38 ; RRS § 3803-38.] Now codified as RCW 23.01.410.
23.12.080 Increase or decrease of shares. [1933 c 185 § 39; RRS § 3803-39.] Now codified as RCW 23.01.420.

## Chapter 23.16

SHARES OF STOCK
23.16.010 Classes of shares. [1933 c 185 § 13; RRS § 3803-13.] Now codified as RCW 23.01.130.
23.16.020 Stock certificates--Issuance——Transfer-—Contents. [1933 c 185 § 14; RRS § 3803-14.] Now codified as RCW 23.01.140.
23.16.030 Allotment to corporation-—Shares bow payable. [1933 c 185 § 15 ; RRS § 3803-15.] Now codified as RCW 23.01.150.
23.16.040 Full payment required. [1933 c 185 § 16; RRS § 3803-16.] Now codified as RCW 23.01.160.
23.16.050 Payment, bow determined--Valuation. [1933 c 185 § 17; RRS § 3803-17.] Now codified as RCW 23.01.170.
23.16.060 First report and statement as to shares. [1949 c 172 § 1 , last am'ds 1933 c 185 § 18 ; Rem. Supp. 1949 § 3803-18.] Now codified as RCW 23.01.180.
23.16.070 Violations-_Effect. [1933 c 185 § 19; RRS § 3803-19.] Now codified as RCW 23.01.190.
23.16.080 Liability of shareholders. [1933 c 185 § 20; RRS § 3803-20.] Now codified as RCW 23.01.200.
23.16.090 Bylaws——Transfers. [1939 c 143 § 4; 1933 c 185 § 21; RRS § 3803-21.] Now codified as RCW 23.01.210.
23.16.100 Married women's shares--Transfers——Divi-dends--Proxies. [1939 c 143 § 11 ; RRS § 3803-21 1/2.] Now codified as RCW 23.01.220.
23.16.110 Unpaid subscriptions——Lien. [1933 c 185 § 22; RRS § 3803-22.] Now codified as RCW 23.01.230.
23.16.120 Reduction of capital stock-—Resolution--Articles. [1933 c 185 § 40; RRS § 3803-40.] Now codified as RCW 23.01.430.
23.16.130 Call, redemption, and retirement of preferred shares. [1939 c 143 § 15 ; RRS § 3803-40 1/2.] Now codified as RCW 23.01.440.
23.16.140 Sale of assets or changes in corporate structure——Notice of meeting to vote on. [1949 c 188§1, part, last am'ds 1933 c 185 § 41, part; Rem. Supp. 1949 § 3803-41, part.] Now codified in RCW 23.01.450.
23.16.150 Estoppel of nonvoting sharebolder. [1949 c 188 § 1, part, last am'ds 1933 c 185 § 41, part; Rem. Supp. 1949 § 3803-41, part.] Now codified in RCW 23.01.450.
23.16.160 Rights of dissenting shareholder--Petition for valua-tion--Appraisal. [1949 c 188 §1, part, last am'ds 1933 c 185 § 41, part; Rem. Supp. 1949 § 3803-41, part.] Now codified in RCW 23.01.450.
23.16.170 Limitation upon recovery. [1949 c 188 § 1 , part, last am'ds 1933 c 185 § 41, part; Rem. Supp. 1949 § 3803-41, part.] Now codified in RCW 23.01.450.

## Chapter 23.20 STOCK TRANSFER

23.20.010 Definitions. [(i) 1939 c 100 § 22; RRS § 3803-122. (ii) 1939 c 100 § 21 ; RRS § 3803-121.] Now codified as RCW 23.80.210 and 23.80.220.
23.20.020 How title to certificates and shares may be transferred. [1939 c 100 § 1 ; RRS § 3803-101.] Now codified as RCW 23.80.010.
23.20.030 Powers of those lacking full legal capacity and of fiduciaries not enlarged. [1939 c 100 § 2; RRS § 3803-102.] Now codified as RCW 23.80.020.
23.20.040 Corporation not forbidden to treat registered bolder as owner. [1939 c 100 § 3; RRS § 3803-103.] Now codified as RCW 23.80.030.
23.20.050 Title derived from indorsed certificate extinguishes title derived from a separate document. [1939 c 100 § 4; RRS § 3803-104.] Now codified as RCW 23.80.040.
23.20.060 Who may deliver a certificate. [1939 c 100 § 5; RRS § 3803-105.] Now codified as RCW 23.80.050.
23.20.070 Indorsement effectual in spite of fraud, duress, mistakes, revocation, death, incapacity or lack of consideration or authority. [1939 c 100 § 6; RRS § 3803-106.] Now codified as RCW 23.80.060.
23.20.080 Rescission of transfer. [1939 c 100 § 7; RRS § 3803-107.] Now codified as RCW 23.80.070.
23.20.090 Rescission of transfer of certificate does not invalidate subsequent transfer by transferee in possession. [1939 c 100 § 8; RRS § 3803-108.] Now codified as RCW 23.80.080.
23.20.100 Delivery of unindorsed certificate imposes obligation to indorse. [1939 c 100 § 9; RRS § 3803-109.] Now codified as RCW 23.80.090.
23.20.110 Ineffectual attempt to transfer amounts to a promise to transfer. [1939 c 100 § 10 ; RRS § 3803-110.] Now codified as RCW 23.80.100.
23.20.120 Warranties on sale of certificate. [1939 c 100 § 11 ; RRS § 3803-111.] Now codified as RCW 23.80.110.
23.20.130 No warranty implied from accepting payment of a debt. [1939 c 100 § 12; RRS § 3803-112.] Now codified as RCW 23.80.120.
23.20.140 No attachment or levy upon shares unless certificate surrendered or transfer enjoined. [1939 c 100 § 13; RRS § 3803-113.] Now codified as RCW 23.80.130.
23.20.150 Creditor's remedies to reach certificate. [1939 c 100 § 14; RRS § 3803-114.] Now codified as RCW 23.80.140.
23.20.160 No lien or restriction unless indicated on certificate. [1939 c $100 \S 15$; RRS § 3803-115.] Now codified as RCW 23.80.150
23.20.170 Alteration of certificate does not divest title to shares. [1939 c 100 § 16; RRS § 3803-116.] Now codified as RCW 23.80.160.
23.20.180 Lost or destroyed certificate. [1939 c 100 § 17; RRS § 3803-117.] Now codified as RCW 23.80.170.
23.20.190 Rule for cases not otherwise provided for. [1939 c 100 § 18; RRS § 3803-118.] Now codified as RCW 23.80.180.
23.20.200 Method of indorsement. [1939 c 100 § 20; RRS § 3803-120.] Now codified as RCW 23.80.200.

## Chapter 23.24

## EARNINGS, DIVIDENDS AND SURPLUS

23.24.010 Payments or surplus-—Determination. [1933 c 185 § 23; RRS § 3803-23.] Now codified as RCW 23.01.240.
23.24.020 What are assets and liabilities. [1933 c 185 § 24, part; RRS § 3803-24, part.] Now codified in RCW 23.01.250.
23.24.030 Declaration of dividends. [1933 c 185 § 24, part; RRS § 3803-24, part.] Now codified in RCW 23.01.250.
23.24.040 Payment of cash dividends. [1933 c 185 § 24, part; RRS § 3803-24, part.] Now codified in RCW 23.01.250.
23.24.050 Distribution of stock dividends. [1933 c 185 § 24, part; RRS § 3803-24, part.] Now codified in RCW 23.01.250.
23.24.060 Dividends paid in spite of depletion. [1933 c 185 § 24, part; RRS § 3803-24, part.] Now codified in RCW 23.01.250.
23.24.070 Liability of directors for unlawful dividends. [1933 c 185 § 25, part; RRS § 3803-25, part.] Now codified in RCW 23.01.260.
23.24.080 Liability of shareholders. [1933 c 185 § 25, part; RRS § 3803-25, part.] Now codified in RCW 23.01.260.
23.24.090 Limitation of actions on director and shareholder liability. [1933 c 185 § 25 , part; RRS § 3803-25, part.] Now codified in RCW 23.01.260.
23.24.100 Ascertainment of income and principal with respect to corporate dividends. [1947 c 160 § 1; Rem. Supp. 1947 § 3923-50.] Now codified as RCW 23.74.010.
23.24.110 Rules for such ascertainment. [1947 c 160 § 2; Rem. Supp. 1947 § 3923-51.] Now codified as RCW 23.74.020. <br> \section*{Chapter 23.28 <br> \section*{Chapter 23.28 <br> ANNUAL LICENSE AND SPECIAL FEES}
23.28.010 Filing fees--Articles--Amendments-Domestic. [1937 c 70 § 1; RRS § 3836-1. Prior: 1929 c 227 § 1.] Now codified as RCW 23.60.010.
23.28.020 Annual license fee-—Domestic. [1937 c 70 § 4; RRS § 3836-4. Prior: 1929 c 227 § 4.] Now codified as RCW 23.60.030.
23.28.030 Fee of nonproducing mining corporation. [1947 c 226 § 1; Rem. Supp. 1947 § 3836-4A.] Now codified as RCW 23.60.040.
23.28.040 Exemption from domestic annual license fee. [(i) 1937 c 70 § 8; RRS 3836-8. Prior: 1929 c 227 § 8. (ii) 1937 c 70 § 30; RRS § 3836-30.] Now codified as RCW 23.60.050 and 23.60.060.
23.28.050 Public service companies entitled to deductions. [1937 c 70 § 9; RRS § 3836-9.] Now codified as RCW 23.60.070.
23.28.060 Annual license fee——Foreign. [1937 c 70 § 5; RRS § 3836-5. Prior: 1929 c 227 § 5.] Now codified as RCW 23.60.080.
23.28.070 Review of fees charged foreign corporations. [1937 c 70 § 6; RRS § 3836-6. Prior: 1929 c 227 § 6.] Now codified as RCW 23.60.090.
23.28.080 Penalty for nonpayment of annual fees. [1937 c 70 § 10 ; RRS § 3836-10. Prior: 1907 c 140 § 6.] Now codified as RCW 23.60.100.
23.28.090 Payment of fees as condition of right to commence action. [1937 c 70 § 12; RRS § 3836-12. Prior: 1907 c 140 § 7.] Now codified as RCW 23.60.110.
23.28.100 Fees a lien on assets. [1937 c 70 § 11 , part; RRS § 3836-11, part. Prior: 1907 c 140 § 7, part.] Now codified in RCW 23.60.120.
23.28.110 Fees a preferred claim in insolvency proceedings. [1937 c 70 § 11, part; RRS § 3836-11, part. Prior: 1907 c 140 § 7, part.] Now codified in RCW 23.60.120.
23.28.120 Attorney general must enforce payment of fees. [1937 c 70 § 11, part; RRS § 3836-11, part. Prior: 1907 c 140 § 7, part.] Now codified in RCW 23.60.120.
23.28.130 Nonpayment of fees grounds for receivership. [1937 c 70 § 11, part; RRS § 3836-11, part. Prior: 1907 c 140 § 7, part.] Now codified in RCW 23.60.120.
23.28.140 Attorney fees as costs in collection of fees. [1937 c 70 § 11, part; RRS § 3836-11, part. Prior: 1907 c 140 § 7, part.] Now codified in RCW 23.60.120.
23.28.150 Dissolution for nonpayment of fees-—Manner. [1947 c 226 § 2, part; 1937 c 70 § 14, part; Rem. Supp. 1947 § 3836-14, part.] Now codified in RCW 23.60.130.
23.28.160 Dissolution for nonpayment-CCorporate name. [1947 c 226 § 2, part; 1937 c 70 § 14, part; Rem. Supp. 1947 § 3836-14, part.] Now codified in RCW 23.60.130.
23.28.170 Dissolution for nonpayment--Trusteeship of assets. [1937 c 70 § 15 ; RRS § 3836-15. Prior: 1909 ex.s. c 19 § 4.] Now codified as RCW 23.60.150.
23.28.180 Reinstatement of corporations dissolved for nonpay-ment--Exception. [1947 c 226 § 2, part; 1937 c 30 § 14, part; Rem. Supp. 1947 § 3836-14, part.] Now codified in RCW 23.60.130.
23.28.190 Record of reinstatement-—Effect. [1947 c 226 § 2, part; 1937 c 70 § 14, part; Rem. Supp. 1947 § 3836-14, part.] Now codified in RCW 23.60.130.
23.28.200 Fees for certified copies of articles or statements. [1937 c 70 § 27; RRS § 3836-27. Prior: 1907 c 140 § 4.] Now codified as RCW 23.60.160.
23.28.210 Recording fees. [1937 c 70 § 28; RRS § 3836-28. Prior: 1907 c 140 § 5.] Now codified as RCW 23.60.170.
23.28.220 Fee for copy of incorporation laws. [1937 c 70 § 29; RRS § 3836-29.] Now codified as RCW 23.60.180.
23.28.230 Payment of fees in advance. [1937 c 70 § 31; RRS § 3836-31.] Now codified as RCW 23.60.190.
23.28.240 Deposit of fees in state treasury. [1937 c 70 § 32; RRS § 3836-32.] Now codified as RCW 23.60.200.

## Chapter 23.32 <br> MEETINGS--VOTING RIGHTS

23.32.010 Time and place of meeting generally. [1933 c 185 § 27, part; RRS § 3803-27, part.] Now codified in RCW 23.01.280.
23.32.020 Special meetings. [1933 c 185 § 27, part; RRS § 3803-27, part.] Now codified in RCW 23.01.280.
23.32.030 Adjourned meetings. [1933 c 185 § 27, part; RRS § 3803-27, part.] Now codified in RCW 23.01.280.
23.32.040 Manner of giving notice of meetings. [1933 c 185 § 27, part; RRS § 3803-27, part.] Now codified in RCW 23.01.280.
23.32.050 Voting rights generally. [1933 c 185 § 28, part; RRS § 3803-28, part.] Now codified in RCW 23.01.290.
23.32.060 Voting responsibility when certain classes excluded. [1933 c 185 § 28, part; RRS § 3803-28, part.] Now codified in RCW 23.01.290.
23.32.070 Proportional method of representation. [1933 c 185 § 28, part; RRS § 3803-28, part.] Now codified in RCW 23.01.290.
23.32.080 Proxies. [1933 c 185 § 28, part; RRS § 3803-28, part.] Now codified in RCW 23.01.290.
23.32.090 Pledged shares and those held by fiduciaries. [1933 c 185 § 28, part; RRS § 3803-28, part.] Now codified in RCW 23.01.290.
23.32.100 Shares in one corporation held by another. [1933 c 185 § 28, part; RRS § 3803-28, part.] Now codified in RCW 23.01.290.
23.32.110 Voting trust agreements. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.120 Agreement must be filed. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.130 Any shareholder may join. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.140 Pooled shares transferred io trustees. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.150 Voting trust certificates. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.160 Right of trustees of pool. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.170 Rules governing voting trustees. [1933 c 185 § 29, part; RRS § 3803-29, part.] Now codified in RCW 23.01.300.
23.32.180 Meetings--Quorum——Adjournment. [1933 c 185 § 30, part; RRS § 3803-30, part.] Now codified as RCW 23.01.310.

## Chapter 23.36 <br> MANAGEMENT

23.36.010 Number and term of directors. [1943 c 32 § 1, part, last am'ds 1933 c 185 § 31, part; Rem. Supp. 1943 § 3803-31, part.] Now codified in RCW 23.01.320.
23.36.020 How directors are elected. [1943 c 32 § 1, part, last am'ds 1933 c 185 § 31, part; Rem. Supp. 1943 § 3803-31, part.] Now codified in RCW 23.01.320.
23.36.030 General rules as to qualifications, powers and duties of directors. [1943 c 32 § 1, part, last am'ds 1933 c 185 § 31, part; Rem. Supp. 1943 § 3803-31, part.] Now codified in RCW 23.01.320.
23.36.040 Removal of director. [1943 c 32 § 1 , part, last am'ds 1933 c 185 § 31, part; Rem. Supp. 1943 § 3803-31, part.] Now codified in RCW 23.01.320.
23.36.050 Methods of calling directors' meetings. [1943 c 32 § 1 , part, last am'ds 1933 c 185 § 31, part; Rem. Supp. 1943 § 3803-31, part.] Now codified in RCW 23.01.320.
23.36.060 Officers and agents--Control by hoard. [1933 c 185 § 32; RRS § 3803-32.] Now codified as RCW 23.01.330.
23.36.070 Filing statement of directors and officers--Service of process on failure. [(i) 1949 c 170 § 1; 1939 c 143 § 13; Rem. Supp. 1949 § 3803-32 1/2. (ii) 1949 c 170 § 2; Rem. Supp. 1949 § 3803-32 3/4.] Now codified as RCW 23.01.340 and 23.01.350.
23.36.080 Fiduciary relations to corporation. [1933 c 185 § 33; RRS § 3803-33.] Now codified as RCW 23.01.360.
23.36.090 Registered offices--Location--Penalty. [1933 c 185 § 34; RRS § 3803-34.] Now codified as RCW 23.01.370.
23.36.100 Books to be kept at registered office. [1933 c 185 § 35, part; RRS § 3803-35, part.] Now codified in RCW 23.01.380.
23.36.110 Share registers in other states. [1933 c 185 § 35, part; RRS § 3803-35, part.] Now codified in RCW 23.01.380.
23.36.120 Shareholders' right to examine books. [1933 c 185 § 35, part; RRS § 3803-35, part.] Now codified in R CW 23.01.380.
23.36.130 Penalty for failure to keep books and records. [1933 c 185 § 35, part; RRS § 3803-35, part.] Now codified in RCW 23.01.380.
23.36.140 Sale or lease of assets--Two-thirds vote. [1933 c 185 § 36; RRS § 3803-36.] Now codified as RCW 23.01.390.

Chapter 23.40

## CONSOLIDATION AND MERGER

23.40.010 Merger or consolidation into domestic corporation. [1933 c 185 § 42, part; RRS § 3803-42, part.] Now codified in RCW 23.01.460.
23.40.020 Merger or consolidation into foreign corporation. [ 1933 c 185 § 42, part; RRS § 3803-42, part.] Now codified in RCW 23.01.460.
23.40.030 Joint agreement for merger——Requisites——Articles. [1933 c 185 § 43; RRS § 3803-43.] Now codified as RCW 23.01.470.
23.40.040 Joint agreement for consolidation--Articles. [1933 c 185 § 44; RRS § 3803-44.] Now codified as RCW 23.01.480.
23.40.050 Joint agreement, when effective. [1933 c 185 § 45; RRS § 3803-45.] Now codified as RCW 23.01.490.
23.40.060 Effect of merger or consolidation. [1933 c 185 § 46; RRS § 3803-46.] Now codified as RCW 23.01.500.
23.40.070 Nonconsenting shareholder's rights. [1939 c 143 § 8; 1933 c 185 § 47; RRS § 3803-47.] Now codified as RCW 23.01.510.

## Chapter 23.44 <br> DISSOLUTION AND WINDING UP

23.44.010 Dissolution-—Methods. [1933 c 185 § 48; RRS § 3803-48.] Now codified as RCW 23.01.520.
23.44.020 Voluntary dissolution, bow effected. [1939 c 143 § 9; 1933 c 185 § 49; RRS § 3803-49.] Now codified as RCW 23.01.530.
23.44.030 Involuntary dissolution, when authorized. [1933 c 185 § 50; RRS § 3803-50.] Now codified as RCW 23.01.540.
23.44.040 Complaint for dissolution. [1933 c 185 § 51; RRS § 3803-51.] Now codified as RCW 23.01.550.
23.44.050 Trustees--Powers and duties. [1955 c 92 § 1; 1933 c 185 § 52; RRS § 3803-52.] Now codified as RCW 23.01.560.
23.44.060 Receivers——Bonds. [1933 c 185 § 53; RRS § 3803-53.] Now codified as RCW 23.01.570.
23.44.070 Authority of receivers or trustees. [1933 c 185 § 54; RRS § 3803-54.] Now codified as RCW 23.01.580.
23.44.080 Vacancies in office of trustee. [1933 c 185 § 55; RRS § 3803-55.] Now codified as RCW 23.01.590.
23.44.090 Commencement of dissolution proceedings-—Effect. [1933 c 185 § 56; RRS § 3803-56.] Now codified as RCW 23.01.600.
23.44.100 Dissolution--Rules in proceedings under national bankruptcy act. [1941 c 103 § 7; 1933 c 185 § 57; Rem. Supp. 1941 § 3803-57.] Now codified as RCW 23.01.610.
23.44.110 Compromise with creditors--Creditors' meeting. [1933 c 185 § 58; RRS § 3803-58.] Now codified as RCW 23.01.620.
23.44.120 Judgment of dissolution--Certificate——Undiscovered assets. [1939 c 143 § 10 ; 1933 c 185 § 59; RRS § 3803-59.] Now codified as RCW 23.01.630.
23.44.130 Conveyances by winding up trustees. [1939 c 143 § 17 RRS § 3803-59 1/2.] Now codified as RCW 23.01.640.
23.44.140 Annulment action by attorney general-Grounds. [1933 c 185 § 60; RRS § 3803-60.] Now codified as RCW 23.01.650.

## Chapter 23.46

CONTRIBUTIONS FOR PUBLIC, CHARITABLE, ETC., PURPOSES
23.46.010 Certain contributions declared valid use of corporate funds. [1953 c 213 § 1.] Now codified as RCW 23.70.010.
23.46.020 Contributions from surplus or reserve funds authorized——Restrictions. [1953 c 213 § 2.] Now codified as RCW 23.70.020.

## Chapter 23.48 <br> PREFERENCES BY INSOLVENT CORPORATIONS

23.48.010 Definitions. [1941 c 103 § 1; Rem. Supp. 1941 § 5831-4.] Now codified as RCW 23.72.010.
23.48.020 Action to recover-—Limitation. [1941 c 103 § 2; Rem. Supp. 1941 § 5831-5.] Now codified as RCW 23.72.020.
23.48.030 Preference voidable when. [1941 c 103 § 3; Rem. Supp. 1941 § 5831-6.] Now codified as RCW 23.72.030.
23.48.040 Mutual debts and credits. [1941 c 103 § 4; Rem. Supp. 1941 § 5831-7.] Now codified as RCW 23.72.040.
23.48.050 Attorney's fees--Reexamination. [1941 c 103 § 5; Rem. Supp. 1941 § 5831-8.] Now codified as RCW 23.72.050.
23.48.060 Setoff and counterclaim against creditors. [1941 c 103 § 6, part; Rem. Supp. 1941 § 5831-9, part.] Now codified in RCW 23.72.060.
23.48.070 Setoff and counterclaim by debtors. [1941 c 103 § 6, part; Rem. Supp. 1941 § 5831-9, part.] Now codified in RCW 23.72.060.

## Chapter 23.52 <br> FOREIGN CORPORATIONS

23.52.010 through 23.52.030 [1937 c 70 §§ 2, 3, 16; 1957 c 198 § 4; 1959 c 12 § 2.] Repealed effective July 1,1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.
23.52.040 Filing and recording copy of foreign articles, restated, etc., foreign articles, and amendments. [1961 c 208 § 2; 1937 c 70 § 17; RRS § 3836-17. Prior: 1890 p 289 § 2; 1886 p 87 § l; Code 1881 § 2480; 1875 p 109 § 2; 1871 p 101 § 2.] Repealed effective July 1,1967 by 1965 c 53 § 166 [RCW 23A.98.040]. See comparative table, below.
23.52.050 Designation of agent of foreign corporation for serv-ice-Change, withdrawal, or revocation. [1937 c 70 § 18; RRS § 3836-18.] Repealed by 1955 c 143 § 4.
23.52.050 through 23.52.120. [1937 c 70 §§ 18-26; 1955 c 143 §§ 1-3.] Repealed effective July 1, 1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.
Repealer-—Effective date——Construction-—1965 c 53: Chapter 23A. 98 RCW.

## COMPARATIVE TABLE

Chapter 23.52 RCW (Foreign Corporations) to Title 23A RCW (Washington Business Corporation Act)

| Chapter 23.52 | Title 23A |
| :---: | :---: |
| 23.52.010 | 23A.32.010 |
|  | 23A.40.130 |
| 23.52.020 | 23A.32.050 |
| 23.52 .030 | 23A. 32.020 |
| 23.52.040 | 23A.32.050 |
|  | 23A.32.060 |
|  | 23A.32.110 |
| 23.52.051 | 23A.32.080 |
|  | 23A.32.090 |
|  | 23A.32.100 |
| 23.52.053 | 23A.32.140 |
|  | 23A.32.150 |
| 23.52.055 | 23A.32.180 |
| 23.52.056 | 23A.32.180 |
| 23.52.060 | 23A.32.190 |
| 23.52.070 | 23A.40.110 |
| 23.52.080 | 23A.40.120 |
| 23.52.090 | 23A.40.020 |
| 23.52.100 |  |
| 23.52.110 |  |
| 23.52.120 | 23A.40.020 |

## Chapter 23.54 <br> NONADMITTED FOREIGN CORPORATIONS——POWERS RELATIVE TO SECURED INTERESTS

23.54.010 through 23.54 .060 [1957 c 139 §§ 1-6.] Repealed effective July 1,1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.

Repealer-—Effective date——Construction——1965 c 53: Chapter 23A. 98 RCW.

## COMPARATIVE TABLE

Chapter 23.54 RCW (Nonadmitted foreign corporations_Powers relative to secured interests) to Title 23A RCW (Washington Business Corporation Act)

| Chapter 23.54 | Title 23A |
| :--- | :--- |
| 23.54.010 | 23A.36.010 |
| 23.54 .020 | 23A.36.020 |
| 23.54 .030 | 23A.36.030 |
| 23.54 .040 | 23A.36.040 |
| 23.54 .050 | 23 A .36 .050 |
| 23.54 .060 | $23 A .36 .060$ |

Chapter 23.56
COOPERATIVE ASSOCIATIONS
23.56.010 Cooperative associations--Who may organize. [1913 c 19 § 1; RRS § 3904.] [SLC-RO-7] Now codified as RCW 23.86.010.
23.56.020 Business authorized. [1913 c 19 § 7; RRS § 3910.] Now codified as RCW 23.86.020.
23.56.030 Term "cooperative" limited. [1913 c 19 § 17; RRS § 3920.] Now codified as RCW 23.86.030.
23.56.040 When to do business-—Liability. [1925 ex.s. c 99 § 3; 1913 c 19 § 18; RRS § 3921.] Now codified as RCW 23.86.040.
23.56.050 Articles——Contents. [1913 c 19 § 2; RRS § 3905.] Now codified as RCW 23.86.050.
23.56.060 Articles——Verification--Filing. [1913 c 19 § 3; RRS § 3906.] Now codified as RCW 23.86.060.
23.56.070 Filing fees. [1925 ex.s. c 99 § 1 ; 1913 c 19 § 4; RRS § 3907.] Now codified as RCW 23.86.070.
23.56.080 Trustees. [1913 c 19 § 5; RRS § 3908.] Now codified as RCW 23.86.080.
23.56.090 Amendments to articles. [1913 c 19 § 6; RRS § 3909.] Now codified as RCW 23.86.090.
23.56.100 Bylaws. [1913 c 19 § 19; RRS § 3922.] Now codified as RCW 23.86.100.
23.56.110 Stock--Issues_-Vote——Limits. [(i) 1913 c 19 § 11, part; RRS § 3914, part. (ii) 1925 ex.s. c 99 § 2; 1913 c 19 § 8; RRS § 3911.] Now codified in RCW 23.86.110 and 23.86.140.
23.56.120 Subscriptions for stock in other associations. [1913 c 19 § 9; RRS § 3912.] Now codified as RCW 23.86.120.
23.56.130 Purchasing business of other associations. [1913 c 19 § 10; RRS § 3913.] Now codified as RCW 23.86.130.
23.56.140 Same——Stock held in trust——When. [1913 c 19 § 11, part; RRS § 3914, part.] Now codified in RCW 23.86.140.
23.56.150 Stockholders may vote by mail. [1913 c 19 § 12; RRS § 3915.] Now codified as RCW 23.86.150.
23.56.160 Apportionment of earnings. [1947 c 37 § l, last am'ds 1913 c 19 § 13; Rem. Supp. 1947 § 3916.] Now codified as RCW 23.86.160.
23.56.170 Distribution of dividends. [1913 c 19 § 14; RRS § 3917.] Now codified as RCW 23.86.170.
23.56.180 Annual reports--Contents--Filing. [1913 c 19 § 15; RRS § 3918.] Now codified as RCW 23.86.180.
23.56.190 Cooperative associations under former laws. [1913 c 19 § 16; RRS § 3919.] Now codified as RCW 23.86.190.

## Chapter 23.60 <br> FEES

23.60.010 through 23.60.200 [1937 c 70 §§ $1,4-15,27-32 ; 1947$ c 226 §§ 1,$2 ; 1957$ c 198 §§ $1-3 ; 1959$ c 263 §§ 1, 4.] Repealed effective July 1, 1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.
Repealer--Effective date--Construction--1965 c 53: Chapter 23A. 98 RCW.

## COMPARATIVE TABLE

Chapter 23.60 RCW (Fees) to Title 23A RCW (Washington Business Corporation Act)

| Chapter 23.60 | Title 23A |
| :---: | :---: |
| 23.60.010 | 23A.40.040 |
| 23.60.020 | 23A.40.050 |
| 23.60.030 | 23A.40.060 |
| 23.60.040 | 23A.40.090 |
| 23.60.050 | 23A.08.010(1) |
| 23.60.060 | 23A.44.110 |
| 23.60.070 | 23A.40.080 |
| 23.60.080 | 23A.40.140 |
| 23.60.090 |  |
| 23.60.100 | 23A.40.070 |
| 23.60 .110 | 23A.44.120 |
| 23.60.120 | 23A.40.100 |
| 23.60.130 | 23A.28.140 |
|  | 23A. 28.150 |
| 23.60.140 | 23A. 28.130 |
| 23.60.150 | 23A.28.140 |
|  | 23A.40.100 |
| 23.60.160 | 23A.40.030 |
| 23.60.170 | 23A.40.020 |
|  | 23A.40.030 |
| 23.60.180 | - |
| 23.60 .190 | 23A.40.030 |
| 23.60.200 | 23A.44.150 |

## Chapter 23.70 <br> MISCELLANEOUS--CONTRIBUTIONS FOR PUBLIC, CHARITABLE, ETC., PURPOSES

23.70.010, 23.70.020 [1953 c 213 §§ 1, 2.] Repealed effective July 1,1967 by the Washington Business Corporation Act, 1965 c 53, [Title 23A RCW]. See comparative table, below.
Repealer--Effective date——Construction-—1965 c 53: Chapter 23A. 98 RCW.

## COMPARATIVE TABLE

Chapter 23.70 RCW (Miscellaneous-Contributions for Public, Charitable, etc., Purposes) to Title 23A RCW (Washington Business Corporation Act)
Chapter 23.70
Title 23A
23.70.010

23A.08.020(13)
23.70.020

23A.08.020(13) 23A.08.020(14)
23A.16.130
MISCELLANEOUS——APPLICATION OF DIVIDEND AND SHARE RIGHTS BY TRUSTEES OR FIDUCIARIES
23.74.010 Ascertainment of income and principal with respect to corporate dividends and share rights between tenants and remaindermen. [1947 c 160 § 1; Rem. Supp. 1947 § 3923-50. Formerly RCW 23.24.100.] Repealed by 1971 c 74 § 17, effective January 1, 1972. Later enactment, see chapter 11.104 RCW .
Severability——Effective date——1971 c 74: RCW 11.104.920, 11.104.940.
23.74.020 Ascertainment of income and principal with respect to corporate dividends and share rights between tenants and remainder-men--Rules for such ascertainment. [1947 c 160 § 2; Rem. Supp. 1947 § 3923-51. Formerly RCW 23.24.110.] Repealed by 1971 c 74 § 17, effective January 1, 1972. Later enactment, see chapter 11.104 RCW.
Severability——Effective date——1971 c 74: RCW 11.104.920, 11.104.940.

## Chapter 23.80 <br> UNIFORM STOCK TRANSFER ACT

23.80.010 through 23.80 .250 [1939 c 100 §§ 1-25.] Repealed effective midnight on June 30, 1967 by Article 10 of the Uniform Commercial Code, 1965 ex.s. c 157 [Title 62A RCW]. See comparative table, below.

Effective date——1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A.10-102.

General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed-- 1965 ex.s. c 157: RCW 62A.10-104.

## COMPARATIVE TABLE

Chapter 23.80 RCW (Uniform Stock Transfer Act) to Title 62A RCW (Uniform Commercial Code)

| Chapter 23.80 | Title 62A |
| :--- | :--- |
| 23.80 .010 | $62 \mathrm{~A} .8-309$ |
| 23.80 .020 | $62 \mathrm{~A} .8-207$ |
| 23.80 .030 | $62 \mathrm{~A} .8-207$ |
| 23.80 .040 | - |
| 23.80 .050 | - |
| 23.80 .060 | $62 \mathrm{~A} .8-301$ |
| 23.80 .070 | $62 \mathrm{~A} .8-315$ |
| 23.80 .080 | $62 \mathrm{~A} .8-307$ |
| 23.80 .090 | $62 \mathrm{~A} .8-309$ |
| 23.80 .100 | $62 \mathrm{~A} .8-306$ |
| 23.80 .110 | $62 \mathrm{~A} .8-306$ |
| 23.80 .120 | $62 \mathrm{~A} .8-317$ |
| 23.80 .130 | $62 \mathrm{~A} .8-317$ |
| 23.80 .140 | $62 \mathrm{~A} .8-103$ |
| 23.80 .150 | $62 \mathrm{~A} .8-204$ |
| 23.80 .160 | $62 \mathrm{~A} .8-206$ |
| 23.80 .170 | $62 \mathrm{~A} .8-405$ |
| 23.80 .180 | $62 \mathrm{~A} .1-103$ |
| 23.80 .190 | $62 \mathrm{~A} .1-102(1)$ |
| 23.80 .200 | $62 \mathrm{~A} .8-308$ |
| 23.80 .210 |  |
| 23.80 .220 |  |
|  | $62 \mathrm{~A} .1-201(19)$ |
|  | $62 \mathrm{~A} .1-201(28)$ |


| Chapter 23.80 | Title 62A |
| :--- | :--- |
|  | 62A.1-201(30) |
|  | 62A.1-201(32) |
|  | 62A.1-201(33) |
|  | 62A.1-201(44) |
|  | 62A.8-313 |
| 23.80 .230 | $-22 A .8-302$ |
| 23.80 .240 | - |
| 23.80 .250 |  |
|  |  |
| WASHINGTON BUSINESS CORPORATIONS ACT |  |

## COMPARATIVE TABLE

Title 23A (Washington Business Corporation Act) to Title 23 RCW (Corporations And Associations (Profit))

Chapter 23.01 RCW (1933 c 185 as amended) which was repealed effective July 1, 1967 was based upon the Model Business Corporation Act promulgated in 1928 as the "Uniform Business Corporation Act" by the Conference of Commissioners on Uniform State Laws which in 1943 was renamed "Model Business Corporation Act" and in 1957 was withdrawn. 1965 c 53 codified herein as Title 23A RCW, is based upon the Model Business Corporation Act prepared by the Committee on Corporate Laws (Section of Corporation, Banking, and Business Law) of the American Bar Association. While the general subject matter of the two acts is the same, the subordinate parts thereof are of ten dissimilar; thus the following table as it relates to Chapter 23.01 RCW cannot in every instance pinpoint specific provisions but in such cases it is hoped it may be useful as a comparative guide for locating what are necessarily rather broad areas of subject matter. On the other hand, the resemblance between chapters 23 A .32 and 23.52 RCWForeign Corporation; chapters 23A. 36 and 23.54 RCW_-Nonadmitted organizations; and chapters 23 A .40 and 23.60 RCW _- Fees and charges, is fairly close and the table as it relates to such chapters is considerably more precise.

| Title 23A | Title 23 |
| :--- | :--- |
| 23A.04.010 | 23.01 .010 |
| 23A.08.010 | 23.01 .020 |
|  | 23.01 .940 |
| 23A.08.020 | 23.60 .050 |
| 23A.08.020(7) | 23.01 .110 |
| 23A.08.020(13) | 23.01 .120 |
| 23A.08.020(14) | 23.70 .010 |
| 23A.08.030 | 23.70 .020 |
| 23A.08.040 | 23.70 .020 |
| 23A.08.050 | $\underline{23.01 .120}$ |
| 23A.08.060 | 23.01 .040 |
| 23A.08.070 |  |
| 23A.08.080 |  |
| 23A.08.100 | 23.01 .370 |
| 23A.08.110 | 23.01 .370 |
| 23A.08.120 | 23.01 .130 |
| 23A.08.130 | 23.01 .130 |
| 23A.08.140 | 23.01 .060 |
| 23A.08.150 | 23.01 .230 |
| 23A.08.160 | 23.01 .150 |
| 23A.08.170 | 23.01 .150 |
| 23A.08.180 | 23.01 .160 |
| 23A.08.190 | 23.01 .170 |
| 23A.08.200 | 23.01 .240 |
| 23A.08.210 | 23.01 .140 |
| 23A.08.220 | 23.01 .200 |
| 23A.08.230 | 23.01 .280 |
| 23A.08.240 | 23.01 .280 |
| 23A.08.250 | 23.01 .280 |
| 23A.08.260 |  |
|  | 270 |
|  |  |


| Title 23A | Title 23 |
| :---: | :---: |
|  | 23.01 .290 |
| 23A.08.280 | 23.01 .290 |
| 23A.08.290 | 23.01.310 |
| 23A.08.300 | 23.01 .290 |
| 23A.08.310 | 23.01.220 |
| 23A.08.320 | 23.01.225 |
| 23A.08.330 | 23.01.300 |
| 23A.08.340 | 23.01.320 |
| 23A.08.350 | 23.01 .320 |
| 23A.08.360 | 23.01 .320 |
| 23A.08.370 | 23.01 .320 |
| 23A.08.380 | 23.01 .320 |
| 23A.08.390 | 23.01 .320 |
| 23A.08.400 | 23.01 .320 |
| 23A.08.410 | 23.01.320 |
| 23A.08.420 | 23.01.250 |
| 23A.08.430 | 23.01.250 |
| 23A.08.440 |  |
| 23A.08.450 | 23.01 .080 |
|  | 23.01 .260 |
| 23A.08.460 |  |
| 23A.08.470 | 23.01 .330 |
| 23A.08.480 | 23.01 .340 |
|  | 23.01.350 |
| 23A.08.490 | 23.01.330 |
| 23A.08.500 | 23.01.380 |
| 23A. 12.010 | 23.01 .020 |
| 23A. 12.020 | 23.01 .030 |
| 23A. 12.030 | 23.01.050 |
| 23A. 12.040 | 23.01 .090 |
| 23A.12.050 | 23.01 .070 |
|  | 23.01 .080 |
| 23A.12.060 |  |
| 23A.16.010 | 23.01.400 |
|  | 23.01.420 |
| 23A.16.020 | 23.01.400 |
|  | 23.01 .420 |
| 23A.16.030 | 23.01 .400 |
|  | 23.01.420 |
| 23A.16.040 | 23.01.410 |
| 23A.16.050 | 23.01.410 |
| 23A.16.060 | 23.01.410 |
| 23A.16.070 | 23.01.415 |
| 23A.16.080 |  |
| 23A.16.090 | 23.01 .440 |
| 23A.16.100 | 23.01.440 |
| 23A.16.110 |  |
| 23A.16.120 | 23.01.430 |
| 23A.16.130 |  |
| 23A.20.010 | 23.01 .460 |
| 23A. 20.020 | 23.01.460 |
| 23A. 20.030 | 23.01 .470 |
| 23A.20.040 | 23.01 .470 |
|  | 23.01.480 |
| 23A.20.050 |  |
| 23A.20.060 | 23.01 .490 |
|  | 23.01.500 |
|  | 23.01 .510 |
| 23A.20.070 | 23.01.460 |
|  | 23.01.510 |
| 23A.24.010 | 23.01.390 |
| 23A. 24.020 | 23.01.390 |
| 23A.24.030 | 23.01.450 |
|  | 23.01.510 |
| 23A.24.040 | 23.01.450 |
|  | 23.01.510 |
| 23A.28.010 | 23.01.520 |
|  | 23.01.530 |
| 23A.28.020 | 23.01.520 |
|  | 23.01.530 |
| 23A.28.030 | 23.01.520 |
|  | 23.01.530 |
| 23A.28.040 |  |
| 23A. 28.050 | 23.01.600 |
| 23A. 28.060 |  |

(Disposition Table——p 46]

| Title 23A | Title 23 |
| :---: | :---: |
| 23A. 28.070 |  |
| 23A. 28.080 | - |
| 23A. 28.090 | - |
| 23A. 28.100 |  |
| 23A.28.110 | 23.01 .630 |
| 23A. 28.120 |  |
| 23A.28.130 | 23.01.520 |
|  | 23.01 .540 |
|  | 23.01.550 |
|  | 23.01.650 |
|  | 23.60.140 |
| 23A.28.140 | 23.01.540 |
|  | 23.01.550 |
|  | 23.01 .650 |
|  | 23.60.130 |
|  | 23.60.150 |
| 23A. 28.150 | 23.01.540 |
|  | 23.01.550 |
|  | 23.01.600 |
|  | 23.01.650 |
|  | 23.60.130 |
| 23A.28.160 | 23.01.540 |
|  | 23.01.550 |
|  | 23.01.610 |
| 23A. 28.170 |  |
| 23A. 28.180 | 23.01.560 |
|  | 23.01.580 |
|  | 23.01.640 |
| 23A. 28.190 | 23.01.570 |
| 23A. 28.200 |  |
| 23A. 28.210 |  |
| 23A. 28.220 | 23.01 .630 |
| 23A. 28.230 | 23.01.630 |
| 23A. 28.240 |  |
| 23A. 28.250 | - |
| 23A.32.010 | 23.52.010 |
| 23A. 32.020 | 23.52.030 |
| 23A. 32.030 | 23.01.040 |
| 23A. 32.040 | 23.01.040 |
| 23A.32.050 | 23.52.020 |
|  | 23.52.040 |
| 23A.32.060 | 23.52.040 |
| 23A. 32.070 |  |
| 23A.32.080 | 23.01 .370 |
|  | 23.52.051 |
| 23A. 32.090 | 23.52.051 |
| 23A. 32.100 | 23.52.051 |
| 23A.32.110 | 23.52.040 |
| 23A. 32.120 | 23.01.490 |
| 23A. 32.130 |  |
| 23A. 32.140 | 23.52.053 |
| 23A. 32.150 | 23.52.053 |
| 23A. 32.160 | 23.01.650 |
| 23A. 32.170 | 23.01 .650 |
| 23A.32.180 | 23.52.055 |
|  | 23.52 .056 |
| 23A. 32.190 | 23.52 .060 |
| 23A.36.010 | 23.54 .010 |
| 23A. 36.020 | 23.54.020 |
| 23A.36.030 | 23.54.030 |
| 23A.36.040 | 23.54 .040 |
| 23A. 36.050 | 23.54 .050 |
| 23A.36.060 | 23.54.060 |
| 23A.40.010 | - |
| 23A.40.020 | 23.52.090 |
|  | 23.52.120 |
|  | 23.60 .170 |
| 23A.40.030 | 23.60.160 |
|  | 23.60 .170 |
|  | 23.60 .190 |
| (\% 23A.40.040 | 23.60.010 |
| 23A.40.050 | 23.60.020 |
| 23A.40.060 | 23.60.030 |
| 23A. 40.070 | 23.60.100 |
| 23A.40.080 |  |

Title 23

| ————— |
| :--- |
| 23.01 .630 |
| 23.01 .520 |
| 23.01 .540 |
| 23.01 .550 |
| 23.01 .650 |
| 23.60 .140 |
| 23.01 .540 |
| 23.01 .550 |
| 23.01 .650 |
| 23.60 .130 |
| 23.60 .150 |
| 23.01 .540 |
| 23.01 .550 |
| 23.01 .600 |
| 23.01 .650 |
| 23.60 .130 |
| 23.01 .540 |
| 23.01 .550 |
| 23.01 .610 |
| 23.01 .560 |
| 23.01 .580 |
| 23.01 .640 |
| 23.01 .570 |
| 2 |

53.52 .053
23.01 .650
3.01.650
23.52.056
23.52.060
23.54 .010
23.54.030
23.54 .040
3.54.050
23.52.090
23.52.120
3.60.170
23.60.170
23.60 .190
23.60 .010
23.60 .020
23.60.030
23.60.100

Title 23A

| 23A.40.090 | 23.60 .040 |
| :--- | :--- |
| 23A.40.100 | 23.60 .150 |
| 23A.40.110 | 23.52 .070 |
| 23A.40.120 | 23.52 .080 |
| 23A.40.140 | 23.52 .010 |
| 23A.44.010 | - |
| 23A.44.020 |  |
| 23A.44.030 |  |
| 23A.44.040 | - |
| 23A.44.050 | - |
| 23A.44.060 | - |
| 23A.44.070 | 23.01 .090 |
| 23A.44.080 | 23.01 .280 |
|  | 23.60 .070 |
| 23A.44.090 | 23.01 .315 |
| 23A.44.100 | 23.01 .080 |
|  | 23.60 .120 |
| 23A.44.110 | 23.60 .060 |
| 23A.44.120 | -23.60 |
| 23A.44.130 | 23.60 .110 |
| 23A.44.140 | 23.01 .900 |
|  | 23.01 .920 |
| 23A.44.150 | 23.60 .080 |
| 23A.44.160 | 23.60 .200 |
| 23A. 98.010 | 23.01 .970 |
| 23A. 98.020 | 23.01 .930 |
| 23A. 98.030 | 23.01 .920 |
| 23A. 98.040 | 23.01 .910 |
| 23A. 98.050 | 23.01 .960 |
|  |  |

Chapter 23A. 28
DISSOLUTION
23A.28.140 Notification to attorney general. [1965 c 53 § 97.] Repealed by 1969 ex.s. c 92 § 5.

## Chapter 23A. 40 <br> FEES AND CHARGES

23A.40.100 Fees declared debts, liens on assets. [1965 c 53 § 143.] Repealed by 1969 ex.s. c 92 § 5.

Title 24
CORPORATIONS AND ASSOCIATIONS
(NONPROFIT)

## Chapter 24.01 <br> GENERAL PROVISIONS

24.01.010 Insolvents--Care, management, liquidation. [1955 c 32 § 1. Prior: 1933 c 42 § 3, part; RRS § 3222, part. Formerly RCW 24.04.085] Repealed effective July 1, 1969 by the Washington Nonprofit Corporation Act, 1967 c 235 [Chapter 24.03 RCW].

## Chapter 24.04

## NONPROFIT, NONSTOCK CORPORATIONS

24.04.010 through $\mathbf{2 4 . 0 4 . 1 7 0}$ [1907 c 134 §§ 1-13; 1943 c 122 § 1 ; 1947 c 249 §§ 1-7; 1959 c 263 § 3.] Repealed effective July 1, 1969 by the Washington Nonprofit Corporation Act, 1967 c 235 [Chapter 24.03 RCW].

Chapter 24.08
EDUCATIONAL, RELIGIOUS, BENEVOLENT, FRATERNAL OR CHARITABLE SOCIETIES
24.08.010 through $\mathbf{2 4 . 0 8 . 9 0 0}$ [1866 p 67 §§ $1-4 ; 1869$ p 341 §§ $1-$ 4; 1873 p 409 §§ 1-5; Code 1881 §§ 2450-2454; 1886 c 86 § 1 ; 1895 c 135 § $1 ; 1895$ c 19 § $1 ; 1925$ ex.s. c 63 § $2 ; 1959$ c 12 § $6 ; 1961$ c 110 §§ 2-6.] Repealed effective July 1,1969 by the Washington Nonprofit Corporation Act, 1967 c 235 [Chapter 24.03 RCW].

## Chapter 24.16 <br> ASSOCIATIONS FOR MUTUAL BENEFIT (INSURANCE) AND EDUCATIONAL, CHARITABLE, ETC., PURPOSES

24.16.010 through 24.16.140 [1895 c 158 §§ 1-6, 8-12; 1905 c 125 § $1 ; 1907$ c 75 §§ 1,$2 ; 1923$ c 8 § 1 ; 1929 c 131 § $1 ; 1933$ c 89 § 1 ; 1953 c 121 §§ 2-4.] Repealed effective July 1, 1969 by the Washington Nonprofit Corporation Act, 1967 c 235 [Chapter 24.03 RCW].

## Chapter 24.32 <br> AGRICULTURAL COOPERATIVE ASSOCIATIONS

24.32.120 One director appointed by director of agriculture. [1931 c 16 § 5, part; 1929 c 69 § 1, part; 1921 c 115 § 11, part; RRS § 2888, part.] Now codified in RCW 24.32.110.
24.32.130 Remuneration of directors. [1931 c 16 § 5, part; 1929 c 69 § 1, part; 1921 c 115 § 11 , part; RRS § 2888, part.] Now codified in RCW 24.32.110.
24.32.140 Filling vacancies. [1931 c 16 § 5, part; 1929 c 69 § 1 , part; 1921 c 115 § 11 , part; RRS § 2888, part.] Now codified in RCW 24.32.110.
24.32.170 Limitation on number of shares issued to one person. [1943 c 99 § 2, part; 1931 c 16 § 6, part; 1921 c 115 § 13, part; Rem. Supp. 1943 § 2890, part.] Now codified in RCW 24.32.160.
24.32.180 Voting rights. [1943 c 99 § 2, part; 1931 c 16 § 6, part; 1921 c 115 § 13, part; Rem. Supp. 1943 § 2890, part.] Now codified in RCW 24.32.160.
24.32.190 Transfer and retirement of shares. [1943 c 99 § 2, part; 1931 c 16 § 6, part; 1921 c 115 § 13, part; Rem. Supp. 1943 § 2890, part.] Now codified in RCW 24.32.160.
24.32.220 Certain requirements in contract fixed by director. [1931 c 16 § 7, part; 1927 c 138 § 1, part; 1921 c 115 § 15 , part; RRS § 2892, part.] Now codified in RCW 24.32.210.
24.32.230 Remedies for breach of contract. [1931 c 16 § 7, part; 1927 c 138 § 1, part; 1921 c 115 § 15, part; RRS § 2892, part.] Now codified in RCW 24.32.210.
24.32.370 Appeal——Director to file transcript. [1921 c 115 § 28, part; RRS § 2906, part.] Now codified in RCW 24.32.360.
24.32.380 Appeal——Trial. [1921 c 115 § 28, part; RRS § 2906, part.] Now codified in RCW 24.32.360.
24.32.390 Appeal to supreme court——Supersedeas. [1921 c 115 § 28, part; RRS § 2906, part.] Now codified in RCW 24.32.360.

## Title 26 <br> DOMESTIC RELATIONS

## \section*{Chapter 26.08} <br> DIVORCE, ANNULMENT AND SEPARATE MAINTENANCE

26.08.010 Title of chapter. [1949 c 215 § 1; Rem. Supp. 1949 § 997-2 (footnote).] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.020 Grounds for divorce. [1965 ex.s. c 15 § $1 ; 1949$ c $215 \S$ 2; Rem. Supp. 1949 § 997-2. Prior: 1921 c 109 § 1, part; 1917 c 106 § 1; 1891 c 26 § $1 ; 1886$ p 120 § 1 ; Code 1881 § 2000; 1860 p 318 § 1 ; 1854 p 504 § 1 ; RRS § 982.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.030 Residence required. [1970 ex.s. c 28 § 1; 1949 c 215 § 3; Rem. Supp. 1949 § 997-3. Prior: Code 1881 § 2002; 1866 p 89 § 1; 1860 p 319 § 3; 1854 p 406 § 3; RRS § 984.] Repealed by 1973 1st ex.s. c 157 § 30 .
26.08.040 Limitation upon date of trial or entry of decree. [1949 c 215 § 4; Rem. Supp. 1949 § 997-4.] Repealed by 1973 1st ex. s. c 157 § 30.
26.08.050 Annulment of void marriage. [1949 c 215 § 5; Rem. Supp. 1949 § 997-5. Prior: 1891 c 26 § 2; Code 1881 § 2001; 1860 p 319 § 2; 1854 p 406 § 2; RRS § 983.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.060 Legitimacy of children of annulled marriage. [1949 c 215 § 6; Rem. Supp. 1949 § 997-6.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.070 Effect of violation of criminal laws upon divorce action. [1949 c 215 § 7; Rem. Supp. 1949 § 997-7. Prior: 1921 c 109 § 1 , part; RRS § 982-1.] Repealed by 1973 lst ex.s. c 157 § 30.
26.08.080 Duty of prosecuting attorney. [1972 ex.s. c 21 § 1; 1949 c 215 § 8; Rem. Supp. 1949 § $997-8$. Prior: 1921 c 109 § 3; 1891 c 26 § 8; 1885 p 62 § 10; Code 1881 § 2010; 1879 p 94 § $10 ; 1860$ p 320 § $10 ; 1854$ p 407 § 10 ; RRS § 995.] Repealed by 1973 lst ex.s. c 157 § 30.
26.08.090 Preliminary orders--Support money - Court costs. [1971 c 81 § 70; 1949 c 215 § 9; Rem. Supp. 1949 § 997-9. Prior: 1947 c 161 § 1 , part; 1933 c 112 § 1, part; 1921 c 109 § 2, part; 1891 c 26 § 4, part; Code 1881 § 2006, part; 1860 p 319 § 7, part; 1854 p 406 § 7, part; Rem. Supp. 1947 § 988, part.] Repealed by 1973 1st ex.s. c 157 § 30 .
26.08.100 Proof required. [1949 c 215 § 10; Rem. Supp. 1949 § 997-10. Prior: Code 1881 § 2003; 1860 p 319 § 4; 1854 p 406 § 4; RRS § 985.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.110 Decree of divorce or annulment-—Finality——Restraining orders. [1949 c 215 § 11; Rem. Supp. 1949 § 997-11. Prior: (i) 1947 c 161 § 1 , part; 1933 c 112 § 1, part; 1921 c 109 § 2, part; 1891 c 26 § 4, part; Code 1881 § 2006, part; 1860 p 319 § 7, part; 1854 p 406 § 7, part; Rem. Supp. 1947 § 988, part. (ii) Code 1881 § 2011; 1860 p 320 § 12; RRS § 996. (iii) 1891 c 26 § 6; Code 1881 § 2008; 1860 p 320 § 9, part; 1854 p 407 § 9, part; RRS § 990. (iv) 1891 c 26 § 5; Code 1881 § 2007; 1860 p 319 § 8; 1854 p 406 § 8; RRS § 989. (v) 1933 c 112 § 2; RRS § 988-2. (vi) 1921 c 109 § 2 ; RRS § 988-1.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.120 Decree of separate maintenance. [1949 c 215 § 12; Rem. Supp. 1949 § 997-12.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.130 Wife's name may be changed. [1949 c 215 § 13; Rem. Supp. 1949 § 997-13. Prior: 1891 c 26 § 7; Code 1881 § 2009; 1860 p 320 § 9, part; 1854 p 407 § 9, part; RRS § 994.] Repealed by 1973 1st ex.s. c 157 § 30 .
26.08.140 Civil practice to govern. [1949 c 215 § 14; Rem. Supp. 1949 § 997-14. Prior: 1891 c 26 § 9; Code 1881 § 2012; 1860 p 320 § 13; RRS § 997.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.150 Cross-complaint-DDecree may be granted either or both parties. [1949 c 215 § 15; Rem. Supp. 1949 § 997-15. Prior: (i) Code 1881 § 2004; 1860 p 319 § 5; 1854 p 406 § 5; RRS § 986. (ii) 1891 c 26 § 3; Code 1881 § 2005; 1854 p 406 § 6; RRS § 987.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.160 Venue of action for modification. [1949 c 215 § 16; Rem. Supp. 1949 § 997-16. Prior: 1921 c 109 §4, part; RRS § 9952.] Repealed by 1973 lst ex.s. c 157 § 30.
26.08.170 Petition for modification--Notice. [1949 c 215 § 17; Rem. Supp. 1949 § 997-17. Prior: 1921 c 109 § 4, part; RRS § 995-3.] Repealed by 1973 lst ex.s. c 157 § 30.
26.08.180 Power of court to obtain copies of original records. [1949 c 215 § 18; Rem. Supp. 1949 § 997-18. Prior: (i) 1921 c 109 § 4, part; RRS § 995-4. (ii) 1921 c 109 § 4, part; RRS § 995-5.] Repealed by 1973 lst ex.s. c 157 § 30.
26.08.190 Attorney's fees and costs. [1949 c 215 § 19; Rem. Supp. 1949 § 997-19. Prior: 1943 c 170 § 1; Rem. Supp. 1943 § 997-1.] Repealed by 1973 lst ex.s. c 157 § 30.
26.08.200 Out-of-state divorce——Validity. [1949 c 215 § 20; Rem. Supp. 1949 § 997-20.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.210 Proof of domiciliary status. [1949 c 215 § 21; Rem. Supp. 1949 § 997-21.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.215 Information to be furnished——Forms——Certificates of decrees to be forwarded to state registrar of vital statistics. [1967 c 26 § 11.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.220 Construction. [1949 c 215 § 22; Rem. Supp. 1949 § 997-22. Prior: 1921 c 109 § 3; RRS § 995-1.] Repealed by 1973 1st ex.s. c 157 § 30.
26.08.230 Final decree of divorce nunc pro tunc. [1949 c 135 § 1 ; Rem. Supp. 1949 § 988-4.] Repealed by 1973 1st ex.s. c 157 § 30.

## HUSBAND A ND WIFE Chapter 26.16 <br> HUSBAND AND WIFE——RIGHTS AND LIABILITIES—— PROPERTY

26.16.130 Separate earnings of wife-—Right to sue and defend. [Code 1881 § 2404; RRS § 6895.] Repealed by 1972 ex.s. c 108 § 8.
26.16.170 Contracts or liabilities of wife. [Code 1881 § 2406; RRS § 6902.] Repealed by 1973 lst ex.s. c 154 § 121.

Chapter 26.20
FAMILY DESERTION
26.20.010 Liability for family support. [Code 1881 § 2407; RRS § 6906.] Now codified as RCW 26.16.205.
26.20.020 Custody of children. [Code 1881 § 2399; 1879 p 151 § 2; RRS § 6907.] Now codified as RCW 26.16.125.
26.20.060 Procedure on failure to comply with order. [(i) 1927 c 297 § 1, part; 1913 c 28 § 2, part; RRS § 6909. Prior: 1907 c 103 § 1, part. Now codified as RCW 26.20.050. (ii) 1907 c 103 § 2; RRS § 6911.] Decodified. Repealed by 1909 c 249 § 52.
26.20.070 Evidence. [1907 c 103 § 3; RRS § 6912.] Decodified. Repealed by 1909 c 249 § 52.
26.20.090 Proof of wilfulness. [1913 c 28 § 3, part; RRS § 6910, part.] Now codified in RCW 26.20.080.

## Chapter 26.24 <br> FILIATION PROCEEDINGS

Reviser's note: (1) For later enactment, see Chapter 26.26 RCW entitled "Uniform Parentage Act."
(2) For severability, savings and construction sections pertaining to 1975-'76 2nd ex.s. c 42 which repealed this chapter, see RCW 26.26-.900-26.26.905.
26.24.010 Complaint. [1919 c 203 § 1; RRS § 1970.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.020 Hearing. [1919 c 203 § 2; RRS § 1971.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.030 Duty of prosecuting attorney. [1919 c 203 § 3; RRS § 1972.] Repealed by $1975-76$ 2nd ex.s. c 42 § 41.
26.24.040 Bond after commitment. [1919 c 203 § 4; RRS § 1973.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.050 Testimony reduced to writing. [1919 c 203 § 5; RRS § 1974.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.060 Docketing in superior court. [1919 c 203 § 6; RRS § 1975.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.070 Trial. [1919 c 203 § 7; RRS § 1976.] Repealed by 1975-'76 2nd ex.s. c 42 § 41 .
26.24.080 Discharge——No costs against complainant. [1919 c 203 § 8; RRS § 1977.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.090 Judgment ordering support——Bond. [1973 c 29 § 1 ; 1919 c 203 § 9 ; RRS § 1978.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.100 Criminal proceedings may be brought. [1919 c 203 § 10; RRS § 1979.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.110 Execution in absence of bond. [1919 c 203 § 11; RRS § 1979-1.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.120 Commitment for contempt for failure to give bondRelief from order. [1919 c 203 § 12; RRS § 1979-2.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.130 Disposition of judgment money. [1919 c 203 \& 13; RRS § 1979-3.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.140 Default in payment--Procedure. [1919 c 203 § 14; RRS § 1979-4.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.150 Commitment for contempt for nonpayment. [1919 c 203 § 15; RRS § 1979-5.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.160 Limitation on prosecution. [1919 c 203 § 16; RRS § 1979-6.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.170 Mother's death does not abate action. [1919 c 203 § 17; RRS § 1979-7.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.180 Effect of child's death. [1919 c 203 § 18; RRS § 1979-8.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.190 Custody of child. [1973 c 134 § 1 ; 1919 c $203 \S 19$; RRS § 1979-9.] Repealed by 1975-'76 2nd ex.s. c 42 § 41.
26.24.200 Legitimation of illegitimate children. [Code 1881 § 2388, part; 1866 p $83 \S 10$, part; 1854 p 405 § 6, part; RRS § 8442 , part.] Now codified in RCW 26.04.060.

## Chapter 26.28 INFANTS

26.28.090 Belief that minor in representative capacity no defense. [1919 c 17 § 1, part; 1911 c 133 § 1, part; 1909 ex.s. c 27 § 1, part; 1909 c 249 § 193, part; 1901 c 122 § 1, part; 1895 c 126 §§ 1,3 and 4, part; RRS § 2445, part.] Now codified in RCW 26.28.080.
26.28.100 Misrepresentation in procuring tobacco. [1919 c 17 § 1 , part; 1911 c 133 § 1, part; 1909 ex.s. c 27 § 1, part; 1909 c 249 § 193, part; 1901 c 122 § 1 , part; 1895 c 126 §§ 1,3 and 4, part; RRS § 2445, part.] Now codified in RCW 26.28.080.
26.28.110 Custody of illegitimate child-—Primary rights of par-ents-—Custody conditioned on child's welfare. [1973 c 134 § 9.] Repealed by 1975-76 2nd ex.s. c 42 § 41. Later enactment, see RCW 26.26.130.

Severability——Savings——Construction——1975-'76 2nd ex.s. c 42: See RCW 26.26.900-26.26.905.

## Title 27

LIBRARIES, MUSEUMS AND HISTORICAL ACTIVITIES

## Chapter 27.08 <br> STATE CERTIFICATION OF LIBRARIANS

27.08.020 Powers in general. [1935 c 119 § 11 , part; RRS § 8226-11, part.] Now codified in RCW 27.08.010(1).
27.08.030 Librarians' certificates. [1935 c 119 § 11, part; RRS § 8226-11, part.] Now codified as RCW 27.08.010(2).
27.08.040 Fee. [1935 c 119 § 11, part; RRS § 8226-11, part.] Now codified as RCW 27.08.010(4).
27.08.050 Certified librarians required. [1935 c 119 § 11, part; RRS 8226-11, part.] Now codified as RCW 27.08.010 (5), (6) and (7).

## Chapter 27.12 <br> PUBLIC LIBRARIES

27.12.200 Library trustees——Removal of trustees. [1947 c 75 § 12, part; 1941 c 65 § 7, part; 1939 c 108 § 1 , part; 1935 c 119 § 8, part; Rem. Supp. 1947 § 8226-8, part. Prior: 1915 c 12 § 2, part; 1909 c 116 § 4, part; 1901 c 166 § 4, part.] Now codified in RCW 27.12.190.
27.12.230 Tax levy, school district library. [1939 c 108 § 2; RRS § 8226-9a.] Repealed by 1965 c 122 § 7.
27.12.250 Control of expenditures. [1941 c 65 § 9, part; 1939 c 108 § 3, part; 1935 c 119 § 10, part; Rem. Supp. 1941 § 8226-10, part. Prior: 1909 c 116 § 3, part; 1901 c 166 § 3, part.] Now codified in RCW 27.12.240.

## Chapter 27.20 <br> STATE LAW LIBRARY

27.20.010 State law librarian--Appointment--Tenure of office——Report. [1939 c 147 § 1; 1907 c 32 § 1, part; RRS § 8209.] Repealed by 1959 c 188 § 6.
27.20.020 State law librarian-—Salary. [1947 c 94 § 1; 1927 c 239 § 1; 1909 c 85 § $1 ; 1907$ c 32 § 1, part; Rem. Supp. 1947 § 10971-1.] Repealed by 1959 c 188 § 6.


Chapter 27.48
PRESERVATION OF HISTORICAL MATERIALS
27.48.020 Limitation of county expenditures. [1957 c 47 § 2; 1949 c 160 § 2; Rem. Supp. 1949 § 8265-10.] Repealed by 1971 c 39 § 1.

## Chapter 27.52

HISTORIC SITES AND MARKERS COMMISSION
Commission abolished: "The historic sites and markers commission is hereby abolished." [1967 ex.s. c 19 § 10.]
27.52.010 Commission created. [1949 c 95 § 1; Rem. Supp. 1949 § 10767-la.] Repealed by 1967 ex.s. c 19 § 11.
27.52.020 Duties of commission. [1961 c 95 § 1; 1949 c 95 § 2 ; Rem. Supp. 1949 § 10767-2.] Repealed by 1967 ex.s. c 19 § 11.
27.52.030 Specifications for markers-—Obtaining markers from department of institutions or youth forest camps. [1961 c 95 § 2.] Repealed by 1967 ex.s. c 19 § 11.
27.52.040 Specifications for advance warning signs. [1961 c 95 § 3.] Repealed by 1967 ex.s. c 19 § 11 .
27.52.050 Rules and regulations--Rules on specifications. [1961 c 95 § 4.] Repealed by 1967 ex.s. c 19 § 11.
27.52.060 Duties of director of highways as to repairs, vegetation and parking facilities. [1961 c 95 § 5.] Repealed by 1967 ex.s. c 19 § 11.

Title 28
PUBLIC SCHOOLS AND COLLEGES COMPARATIVE TABLE

Title 28 RCW (Public Schools and Colleges) to Title 28A RCW (Common School Provisions) and Title 28B RCW (Higher Education).

| Formerly | Herein |
| :--- | :--- |
|  |  |
| 28.01 .010 | 28A.01.010 |
|  | 28A.01.025 |
| 28.01 .020 | 28A.01.020 |
| 28.01 .030 | 28A.01.030 |
| 28.01 .035 | 28A.01.035 |
| 28.01 .040 | 28A.04.130 |
|  | 28A.04.140 |
| 28.01 .050 | Deleted |
| 28.01 .060 | 28A.01.060 |
|  | 28A.58.190 |
| 28.01 .070 | Repealed |
| 28.01 .080 | Deleted |
| 28.02 .010 | 28A.02.010 |
| 28.02 .020 | 28A.02.020 |
| 28.02 .030 | 28A.02.030 |
| 28.02 .040 | Deleted |
| 28.02 .050 | 28A.02.050 |
| 28.02 .051 | 28A.02.050 |
| 28.02 .060 | 28A.02.061 |
| 28.02 .061 | Expired |
| 28.02 .070 | 28A.02.070 |
| 28.02 .080 | 28A.02.080 |
| 28.02 .081 | 28A.02.080 |
| 28.02 .090 | 28A.02.090 |
| 28.02 .095 | 28A.02.090 |
| 28.02 .100 | 28A.02.100 |
| 28.02 .120 | 28A.58.560 |
|  | 28B.10.480 |
| 28.03 .010 | 28A.03.010 |
| 28.03 .020 | 28A.03.020 |
| 28.03 .030 | 28A.03.030 |
| 28.03 .050 | 28A.03.050 |


| Formerly | Herein |
| :---: | :---: |
| 28.04.010 | 28A.04.010 |
| 28.04.020 | 28A.04.020 |
| 28.04.030 | 28A.04.030 |
| 28.04.040 | 28A.04.040 |
| 28.04.050 | 28A.04.050 |
| 28.04.060 | 28A.04.060 |
| 28.04.070 | 28A.04.070 |
| 28.04.080 | 28A.04.080 |
| 28.04.090 | 28A.04.090 |
| 28.04.100 | 28A.04.100 |
| 28.04.110 | 28A.04.110 |
| 28.04.120 | 28A.04.120 |
| 28.04.125 | Expired |
| 28.04.130 | 28A.04.130 |
| 28.04.140 | 28A.04.140 |
| 28.05.010 | 28A.05.010 |
| 28.05.015 | Expired |
| 28.05.020 | 28A.05.010 |
| 28.05.030 | 28A.05.030 |
| 28.05.040 | 28A.05.040 |
|  | 28B.10.700 |
| 28.05.042 | Repealed |
| 28.05.050 | 28A.05.050 |
|  | 28B.10.710 |
| 28.06.010 | 28A.06.010 |
| 28.06.020 | 28A.06.010 |
| 28.06.030 | 28A.06.010 |
| 28.06.040 | 28A.06.010 |
| 28.06.050 | 28A.06.050 |
| 28.06.060 | 28A.06.050 |
| 28.06.070 | 28A.06.070 |
| 28.09.010 | Repealed |
| 28.09.020 | Repealed |
| 28.09.030 | Repealed |
| 28.09.040 | Repealed |
| 28.09.050 | Repealed |
| 28.09.060 | Repealed |
| 28.09.070 | 28A.09.070 |
| 28.09.080 | 28A.09.080 |
| 28.09.090 | 28A.09.090 |
| 28.09.110 | Repealed |
| 28.09.120 | Repealed |
| 28.09.130 | Repealed |
| 28.10.005 | 28A.10.005 |
| 28.10.010 | 28A.10.010 |
| 28.10.020 | Repealed |
| 28.10.030 | 28A.10.020 |
| 28.10.032 | Repealed |
| 28.10.035 | 28A.10.025 |
| 28.10.037 | 28A.10.037 |
| 28.10.040 | Repealed |
| 28.10.045 | Deleted |
| 28.10.050 | 28A.10.050 |
| 28.10.055 | 28A.10.055 |
| 28.10.060 | Repealed |
| 28.10.070 | Repealed |
| 28.10.080 | 28A.10.080 |
| 28.10 .100 | Repealed |
| 28.10.105 | Repealed |
| 28.10 .110 | Repealed |
| 28.13 .010 | 28A.13.010 |
| 28.13.020 | 28A.13.020 |
| 28.13.030 | 28A. 13.030 |
| 28.13.040 | 28A.13.040 |
| 28.13.050 | 28A.13.050 |
| 28.14.010 | 28A.14.010 |
| 28.14.020 | 28A.14.020 |
| 28.14 .030 | 28A.14.030 |
| 28.14.040 | 28A.14.040 |
| 28.14.050 | 28A.14.050 |
| 28.14.060 | 28A.14.060 |
| 28.16.010 | 28A.16.010 |
| 28.16.020 | 28A.16.020 |
| 28.16.030 | 28A. 16.030 |
| 28.19.010 | 28A.19.010 |

[Disposition Table——p 50]

| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.19.020 | 28A. 19.020 | 28.23 .010 | Repealed |
| 28.19 .030 | 28A. 19.030 | 28.23 .020 | Repealed |
| 28.19.040 | 28A. 19.040 | 28.23 .025 | Repealed |
| 28.19.050 | 28A. 19.050 | 28.23 .030 | Repealed |
| 28.19.060 | 28A. 19.060 | 28.23 .035 | Repealed |
|  | 28A. 57.326 | 28.23 .040 | Repealed |
| 28.19 .070 | 28A. 19.070 | 28.23 .045 | Repealed |
| 28.19.080 | 28A. 19.080 | 28.23.050 | Repealed |
| 28.19 .090 | 28A. 19.090 | 28.24.010 | Repealed |
| 28.19.100 | Repealed | 28.24.020 | Repealed |
| 28.19 .110 | 28A. 19.110 | 28.24.030 | Repealed |
| 28.19.120 | 28A. 19.120 | 28.24.040 | Repealed |
| 28.19.130 | Repealed | 28.24.050 | Repealed |
| 28.19.140 | Repealed | 28.24.060 | 28A.24.060 |
| 28.19.150 | Repealed | 28.24.070 | Repealed |
| 28.19 .155 | Repealed | 28.24 .071 | Repealed |
| 28.19.160 | Repealed | 28.24.080 | 28A.24.080 |
| 28.19.170 | Repealed | 28.24 .090 | 28A.24.090 |
| 28.19.180 | Repealed | 28.24.100 | 28A.24.100 |
| 28.19.185 | Repealed | 28.24.110 | 28A.58.225 |
| 28.19 .190 | 28A. 19.190 | 28.24.150 | 28A.24.150 |
| 28.19.300 | 28A. 19.300 | 28.27.010 | 28A.27.010 |
| 28.19.310 | 28A. 19.310 | 28.27.020 | 28A.48.055 |
| 28.19.320 | 28A. 19.320 | 28.27.030 | 28A.27.030 |
| 28.19 .330 | 28A. 19.330 | 28.27.040 | 28A. 27.040 |
| 28.19.340 | 28A. 19.340 | 28.27.050 | 28A.27.040 |
| 28.19.350 | 28A. 19.350 | 28.27.060 | 28A. 27.040 |
| 28.19.360 | 28A. 19.360 | 28.27.070 | 28A.27.070 |
| 28.19.370 | 28A. 19.370 | 28.27.080 | 28A.27.080 |
| 28.19.380 | 28A. 19.380 | 28.27.090 | 28A.27.090 |
| 28.19 .390 | 28A.19.390 | 28.27.100 | 28A.27.100 |
| 28.19.400 | 28A. 19.400 |  | 28A.27.102 |
| 28.19 .410 | 28A. 19.410 |  | 28A.27.104 |
| 28.19 .420 | 28A. 19.420 | 28.27.102 | 28A.27.102 |
| 28.19.430 | 28A.19.430 | 28.27.104 | 28A.27.104 |
| 28.19.440 | 28A.19.440 | 28.27.110 | 28A.27.110 |
| 28.19 .500 | Expired | 28.27.120 | 28A.27.120 |
| 28.19 .505 | Expired | 28.27.130 | 28A.27.130 |
| 28.19.510 | Expired | 28.27.140 | 28A.58.210 |
| 28.19 .515 | Expired | 28.27.150 | Deleted |
| 28.19 .520 | Expired | 28.27.160 | Deleted |
| 28.19 .525 | Expired | 28.27.170 | Deleted |
| 28.19.530 | Expired | 28.27.180 | Deleted |
| 28.19 .531 | Expired | 28.27.190 | Deleted |
| 28.19.535 | Expired | 28.28.010 | 28A. 28.010 |
| 28.19.540 | Expired |  | 28A.28.030 |
| 28.19 .545 | Expired | 28.28 .020 | 28A.28.020 |
| 28.19 .550 | Expired | 28.28.030 | 28A. 28.030 |
| 28.19.555 | Expired | 28.28 .040 | 28A.28.030 |
| 28.19 .560 | Expired | 28.28.050 | 28A.28.050 |
| 28.19 .565 | Expired | 28.28 .060 | 28A.28.060 |
| 28.19 .570 | Expired | 28.28.070 | 28A.28.070 |
| 28.19.575 | Expired | 28.28.080 | 28A.28.070 |
| 28.19 .580 | Expired | 28.28.090 | 28A.28.090 |
| 28.19.585 | Expired | 28.28.100 | 28A.28.100 |
| 28.19 .590 | Expired | 28.28 .110 | 28A.28.110 |
| 28.19 .595 | Expired | 28.28 .120 | 28A.28.120 |
| 28.19 .600 | Expired | 28.28.130 | 28A.28.130 |
| 28.19.601 | Expired | 28.28.140 | 28A.28.140 |
| 28.19 .602 | Expired | 28.30.010 | 28A.30.010 |
| 28.19.605 | Expired | 28.30.020 | 28A. 30.020 |
| 28.19 .610 | Expired | 28.30.030 | 28A.30.030 |
| 28.19.900 | Deleted | 28.30.040 | 28A.30.040 |
| 28.20 .010 | 28A.20.010 | 28.30.050 | 28A.30.050 |
| 28.20 .013 | 28A.20.053 | 28.30.060 | 28A.30.060 |
| 28.20 .015 | 28A. 20.055 | 28.30.070 | 28A.30.070 |
| 28.20 .020 | 28A. 20.020 | 28.30.080 | 28A.30.080 |
| 28.20.030 | 28A. 20.030 | 28.31.010 | 28A.31.010 |
| 28.20 .040 | 28A.20.040 | 28.31.020 | 28A.31.020 |
| 28.20.045 | 28A.20.095 | 28.31.030 | 28A.31.030 |
| 28.20 .050 | Repealed | 28.31.040 | 28A.31.040 |
| 28.20 .060 | Repealed | 28.31.050 | 28A.31.050 |
| 28.20 .070 28.20 .080 | Repealed | 28.31.060 | 28A. 31.060 |
| 28.20 .080 | Repealed | 28.31.070 | 28A.59.180 |
| 28.23.005 | Repealed | 28.31.080 | 28A.60.320 |


| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.34 .010 | 28A.34.010 | 28.47.110 | Deleted |
| 28.34 .020 | 28A.34.020 | 28.47.120 | 28A.47.120 |
| 28.34 .030 | 28A.34.020 | 28.47.130 | 28A.47.130 |
| 28.34 .040 | 28A.34.040 | 28.47.140 | 28A.47.140 |
| 28.34 .050 | 28A.34.050 | 28.47.150 | 28A.47.150 |
| 28.35 .010 | 28A. 35.010 | 28.47.160 | 28A.47.160 |
| 28.35.020 | 28A.35.020 | 28.47.170 | 28A.47.170 |
| 28.35 .030 | 28A.01.010 | 28.47.180 | 28A.47.180 |
|  | 28A.35.020 | 28.47 .190 | Recodified |
|  | 28A. 35.030 | 28.47.200 | Recodified |
| 28.35 .040 | Recodified | 28.47.210 | 28A.47.210 |
| 28.35 .050 | 28A. 35.030 | 28.47.220 | 28A.47.220 |
| 28.35 .060 | 28A.35.030 | 28.47 .230 | 28A.47.230 |
| 28.35 .070 | 28A. 35.070 | 28.47.300 | Deleted |
| 28.40 .010 | 28A.40.010 | 28.47.310 | Deleted |
| 28.40 .020 | 28A.40.020 | 28.47.320 | Deleted |
| 28.40 .100 | 28A.40.100 | 28.47.330 | Deleted |
| 28.41 .010 | 28A.47.055 | 28.47.340 | Deleted |
| 28.41 .020 | 28A.41.020 | 28.47.350 | Deleted |
| 28.41 .030 | 28A.41.030 | 28.47.360 | Deleted |
| 28.41 .040 | 28A.41.040 | 28.47 .370 | Deleted |
| 28.41 .050 | 28A.41.050 | 28.47 .380 | Deleted |
| 28.41.055 | 28A.41.055 | 28.47.390 | Deleted |
| 28.41 .060 | Repealed | 28.47 .400 | Deleted |
| 28.41 .070 | Repealed | 28.47 .410 | Deleted |
| 28.41 .075 | Repealed | 28.47 .420 | 28A.47.420 |
| 28.41 .080 | Repealed | 28.47 .425 | 28A.47.425 |
| 28.41 .090 | Repealed | 28.47 .430 | 28A.47.430 |
| 28.41 .100 | Repealed | 28.47 .435 | 28A.47.435 |
| 28.41 .110 | Repealed | 28.47 .440 | 28A.47.440 |
| 28.41 .120 | Repealed | 28.47.445 | 28A.47.445 |
| 28.41 .130 | 28A.41.130 | 28.47.450 | 28A.47.450 |
| 28.41 .140 | 28A.41.140 | 28.47 .460 | 28A.47.460 |
| 28.41.145 | Expired | 28.47.470 | 28A.47.470 |
| 28.41 .150 | 28A.41.150 | 28.47.480 | 28A.47.480 |
| 28.41 .160 | 28A.41.160 | 28.47 .490 | 28A.47.490 |
| 28.41 .170 | 28A.41.170 | 28.47.500 | 28A.47.500 |
| 28.44.010 | Deleted | 28.47.510 | 28A.47.510 |
| 28.44.020 | Recodified | 28.47 .520 | 28A.47.520 |
| 28.44.030 | Recodified | 28.47 .530 | 28A. 47.530 |
| 28.44.040 | 28A.44.040 | 28.47.540 | 28A.47.540 |
|  | 28A.44.045 | 28.47.550 | Deleted |
| 28.44 .045 | 28A.44.045 | 28.47 .560 | 28A.47.560 |
| 28.44.050 | 28A.44.050 | 28.47 .570 | 28A. 47.570 |
| 28.44.060 | 28A.44.060 | 28.47 .580 | 28A.47.580 |
| 28.44.070 | 28A.44.070 | 28.47.590 | 28A.47.590 |
| 28.44.080 | 28A.44.080 | 28.47 .600 | 28A.47.600 |
| 28.44.090 | 28A.44.090 | 28.47 .610 | 28A.47.610 |
| 28.44.095 | 28A.44.095 | 28.47 .620 | 28A.47.620 |
| 28.44.100 | 28A.44.100 | 28.47 .630 | 28A.47.630 |
| 28.45.010 | 28A.45.010 | 28.47 .640 | 28A.47.640 |
| 28.45.020 | 28A.45.020 | 28.47 .650 | 28A.47.650 |
| 28.45 .030 | 28A.45.030 | 28.47.660 | 28A.47.660 |
| 28.45.035 | 28A.45.035 | 28.47.670 | Deleted |
| 28.45.040 | 28A.45.040 | 28.47.680 | 28A.47.680 |
| 28.45.050 | 28A.45.050 | 28.47.690 | 28A.47.690 |
| 28.45 .060 | 28A.45.060 | 28.47 .700 | 28A.47.700 |
| 28.45 .070 | 28A.45.070 | 28.47 .710 | 28A.47.710 |
| 28.45 .080 | 28A.45.080 | 28.47 .720 | 28A.47.720 |
| 28.45 .090 | 28A.45.090 | 28.47 .722 | 28A.47.722 |
| 28.45 .100 | 28A.45.100 | 28.47 .724 | 28A.47.724 |
| 28.45 .105 | 28A.45.105 | 28.47 .726 | 28A.47.726 |
| 28.45 .110 | Repealed | 28.47 .728 | 28A.47.728 |
| 28.45.120 | 28A.45.120 | 28.47 .730 | 28A.47.730 |
| 28.47.010 | 28A.46.010 | 28.47 .732 | 28A.47.732 |
| 28.47.020 | Recodified | 28.47 .734 | 28A.47.734 |
| 28.47.040 | Repealed | 28.47 .736 | 28A.47.736 |
| 28.47.050 | 28A.47.050 | 28.47 .738 | 28A.47.738 |
| 28.47.060 | 28A.47.060 | 28.47 .740 | Deleted |
| 28.47.070 | 28A.47.070 | 28.47 .742 | 28A.47.742 |
| 28.47.073 | 28A.47.073 | 28.47 .744 | 28A.47.744 |
| 28.47.075 | 28A.47.075 | 28.47 .746 | 28A.47.746 |
| 28.47.080 | 28A.47.080 | 28.47 .748 | 28A.47.748 |
| 28.47 .090 | 28A.47.090 | 28.47 .750 | 28A.47.750 |
| 28.47.100 | 28A.47.100 | 28.47.760 | 28A.47.760 |


| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.47 .762 | 28A.47.762 | 28.51 .140 | Repealed |
| 28.47 .764 | 28A.47.764 | 28.51 .150 | Deleted |
| 28.47 .766 | 28A.47.766 | 28.51 .160 | Deleted |
| 28.47 .768 | 28A.47.768 | 28.51 .170 | Deleted |
| 28.47 .770 | 28A.47.770 | 28.51 .180 | 28A.51. 180 |
| 28.47.772 | 28A.47.772 | 28.51 .185 | Deleted |
| 28.47.774 | 28A.47.774 | 28.51 .190 | 28A.51.190 |
| 28.47 .775 | 28A.47.775 | 28.51 .200 | 28A.51.200 |
| 28.47.776 | 28A.47.776 | 28.51 .210 | 28A.51.210 |
| 28.47 .777 | 28A.47.777 | 28.51 .220 | 28A.51. 220 |
| 28.47 .778 | 28A.47.778 | 28.52 .010 | 28A. 52.010 |
| 28.47.779 | 28A.47.779 | 28.52.020 | 28A.52.020 |
| 28.47 .780 | 28A.47.780 | 28.52 .030 | 28A. 52.030 |
| 28.47 .781 | 28A.47.781 | 28.52 .040 | 28A. 52.040 |
| 28.47 .782 | 28A.47.782 | 28.52.050 | 28A.52.050 |
| 28.47 .783 | 28A.47.783 | 28.52 .055 | 28A.52.055 |
| 28.47 .784 | 28A.47.784 | 28.52 .060 | 28A.52.060 |
| 28.47 .785 | 28A.47.785 | 28.52 .070 | 28A.52.070 |
| 28.47 .786 | 28A.47.786 | 28.52 .080 | 28A.52.080 |
| 28.47.787 | 28A.47.787 | 28.56.005 | 28A.56.005 |
| 28.47.788 | 28A.47.788 | 28.56.010 | 28A.56.010 |
| 28.47.789 | 28A.47.789 | 28.56.020 | 28A.56.020 |
| 28.47 .790 | 28A.47.790 | 28.56.030 | 28A.56.030 |
| 28.47 .791 | 28A.47.791 | 28.56.040 | 28A.56.040 |
| 28.47 .792 | Expired | 28.56.050 | 28A.56.050 |
| 28.47 .793 | Expired | 28.56.060 | 28A.56.060 |
| 28.47 .794 | Expired | 28.56.070 | 28A.56.070 |
| 28.47 .795 | Expired | 28.56.075 | 28A.56.075 |
| 28.47 .796 | Expired | 28.56.080 | Repealed |
| 28.47.797 | Expired | 28.56.090 | Repealed |
| 28.47.798 | Expired | 28.56.100 | Repealed |
| 28.47.799 | Expired | 28.56.110 | Repealed |
| 28.47.800 | Expired | 28.56 .120 | Repealed |
| 28.47.802 | Expired | 28.56 .130 28.56 .140 | Repealed |
| 28.47.803 | Expired | 28.56.150 | Repealed |
| 28.47.804 | Expired | 28.56 .160 | Repealed |
| 28.47.805 | Expired | 28.56 .170 | 28A.56.170 |
| 28.47 .806 | Expired | 28.57 .010 | 28A.57.010 |
| 28.47.807 | Expired | 28.57.020 | 28A.57.020 |
| 28.47 .808 | Expired | 28.57.030 | 28A.57.030 |
| 28.47 .809 | Expired |  | 28A. 57.031 |
| 28.47.810 | Expired |  | 28A.57.032 |
| 28.47 .811 | Expired |  | 28A.57.033 |
| 28.48 .010 | 28A.48.010 |  | 28A.57.034 |
| 28.48 .020 | Repealed |  | 28A. 57.035 |
| 28.48.030 | 28A. 48.030 | 28.57.040 | 28A.57.040 |
| 28.48 .040 | 28A.48.040 | 28.57.050 | 28A.57.050 |
| 28.48.050 | 28A.48.050 |  | 28A.57.055 |
| 28.48 .055 | 28A.48.055 | 28.57.060 | 28A.57.060 |
| 28.48.060 | 28A.48.060 | 28.57.070 | 28A. 57.070 |
| 28.48 .070 | Repealed |  | 28A.57.075 |
| 28.48 .090 | 28A. 48.090 | 28.57.080 | 28A.57.080 |
| 28.48.100 | 28A.48.100 | 28.57 .090 | 28A. 57.090 |
| 28.48.110 | 28A.48.110 | 28.57.100 | 28A.57.100 |
| 28.48 .120 | Deleted | 28.57.110 | 28A.57.110 |
| 28.51.010 | 28A. 51.010 | 28.57.120 | 28A.57.120 |
| 28.51 .020 | 28A. 51.020 | 28.57.130 | 28A.57.130 |
| 28.51 .030 | 28A. 51.030 | 28.57.135 | 28A.58.010 |
| 28.51 .040 | 28A. 51.030 |  | 28A.58.040 |
| 28.51 .050 | 28A.51.010 | 28.57 .140 | 28A.57.140 |
|  | 28A.51.020 | 28.57.150 | 28A.57.150 |
|  | 28A.51.030 | 28.57 .160 | 28A.57.160 |
| 28.51 .055 | 28A.51.055 | 28.57.170 | 28A.57.170 |
| 28.51.056 | 28A.51.056 | 28.57.180 | 28A.57.180 |
| 28.51 .058 | 28A.51.057 | 28.57 .190 28.57 .200 | 28A.57.190 |
| 28.51 .060 | 28A.51.030 | 28.57.210 | 28A.57. 200 |
| 28.51 .070 | 28A. 51.070 | 28.57 .220 | 28A.57.220 |
| 28.51 .080 | 28A.51.070 | 28.57 .230 | 28A.57.230 |
| 28.51 .090 28.51 .100 | 28A.51.070 | 28.57.240 | 28A.57.240 |
| 28.51 .100 28.51 .110 | 28A. 51.070 | 28.57 .245 | 28A.57.245 |
| 28.51 .120 | 28A.51.070 | 28.57.250 | 28A.57.250 |
| 28.51.130 | Repealed | 28.57.260 | 28A.57.255 28A. 57.260 |


| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.57 .270 | 28A. 57.270 | 28.58 .283 | Deleted |
| 28.57.280 | 28A.57.280 | 28.58.209 | Repealed |
| 28.57.290 | 28A.57.290 | 28.58.300 | 28A.60.186 |
| 28.57.300 | 28A.57.300 | 28.58.301 | 28A.60.186 |
| 28.57.310 | Deleted | 28.58 .310 | 28A.58.310 |
| 28.57.320 | Deleted | 28.58.320 | 28A.61.010 |
| 28.57.330 | Deleted | 28.58.330 | 28A.61.020 |
| 28.57.335 | Deleted | 28.58.340 | 28A.61.030 |
| 28.57.338 | 28A.57.312 | 28.58.350 | 28A.61.040 |
| 28.57.340 | 28A.57.340 | 28.58.360 | 28A.61.050 |
| 28.57.342 | 28A.57.342 | 28.58.365 | 28A.61.060 |
| 28.57.344 | 28A.57.344 | 28.58.370 | 28A.58.370 |
| 28.57.350 | 28A.57.328 | 28.58.380 | 28A. 58.380 |
|  | 28A.57.350 | 28.58.390 | 28A.58.380 |
| 28.57.360 | 28A.57.332 |  | 28A.58.390 |
| 28.57.370 | 28A.57.370 | 28.58 .421 | 28A. 24.055 |
| 28.57 .380 | 28A. 57.380 | 28.58 .430 | Repealed |
| 28.57.390 | 28A.57.390 | 28.58 .435 | Deleted |
| 28.57 .400 | Deleted | 28.58 .440 | 28A. 58.440 |
| 28.57 .410 | 28A.57.410 | 28.58.445 | Expired |
| 28.57 .420 | 28A.57.334 | 28.58.450 | 28A.58.450 |
| 28.57 .425 | Expired | 28.58 .460 | 28A. 58.460 |
| 28.57.426 | Expired | 28.58.470 | 28A. 58.470 |
| 28.57.430 | 28A.57. 336 | 28.58 .480 | 28A.58.480 |
| 28.57.440 | Deleted | 28.58 .490 | 28A.58.490 |
| 28.58.010 | 28A.58.010 | 28.58.500 | 28A. 58.500 |
| 28.58.020 | 28A.58.020 | 28.58 .510 | 28A.58.510 |
| 28.58.030 | Repealed | 28.58 .515 | Expired |
| 28.58 .040 | 28A. 58.010 | 28.58 .520 | 28A.58.520 |
|  | 28A. 58.040 | 28.58 .521 | 28A. 58.521 |
| 28.58 .045 | 28A.58.045 | 28.58 .530 | 28A. 58.530 |
| 28.58 .048 | 28A.58.048 | 28.58 .550 | 28A. 58.550 |
| 28.58.050 | 28A.58.048 | 28.58.600 | 28A. 58.600 |
| 28.58 .052 | Deleted | 28.58 .601 | 28A.58.601 |
| 28.58 .060 | Deleted | 28.58 .602 | 28A. 58.602 |
| 28.58 .070 | 28A. 58.070 | 28.58.603 | 28A.58.603 |
| 28.58 .075 | Expired | 28.58 .610 | Expired |
| 28.58.080 | 28A.57.312 | 28.59.010 | 28A.59.185 |
| 28.58 .082 | 28A.57.314 | 28.59.020 | 28A.59.185 |
| 28.58.083 | 28A.57.316 | 28.59 .030 | 28A.59.185 |
| 28.58 .090 | 28A.57.318 | 28.59.039 | Repealed |
| 28.58 .095 | 28A. 57.322 | 28.59 .040 | Repealed |
| 28.58.100 | 28A. 24.055 | 28.59 .050 | Decodified |
|  | 28A.58.040 | 28.59 .060 | Decodified |
|  | 28A.58.100 | 28.59.070 | Repealed |
|  | 28A.58.101 | 28.59 .080 | Decodified |
|  | 28A.58.102 | 28.59 .090 | Repealed |
|  | 28A.58.103 | 28.59.100 | Repealed |
|  | 28A.58.105 | 28.59.110 | Decodified |
|  | 28A.58.107 | 28.59 .120 | Repealed |
| 28.58 .110 | 28A.58.110 | 28.59 .130 | Repealed |
| 28.58 .120 | Repealed | 28.59.140 | Repealed |
| 28.58 .130 | 28A.58.130 | 28.59.150 | Decodified |
| 28.58.135 | 28A.58.135 | 28.59.160 | Decodified |
| 28.58.140 | 28A.58.140 | 28.59.170 | Decodified |
| 28.58 .150 | 28A.58.150 | 28.59.180 | Decodified |
| 28.58 .160 | 28A.58.610 | 28.59 .190 | Repealed |
| 28.58 .170 | 28A.58.170 | 28.59 .200 | Repealed |
| 28.58 .180 | 28A.58.180 | 28.59.205 | Repealed |
| 28.58 .190 | 28A.01. 060 | 28.59.210 | Repealed |
|  | 28A. 58.190 | 28.59 .220 | Deleted |
| 28.58.200 | 28A.58. 200 | 28.59 .230 | Repealed |
| 28.58 .210 | 28A.58.210 | 28.59 .240 | Deleted |
| 28.58 .215 | 28A.58.215 | 28.59 .250 | Repealed |
| 28.58 .220 | 28A.58.220 | 28.59 .260 | Repealed |
| 28.58 .230 | 28A. 58.230 | 28.59.270 | Repealed |
| 28.58 .240 | 28A.58.240 | 28.59 .280 | Repealed |
| 28.58 .245 | Expired | 28.59 .290 | Repealed |
| 28.58 .250 | 28A.58.250 | 28.59.300 | Decodified |
| 28.58 .260 | 28A.58.136 | 28.62 .010 | Deleted |
| 28.58.270 | 28A.58.136 | 28.62 .020 | Repealed |
| 28.58.275 | 28A.58.275 | 28.62.030 | 28A.59.030 |
| 28.58 .280 | 28A.04.120(11) | 28.62.040 | 28A. 58.137 |
| 28.58 .281 | 28A.04.120(11) |  | 28A.59.040 |
| 28.58.282 | 28A.04.120(11) | 28.62.050 | 28A.59.050 |


| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.62 .060 | 28A.59.060 | 28.65 .140 | 28A.65.140 |
| 28.62 .070 | 28A. 59.070 | 28.65 .141 | Expired |
| 28.62 .080 | 28A.59.080 | 28.65 .142 | Expired |
| 28.62 .090 | 28A.57.324 | 28.65 .150 | 28A.65.150 |
| 28.62 .100 | 28A.59.100 | 28.65 .153 | Expired |
| 28.62 .110 | 28A.59.110 | 28.65 .155 | Expired |
| 28.62 .120 | 28A.57.326 | 28.65 .160 | 28A.65.160 |
| 28.62 .130 | 28A.59.130 | 28.65 .170 | 28A.65.170 |
| 28.62 .140 | 28A.59.130 | 28.65 .180 | Expired |
| 28.62 .150 | 28A.59.150 | 28.66.005 | Deleted |
| 28.62 .160 | 28A.59.150 | 28.66.010 | 28A.66.010 |
| 28.62 .170 | Repealed | 28.66.020 | 28A.66.020 |
| 28.62 .180 | 28A.59.180 | 28.66.030 | 28A.66.030 |
| 28.62 .190 | Deleted | 28.66 .040 | 28A.66.040 |
| 28.62 .200 | Deleted | 28.66.045 | Deleted |
| 28.62.205 | Deleted | 28.66.050 | 28A.66.050 |
| 28.62 .210 | Decodified | 28.66.060 | 28A.66.060 |
| 28.62 .220 | Deleted | 28.66.070 | 28A.66.070 |
| 28.63 .010 | 28A.60.010 | 28.66.080 | 28A.66.080 |
| 28.63 .015 | 28A.57.322 | 28.66.090 | 28A.66.090 |
| 28.63.017 | 28A.57.322 | 28.66.100 | 28A.66.100 |
| 28.63.020 | 28A.57.326 | 28.67.010 | 28A.67.010 |
| 28.63.022 | 28A.57.326 | 28.67.020 | 28A.67.020 |
| 28.63.030 | 28A. 57.324 | 28.67.030 | 28A.67.030 |
| 28.63.032 | 28A.57.324 | 28.67.035 | 28A.67.035 |
| 28.63.040 | 28A.58.104 | 28.67 .040 | 28A.67.040 |
| 28.63.042 | 28A.58.104 | 28.67 .050 | 28A.67.050 |
| 28.63.050 | Deleted | 28.67.060 | 28A.67.060 |
| 28.63 .052 | Deleted | 28.67.065 | Expired |
| 28.63 .060 | 28A. 58.137 | 28.67.066 | Expired |
| 28.63.062 | 28A. 58.137 | 28.67.070 | 28A.67.070 |
| 28.63.064 | 28A.58.137 | 28.67.074 | Expired |
| 28.63 .066 | 28A.58.100 | 28.67.076 | 28A.58.100 |
|  | (2),(4),(5)and(7) | 28.67 .080 | Deleted |
| 28.63.070 | 28A. 60.070 | 28.67 .090 | Deleted |
| 28.63 .080 | Deleted | 28.67.100 | 28A.67.100 |
| 28.63 .090 | Decodified | 28.67.110 | 28A.67.110 |
| 28.63 .100 | Repealed | 28.67.120 | 28A.67.035 |
| 28.63 .110 | Repealed | 28.70 .010 | Deleted |
| 28.63.120 | Repealed | 28.70.015 | Deleted |
| 28.63 .130 | Repealed | 28.70.030 | Deleted |
| 28.63 .140 | Repealed | 28.70.040 | Deleted |
| 28.63 .150 | Repealed | 28.70 .050 | Deleted |
| 28.63 .160 | Repealed | 28.70.060 | Deleted |
| 28.63 .170 | Repealed | 28.70 .070 | Deleted |
| 28.63 .180 | Repealed | 28.70.080 | Deleted |
| 28.63 .181 | 28A.60.181 | 28.70.090 | Deleted |
| 28.63 .185 | 28A.60.185 | 28.70.100 | Deleted |
| 28.63.190 | 28A.60.190 | 28.70 .110 | 28A.70.110 |
| 28.63.200 | 28A. 60.200 | 28.70.120 | 28A.70.110 |
| 28.63 .210 | 28A.60.210 | 28.70.130 | 28A.70.130 |
| 28.63 .220 | 28A.60.220 | 28.70.140 | 28A.70.140 |
| 28.63.230 | Repealed | 28.70.150 | Deleted |
| 28.63.240 | Deleted | 28.70 .151 | Deleted |
| 28.63.250 | Deleted | 28.70.152 | Deleted |
| 28.63.260 | Repealed | 28.70.153 | Deleted |
| 28.63.270 | Repealed | 28.70.154 | Deleted |
| 28.63 .280 | Repealed | 28.70.160 | 28A.70.160 |
| 28.63 .290 | Repealed | 28.70 .170 | 28A.70.170 |
| 28.36.300 | Repealed | 28.70.180 | 28A.70.180 |
| 28.63 .310 | Deleted | 28.70.200 | Deleted |
| 28.65.010 | 28A.65.010 | 28.70.210 | Deleted |
| 28.65 .020 | 28A.65.020 | 28.70.220 | Deleted |
| 28.65.030 | 28A.65.030 | 28.71 .010 | Deleted |
| 28.65.040 | 28A.65.040 | 28.71 .020 | Deleted |
| 28.65 .050 | 28A.65.050 | 28.71 .030 | Deleted |
| 28.65 .060 | 28A. 65.060 | 28.71 .040 | Repealed |
| 28.65.070 | 28A.65.070 | 28.71 .050 | Repealed |
| 28.65.090 | 28A.65.090 | 28.71 .060 28.71 .065 | Repealed |
| 28.65 .095 | Expired | 28.71 .070 | Deleted |
| 28.65 .100 | 28A.65.100 | 28.71 .080 | 28B. 40.380 |
| 28.65 .110 | 28A. 65.110 | 28.71 .090 | Repealed |
| 28.65.120 | 28A.65.120 | 28.71 .100 | 28A. 71.100 |
| 28.65.130 | 28A.65.130 | 28.72.010 | 28A.72.010 |


| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.72 .020 | 28A.72.020 | 28.76.310 | 28B. 10.550 |
| 28.72 .030 | 28A.72.030 | 28.76.320 | 28B.10.555 |
| 28.72 .040 | 28A. 72.040 | 28.76.330 | 28B.10.560 |
| 28.72.050 | 28A.72.050 | 28.76.340 | 28B. 10.565 |
| 28.72.060 | 28A.72.060 | 28.76.350 | 28B. 10.600 |
| 28.72.070 | 28A.72.070 | 28.76.360 | 28B. 10.605 |
| 28.72.080 | 28A.72.080 | 28.76.370 | 28B. 10.620 |
| 28.72.090 | 28A. 72.090 | 28.76.380 | 28B. 10.625 |
| 28.75.010 | 28B.16.010 | 28.76 .390 | 28B. 10.640 |
| 28.75.020 | 28B.16.020 | 28.76.400 | 28B. 10.650 |
| 28.75 .030 | 28B.16.030 | 28.76.410 | 28A.58.420 |
| 28.75 .040 | 28B.16.040 |  | 28B. 10.660 |
| 28.75.050 | 28B.16.050 | 28.76 .420 | 28B. 10.280 |
| 28.75.060 | 28B.16.060 | 28.76.421 | 28B.10.281 |
| 28.75.070 | 28B.16.070 | 28.76.430 | 28B. 10.800 |
| 28.75.080 | 28B.16.080 |  | 28B.15.600 |
| 28.75 .090 | 28B.16.090 | 28.76.435 | Decodified |
| 28.75.100 | 28B.16.100 | 28.76.440 | 28B. 10.802 |
| 28.75.110 | 28B.16.110 | 28.76.450 | 28B. 10.804 |
| 28.75.120 | 28B.16.120 | 28.76.460 | 28B. 10.806 |
| 28.75.130 | 28B.16.130 | 28.76 .470 | 28B. 10.808 |
| 28.75.140 | 28B.16.140 | 28.76.475 | 28B.10.810 |
| 28.75.150 | 28B.16.150 | 28.76.480 | 28B. 10.812 |
| 28.75.160 | 28B.16.160 | 28.76 .490 | 28B. 10.814 |
| 28.75 .170 | 28B.16.170 | 28.76.500 | 28B. 10.816 |
| 28.75.180 | 28B.16.180 | 28.76.510 | 28B. 10.818 |
| 28.75.190 | 28B.16.190 | 28.76.520 | 28B. 10.820 |
| 28.75.200 | 28B.16.200 | 28.76.530 | 28B. 10.822 |
| 28.75.210 | 28B.16.210 | 28.76.540 | 28B. 10.824 |
| 28.75.220 | 28B.16.220 | 28.76.560 | 28B. 10.290 |
| 28.75.230 | 28B.16.230 | 28.76.570 | Decodified |
| 28.75.900 | 28B.16.900 | 28.76.600 | 28B. 10.570 |
| 28.75.910 | 28B.16.910 | 28.76.601 | 28B.10.571 |
| 28.75.920 | 28B.16.920 | 28.76.602 | 28B.10.572 |
| 28.75 .930 | 28B.16.930 | 28.76.603 | 28B.10.573 |
| 28.76.010 | 28B.10.100 | 28.77.010 | 28B. 20.010 |
|  | 28B.10.210 | 28.77.013 | 28B. 10.040 |
| 28.76.020 | 28B.10.020 | 28.77.015 | Deleted |
| 28.76.030 | 28B. 10.030 | 28.77.020 | 28B. 20.020 |
| 28.76.040 | 28B.10.040 | 28.77.025 | 28B. 20.060 |
|  | 28B.30.015 | 28.77.030 | 28B. 15.010 |
| 28.76.050 | 28B.10.050 |  | 28B. 15.020 |
|  | 28B.30.015 |  | 28B. 15.030 |
| 28.76.060 | 28B.20.060 |  | 28B. 15.100 |
| 28.76.070 | 28B.30.060 |  | 28B. 15.200 |
|  | 28B.30.065 | 28.77.040 | 28B. 15.210 |
| 28.76.080 | 28B.10.115 | 28.77.050 | 28B.15.220 |
| 28.76.090 | Deleted | 28.77.060 | Repealed |
| 28.76.100 | 28B.10.120 | 28.77.065 | 28B.15.610 |
| 28.76.110 | 28B.10.200 | 28.77.070 | 28B.15.380 |
| 28.76.120 | 28B.10.140 | 28.77.080 | 28B.15.390 |
| 28.76.121 | Deleted | 28.77.090 | 28B. 20.100 |
| 28.76.129 | 28B.10.210 | 28.77.100 | 28B. 20.100 |
| 28.76.130 | 28B.10.215 |  | 28B. 20.105 |
| 28.76.140 | 28B.10.220 | 28.77.110 | 28B. 20.110 |
| 28.76.150 | 28B.10.250 | 28.77.120 | 28B. 20.200 |
| 28.76.160 | 28B.10.255 | 28.77.125 | 28B.10.510 |
| 28.76.170 | 28B.10.260 | 28.77.130 | 28B. 10.525 |
| 28.76.180 | 28B.10.300 |  | 28B. 20.105 |
| 28.76.190 | 28B.10.305 |  | 28B. 20.130 |
| 28.76.192 | 28B.10.310 | 28.77.133 | 28B. 20.135 |
| 28.76.194 | 28B.10.315 | 28.77.135 | Deleted |
| 28.76.196 | 28B.10.320 | 28.77.137 | 28B. 20.140 |
| 28.76.198 | Deleted | 28.77.140 | 28B.20.130 |
| 28.76.200 | 28B.10.325 | 28.77.150 | Deleted |
| 28.76.210 | 28B.10.330 | 28.77.160 | Deleted |
| 28.76.220 | Deleted | 28.77.170 | 28B. 20.145 |
| 28.76.230 | Decodified | 28.77.180 | 28B. 20.400 |
| 28.76.240 | 28B. 10.400 | 28.77.190 | 28B. 20.402 |
| 28.76.250 | 28B. 10.405 | 28.77.200 | 28B.20.300 |
| 28.76.260 | 28B.10.410 | 28.77.210 | 28B. 20.305 |
| 28.76.270 | 28B. 10.415 | 28.77.215 | 28B. 20.315 |
| 28.76.280 | 28B.10.420 | 28.77.220 | 28B. 20.420 |
| 28.76.290 | 28B.10.500 |  | 28B. 20.422 |
| 28.76.300 | 28B.10.510 | 28.77.225 | 28B. 20.422 |


| Formerly | Herein | Formerly | Herein |
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| 28.77.230 | $\begin{aligned} & \text { 28B. } 20.320 \\ & \text { 28BB.20.322 } \\ & \text { 28B.20.324 } \end{aligned}$ | 28.80 .080 28.80 .085 | $\begin{aligned} & \text { 28B. } 30.095 \\ & \text { 28B. } 30.100 \\ & \text { 28B. } 30.105 \end{aligned}$ |
| 28.77.231 | 28B. 20.322 | 28.80.090 | 28B. 30.105 |
| 28.77.232 | 28B.20.324 | 28.80.100 | 28B.30.120 |
| 28.77.235 | 28B. 20.328 | 28.80.110 | 28B.30.125 |
| 28.77.240 | 28B.20.330 |  | 28B. 30.130 |
| 28.77.250 | 28B.20.332 |  | 28B.30.135 |
| 28.77.260 | 28B. 20.334 | 28.80.120 | 28B. 30.125 |
| 28.77.270 | 28B. 20.336 |  | 28B. 30.130 |
| 28.77.280 | 28B.20.340 |  | 28B. 30.135 |
| 28.77.290 | 28B.20.342 | 28.80.130 | 28B.30.095 |
| 28.77.300 | 28B. 20.344 |  | 28B.30.100 |
| 28.77 .310 | 28B.20.350 |  | 28B.30.150 |
| 28.77.315 | 28B.20.352 | 28.80 .132 | Deleted |
| 28.77.320 | 28B.20.354 | 28.80.135 | 28B. 30.150 |
| 28.77.330 | 28B. 20.356 | 28.80.140 | 28B.10.520 |
| 28.77.333 | 28B.20.360 | 28.80.150 | 28B. 10.525 |
| 28.77.335 | 28B. 20.362 | 28.80.160 | 28B. 30.125 |
| 28.77.337 | 28B. 20.364 |  | 28B. 30.130 |
| 28.77.339 | 28B.20.370 | 28.80.170 | 28B.30.140 |
| 28.77.340 | 28B. 20.380 | 28.80.180 | 28B. 30.200 |
| 28.77.350 | 28B.20.390 | 28.80.190 | 28B.30.210 |
| 28.77.360 | 28B.20.392 |  | 28B. 30.220 |
| 28.77.361 | 28B.20.394 | 28.80.200 | 28B.30.215 |
| 28.77.370 | 28B. 20.396 | 28.80.201 | Deleted |
| 28.77.380 | 28B.20.398 | 28.80.205 | 28B.30.220 |
| 28.77.390 | Deleted | 28.80.210 | 28B.30.250 |
| 28.77 .400 | Deleted | 28.80.220 | 28B.30.255 |
| 28.77 .410 | 28B. 20.450 | 28.80.221 | 28B.30.270 |
| 28.77.414 | 28B.20.454 | 28.80.222 | 28B. 30.275 |
| 28.77.416 | 28B.20.456 | 28.80.223 | 28B.30.280 |
| 28.77.418 | 28B.20.458 | 28.80.224 | 28B.30.285 |
| 28.77 .420 | Deleted | 28.80.230 | 28B.30.300 |
| 28.77.430 | 28B. 20.410 | 28.80.240 | 28B.30.310 |
| 28.77.432 | 28B.20.412 | 28.80.245 | 28B.30.320 |
| 28.77.434 | 28B. 20.414 | 28.80 .246 | 28B. 30.320 |
| 28.77.500 | 28B. 20.700 | 28.80.250 | 28B.30.350 |
| 28.77.510 | 28B. 20.705 | 28.80.260 | 28B.30.355 |
| 28.77.520 | 28B. 20.710 | 28.80.270 | 28B.30.370 |
| 28.77.530 | 28B.20.715 | 28.80.280 | 28B. 30.375 |
| 28.77.540 | 28B. 20.720 | 28.80.290 | 28B. 30.380 |
| 28.77.541 | 28B.20.721 | 28.80.300 | 28B. 30.400 |
| 28.77.545 | 28B.20.725 | 28.80.500 | 28B.30.700 |
| 28.77.547 | 28B.20.730 | 28.80 .510 | 28B. 30.710 |
| 28.77.550 | 28B.20.735 | 28.80.520 | 28B.30.720 |
| 28.77.560 | Deleted | 28.80.530 | 28B. 30.730 |
| 28.77.561 | Deleted | 28.80 .540 | 28B. 30.740 |
| 28.77.570 | Deleted | 28.80.541 | 28B.30.741 |
| 28.77.571 | Deleted | 28.80.542 | 28B.30.742 |
| 28.77.580 | 28B.20.740 | 28.80.550 | 28B. 30.750 |
| 28.77.590 | 28B.20.745 | 28.80.560 | 28B.30.760 |
| 28.77.600 | Deleted | 28.80.570 | 28B.30.770 |
| 28.77 .610 | Deleted | 28.80.580 | 28B. 30.780 |
| 28.77.620 | 28B.20.800 | 28.80.590 | Deleted |
| 28.77.630 | 28B.20.805 | 28.81.005 | Deleted |
| 28.77.640 | 28B.20.810 | 28.81 .010 | 28B.40.010 |
| 28.77 .650 | 28B.20.820 | 28.81.015 | Deleted |
| 28.80.010 | 28B.30.010 | 28.81 .020 | 28B.40.100 |
| 28.80.015 | 28B. 10.040 | 28.81 .030 | 28B.40.105 |
|  | 28B.30.015 | 28.81.040 | 28B.40.110 |
| 28.80.020 | Deleted |  | 28B.40.115 |
| 28.80 .025 | 28B.30.060 | 28.81.050 | 28B.40.105 |
| 28.80.026 | 28B.30.065 |  | 28B. 40.120 |
| 28.80.030 | 28B.15.010 |  | 28B.40.130 |
|  | 28B.15.020 |  | 28B. 40.200 |
|  | 28B.15.030 |  | 28B. 40.210 |
|  | 28B.15.100 |  | 28B.40.230 |
|  | 28B.15.300 |  | 28B. 40.300 |
| 28.80 .040 | 28B.15.310 |  | 28B.40.305 |
| 28.80 .050 | Repealed |  | 28B.40.315 |
| 28.80.060 | 28B.15.380 |  | 28B. 40.380 |
|  | 28B.15.390 | 28.81 .051 | Deleted |
| 28.80.070 | 28B.30.095 | 28.81.052 | 28B. 40.200 |
|  | 28B.30.100 | 28.81.053 | 28B.40.210 |

Title 28
Table of Disposition of Former RCW Sections

| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 28.81 .054 | $\begin{aligned} & \text { 28B. } 40.210 \\ & \text { 28B. } 40.220 \end{aligned}$ | $\begin{aligned} & 28.84 .215 \\ & 28.84 .220 \end{aligned}$ | Repealed Repealed |
| 28.81 .055 | 28B.40.225 | 28.84.230 | Repealed |
| 28.81 .056 | 28B.40.230 | 28.84.240 | Repealed |
| 28.81 .057 | 28B.40.130 | 28.84.250 | Repealed |
| 28.81.058 | 28B.40.300 | 28.84.260 | Repealed |
| 28.81 .059 | 28B.40.305 | 28.84.270 | Repealed |
| 28.81.060 | 28B.40.310 | 28.84.280 | Repealed |
| 28.81.061 | 28B.40.315 | 28.84.290 | Repealed |
| 28.81 .070 | 28B.40.350 | 28.84.300 | Repealed |
| 28.81.080 | 28B. 15.010 | 28.84.310 | Repealed |
|  | 28B. 15.020 | 28.84.500 | Repealed |
|  | 28B.15.040 | 28.84.501 | Repealed |
|  | 28B. 15.100 | 28.84.502 | Repealed |
|  | 28B. 15.400 | 28.84.503 | Repealed |
|  | 28B.15.410 | 28.84.900 | Repealed |
| 28.81 .084 | Decodified | 28.84 .910 | Repealed |
| 28.81.085 | 28B. 40.370 | 28.84 .920 | Repealed |
| 28.81 .090 | Deleted | 28.85.010 | 28B.50.010 |
| 28.81 .091 | Deleted | 28.85.020 | 28B.50.020 |
| 28.81.100 | 28B.40.380 | 28.85.030 | 28B.50.030 |
| 28.81.110 | 28B.40.390 | 28.85.040 | 28B. 50.040 |
| 28.81.120 | 28B. 40.400 | 28.85 .050 | 28B.50.050 |
| 28.81.130 | 28B.40.120 | 28.85.060 | 28B.50.060 |
|  | 28B.40.125 | 28.85.070 | 28B.50.070 |
| 28.81.140 | 28B. 10.450 | 28.85.080 | 28B.50.080 |
| 28.81.150 | 28B. 10.455 | 28.85.090 | 28B.50.090 |
| 28.81.160 | 28B. 10.460 | 28.85 .100 | 28B. 50.100 |
| 28.81.170 | 28B. 10.465 | 28.85.110 | 28B.50.110 |
| 28.81.190 | Decodified | 28.85.120 | 28B.50.120 |
| 28.81.500 | 28B. 40.700 | 28.85 .130 | 28B.50.130 |
| 28.81.510 | 28B.40.710 | 28.85 .140 | 28B.50.140 |
| 28.81 .520 | 28B. 40.720 | 28.85.145 | 28B. 50.145 |
| 28.81.530 | 28B. 40.730 | 28.85.150 | 28B.50.150 |
| 28.81.540 | 28B. 40.370 | 28.85 .160 | 28B.50.160 |
| 28.81 .550 | 28B.40.750 | 28.85 .170 | 28B.50.170 |
| 28.81.551 | 28B.40.751 | 28.85.180 | 28B.50.180 |
| 28.81.560 | 28B. 40.760 | 28.85.190 | 28B.50.190 |
| 28.81.570 | 28B. 40.770 | 28.85.200 | 28B.50.200 |
| 28.81.580 | 28B.40.780 | 28.85.210 | 28B.50.210 |
| 28.81 .590 | 28B. 40.790 | 28.85.220 | 28B.50.220 |
| 28.81.600 | Deleted | 28.85.221 | 28B.50.221 |
| 28.81 .610 | 28B.40.810 | 28.85.230 | 28B.50.230 |
| 28.81 .620 | 28B. 40.820 | 28.85.240 | 28B. 50.240 |
| 28.81.630 | 28B. 40.830 | 28.85.245 | 28B.50.245 |
| 28.81.640 | Deleted | 28.85.246 | 28B.50.246 |
| 28.82.010 | 28B.70.010 | 28.85.250 | 28B.50.250 |
| 28.82.020 | 28B. 70.020 | 28.85.260 | 28B. 50.260 |
| 28.82.030 | 28B. 70.030 | 28.85.300 | 28B.50.300 |
| 28.82.040 | 28B. 70.040 | 28.85.310 | 28B.15.010 |
| 28.82.050 | 28B.70.050 |  | 28B. 15.020 |
| 28.84.010 | Repealed |  | 28B.15.050 |
| 28.84 .020 | Repealed |  | 28B. 15.100 |
| 28.84.030 | Repealed |  | 28B. 15.500 |
| 28.84.040 | Repealed |  | 28B.15.520 |
| 28.84.050 | Repealed | 28.85.313 | 28B.15.523 |
| 28.84.060 | Repealed | 28.85.315 | 28B. 15.525 |
| 28.84.070 | Repealed | 28.85.320 | 28B. 50.320 |
| 28.84.080 | Repealed | 28.85.330 | 28B. 50.330 |
| 28.84 .090 | Repealed | 28.85.340 | 28B.50.340 |
| 28.84.100 | Repealed | 28.85.350 | 28B.50.350 |
| 28.84 .110 | Repealed | 28.85.360 | 28B.50.360 |
| 28.84.119 | Repealed | 28.85.370 | 28B.50.370 |
| 28.84.120 | Repealed | 28.85.380 | 28B. 50.380 |
| 28.84 .130 | Repealed | 28.85.390 | 28B.50.390 |
| 28.84.140 | Repealed | 28.85.400 | 28B. 50.400 |
| 28.84.150 | Repealed | 28.85.440 | 28B.50.440 |
| 28.84.160 | Repealed | 28.85.520 | 28B. 50.520 |
| 28.84.170 | Repealed | 28.85.530 | 28B.50.530 |
| 28.84.180 | Repealed | 28.85.535 | 28B.50.535 |
| 28.84.190 | Repealed | 28.85.540 | 28B.50.540 |
| 28.84.200 | Repealed | 28.85.550 | 28B.50.550 |
| 28.84.205 | Repealed | 28.85.551 | 28B.50.551 |
| 28.84.207 | Deleted | 28.85.560 | 28B.50.560 |
| 28.84.210 | Deleted | 28.85.570 | 28B.50.570 |

Table of Disposition of Former RCW Sections

| Formerly | Herein |
| :---: | :---: |
| 28.85 .571 | Repealed |
| 28.85.572 | Repealed |
| 28.85.573 | Repealed |
| 28.85.574 | Repealed |
| 29.85.575 | Repealed |
| 28.85.580 | 28B. 50.580 |
| 28.85.590 | 28B. 50.590 |
| 28.85.600 | 28B.50.600 |
| 28.85.610 | 28B. 50.610 |
| 28.85.620 | 28B. 50.620 |
| 28.85 .630 | 28B.50.630 |
| 28.85.640 | 28B. 50.640 |
| 28.85.650 | 28B.50.650 |
| 28.85.660 | 28B. 50.660 |
| 28.85.670 | 28B.50.670 |
| 28.85.680 | 28B. 50.680 |
| 28.85.690 | 28B. 50.690 |
| 28.85.700 | 28B.50.700 |
| 28.85.710 | 28B.50.710 |
| 28.85 .740 | 28B.50.740 |
| 28.85.750 | 28B. 50.750 |
| 28.85.770 | 28B.50.770 |
| 28.85 .780 | 28B.50.780 |
| 28.85.790 | 28B.50.790 |
| 28.85.850 | 28B.50.850 |
| 28.85.851 | 28B.50.851 |
| 28.85.852 | 28B.50.852 |
| 28.85.855 | 28B.50.855 |
| 28.85.856 | 28B.50.856 |
| 28.85.857 | 28B. 50.857 |
| 28.85.860 | 28B.50.860 |
| 28.85 .861 | 28B.50.861 |
| 28.85.862 | 28B.50.862 |
| 28.85.863 | 28B.50.863 |
| 28.85 .864 | 28B.50.864 |
| 28.85.867 | 28B.50.867 |
| 28.85 .868 | 28B.50.868 |
| 28.85 .869 | 28B.50.869 |
| 28.85.875 | 28B.50.875 |
| 28.85.910 | 28B.50.910 |
| 28.86.010 | 28B.60.010 |
| 28.86.020 | 28B.60.020 |
| 28.86.030 | 28B.60.030 |
| 28.86.040 | 28B.60.040 |
| 28.86.050 | 28B.60.050 |
|  | 28B.60.055 |
| 28.86.060 | 28B.60.060 |
| 28.86.070 | 28B.60.070 |
| 28.86.080 | 28B.60.080 |
| 28.86.090 | 28B.60.090 |
| 28.86.100 | 28B.60.100 |
| 28.86.110 | 28B.60.110 |
| 28.86.120 | 28B.60.120 |
| 28.87.010 | 28A.87.010 |
| 28.87.020 | 28A.87.020 |
| 28.87.030 | 28A.87.030 |
| 28.87.040 | 28A.27.080 |
| 28.87.050 | 28A. 87.050 |
| 28.87.060 | 28A.87.060 |
| 28.87.070 | 28A.87.070 |
| 28.87.080 | 28A.87.080 |
| 28.87 .090 | 28A.87.090 |
| 28.87.100 | 28A.87.100 |
| 28.87.110 | 28A.87.110 |
| 28.87.120 | 28A.87.120 |
| 28.87.130 | 28A.87.130 |
|  | 28A.87.135 |
| 28.87.140 | 28A.87.140 |
| 28.87.150 | 28A.67.060 |
| 28.87.160 | 28A.87.135 |
| 28.87 .170 | 28A.87.170 |
| 28.87.180 | 28A.02.030 |
| 28.88.010 | 28A.88.010 |
| 28.88.020 | 28A.88.020 |
| 28.88.030 | 28A.88.020 |


| Formerly | Herein |
| :---: | :---: |
| 28.88 .040 | 28A. 88.040 |
| 28.88 .050 | 28A.88.050 |
| 28.88.060 | 28A. 88.060 |
| 28.88.070 | 28A.88.070 |
| 28.88.080 | 28A.88.080 |
| 28.88.090 | 28A. 88.090 |
| 28.89.010 | 28B.80.010 |
| 28.89.020 | 28B.80.020 |
| 28.89.030 | 28B.80.030 |
| 28.89.040 | 28B.80.040 |
| 28.89.050 | 28B.80.050 |
| 28.89 .060 | 28B.80.060 |
| 28.89.070 | 28B.80.070 |
| 28.89.080 | 28B.80.080 |
| 28.89.090 | 28B.80.090 |
| 28.89.100 | 28B.80.100 |
| 28.89.110 | 28B.80.110 |
| 28.89.120 | 28B.80.120 |
| 28.89.900 | 28B.80.900 |
| 28.90.010 | 28B.75.010 |
| 28.90.020 | 28B. 75.020 |
| 28.90.030 | 28B. 75.030 |
| 28.90.040 | 28B. 75.040 |
| 28.90.050 | 28B. 75.050 |
| 28.90.060 | 28B. 75.060 |
| 28.90.070 | 28B.75.070 |
| 28.90.100 | 28B.81.010 |
| 28.90.110 | 28B.81.020 |
| 28.90.120 | 28B.81.030 |
| 28.90.130 | 28B.81.040 |
| 28.90.140 | 28B.81.050 |
| 28.90.150 | 28B.81.060 |
| 28.90.160 | 28B.81.070 |
| 28.90.170 | 28B.81.080 |
| 28.90.180 | 28B.81.090 |
| 28.91.010 | 28A.91.010 |
| 28.91 .020 | 28A.91.020 |
| 28.91 .030 | 28A.91.030 |
| 28.91 .040 | 28A.91.040 |
| 28.91 .050 | 28A.91.050 |
| 28.91 .060 | 28A.91.060 |
| 28.92.010 | 28A.92.010 |
| 28.92.020 | 28A.92.020 |
| 28.92.030 | 28A.92.030 |
| 28.92.040 | 28A.92.040 |
| 28.92.050 | 28A.92.050 |
| 28.92.060 | 28A.92.060 |
| 28.92.070 | 28A.92.070 |
| 28.92.080 | 28A.92.080 |
| 28.93.010 | 28A.93.010 |
| 28.93.020 | 28A.93.020 |
| 28.93.030 | 28A.93.030 |
| 28.96.010 | Expired |
| 28.96.020 | Expired |
| 28.96.030 | Expired |
| 28.96.040 | Expired |
| 28.96.050 | Expired |
| 28.96.060 | Expired |
| 28.96 .070 | Expired |
| 28.96.080 | Expired |
| 28.96 .090 | Expired |
| 28.96.100 | Expired |
| 28.96.300 | Expired |

Title 28A
COMMON SCHOOL PROVISIONS

## Chapter 28A. 01 DEFINITIONS

28A.01.030 County school district. [1969 ex.s. c 223 § 28A.01.030. Prior: 1909 c 97 p 264 § 1 ; RRS § 4694; prior: 1897 c 118 § 2. Formerly RCW 28.01.030.] Repealed by 1969 ex.s. c 176 § 159.

28A.01.035 Intermediate districts. [1969 ex.s. c 223 § 28A. 01.035 Prior: 1965 c 139 § 22. Formerly RCW 28.01.035.] Repealed by 1969 ex.s. c $176 \S 159$.

## Chapter 28A. 02 <br> GENERAL PROVISIONS

28A.02.060 School holidays. (Effective until January 1, 1971.) [1969 ex.s. c 223 § 28A.02.060. Prior: 1955 c 20 § 2; 1909 c 97 p 308 § 6; RRS § 4853. Formerly RCW 28.02.060.] Repealed by 1969 ex.s. c 283 § 23 and by 1973 c 32 § 2.

28A.02.070 Programs in observance of veterans' and admission day. (Effective until January 1, 1971.) [1969 ex.s. c 176 § 101; see prior history under present RCW 28A.02.070.] Repealed by 1973 c 32 § 2.

28A.02.200 Private and/or parochial schools- -Scope of state control-Generally. [1971 ex.s. c 215 § 3.] Repealed by 1974 ex.s. c 92 § 7.

28A.02.210 Private and/or parochial schools-Written statements required. [ 1971 ex.s. c 215 § 4.] Repealed by 1974 ex.s. c 92 § 8.

## Chapter 28A. 03 <br> SUPERINTENDENT OF PUBLIC INSTRUCTION

28A.03.050 Accumulated sick leave fund established in office for all districts-Contributions to. [1975 lst ex.s. c 275 § 48; 1969 ex.s. c 176 § 103; 1969 ex.s. c 223 § 28A.03.050. Prior: 1967 c 12 § 2; 1965 ex.s. c 49 § 2. Formerly RCW 28.03.050.] Repealed by 1975 1st ex.s. c 60 § 1 and by 1975-'76 2nd ex.s. c 15 § 19.

28A.03.063 Additional powers and duties-Coordinating council for occupational education, superintendent's supervisory powers over. Cross-reference section, decodified.

28A.03.075 Additional powers and duties-Mobile homes excise tax proceeds, superintendent to distribute to school districts. Crossreference section, decodified.

28A.03.078 Additional powers and duties--Public buildings, provision for aged and handicapped, superintendent's administrative responsibility. Cross-reference section, decodified.

## Chapter 28A. 04 <br> STATE BOARD OF EDUCATION

28A.04.150 Accumulated sick leave fund, board contributions to. Cross-reference section, decodified.

28A.04.201 Additional powers and duties-Coordinating council for occupational education, board membership on, reports of to. Crossreference section, decodified.

28A.04.209 Additional powers and duties--Associated student bodies, rules and regulations relating to. Cross-reference section, decodified

## Chapter 28A. 06 <br> HIGH SCHOOL EXTENSION COURSES

28A.06.010 State board to prescribe extension courses- Examinations. [1969 ex.s. c 223 § 28A.06.010. Prior: 1909 c 97 p 370 § 1 ; RRS § 5093. Formerly RCW 28.06.010, 28.06.020, 28.06.030 and 28.06.040.] Repealed by 1973 c 51 § 4.
28A.06.050 Preparation and distribution of questions--Grading. [1969 ex.s. c 223 § 28A.06.050. Prior: 1909 p 370 § 2; RRS § 5094. Formerly RCW 28.06.050 and 28.06.060.] Repealed by 1973 c 51 § 4.

28A.06.070 Four year certificate of completion. [1969 ex.s. c $223 \S$ 28A.06.070. Prior: 1909 p 371 § 3; RRS § 5095. Formerly RCW 28.06.070.] Repealed by 1973 c 51 § 4.

## Chapter 28A. 09

VOCATIONAL EDUCATION GENERALLY
28A.09.005 Coordinating council for occupational education-Vocational education--Director--State plan, etc. [Code Reviser's cross-reference section.] Decodified.

28A.09.070 Acceptance of federal acts. [1969 ex.s. c 223 § 28A.09.070. Prior: 1967 ex.s. c 8 § 27; 1939 c 183 § 1 ; 1919 c 169 § 1 ; RRS § 4919. Formerly RCW 28.09.070.] Recodified as RCW 28C.04 .200 pursuant to 1975 lst ex.s. c 174 § 17.

28A.09.080 Custodian of special appropriations. [1969 ex.s. c 223 § 28A.09.080. Prior: 1967 ex.s. c 8 § 28; 1919 c 160 § 2; RRS § 4920. Formerly RCW 28.09.080.] Recodified as RCW 28C.04.210 pursuant to 1975 1st ex.s. c 174 § 17.

28A.09.090 Types of schools or classes. [1969 ex.s. c 223 § 28A.09.090. Prior: 1967 ex.s. c 8 § 29; 1919 c $160 \S 6$; RRS § 4924. Formerly RCW 28.09.090.] Recodified as RCW 28C. 04.220 pursuant to 1975 lst ex.s. c 174 § 17.

28A.09.100 School district vocational education programs-Scope--Rules and regulations. [1971 ex.s. c 285 § 1; 1969 ex.s. c $261 \S 24 ; 1969$ ex.s. c $223 \S 28$ B. 50.240 . Prior: 1967 ex.s. c $8 \S 24$. Like section formerly RCW 28.85.240. Formerly RCW 28B.50.240.] Recodified as RCW 28C.04.230 pursuant to 1975 lst ex.s. c 174 § 17.

28A.09.110 Uniform definition of terms used in vocational educa-tion--Purpose. [1971 ex.s. c 285 § 3.] Recodified as RCW 28C.04.025 pursuant to 19751 st ex.s. c 174 § 17.
28A.09.120 Uniform definition of terms used in vocational educa-tion-DDefinitions. [1971 ex.s. c 285 § 4.] Recodified as RCW 28C.04.026 pursuant to 1975 1st ex.s. c $174 \S 17$.

28A.09.200 Children of certain citizens missing in action or prisoners of war exempt from fees--Limitations--Procedure. [1973 c 63 § 1 ; 1972 ex.s. c 17 § 1.] Recodified as RCW 28C. 04.240 pursuant to 1975 1st ex.s. c 174 § 17.

## Chapter 28A. 19 <br> COUNTY SUPERINTENDENT--INTERMEDIATE DISTRICT SUPERINTENDENT-—INTERMEDIATE DISTRICTS AND BOARDS

28A.19.010 through 28A.19.440. [1969 ex.s. c 223 §§ 28A.19.010 28A.19.440.] Repealed by 1969 ex.s. c 176 § 159.

Chapter 28A. 20
COUNTY AND INTERMEDIATE DISTRICT BOARDS OF EDUCATION
28A.20.010 through 28A.20.095. [1969 ex.s. c 223 §§ 28A.20.01028A.20.095.] Repealed by 1969 ex.s. c 176 § 159.

## Chapter 28A. 21 <br> INTERMEDIATE SCHOOL DISTRICTS—— SUPERINTENDENT - - BOARDS OF EDUCATION

28A.21.073 Intermediate school district superintendent——Reimbursement by district for certain salaries paid. [1970 ex.s. c 84 § 3. Formerly RCW 28.19.531.] Repealed by 1971 ex.s. c 282 § 44.

28A.21.145 Moneys transferred——District special service funds abolished. [1971 ex.s. c 282 § 43.] Repealed by 1974 ex.s. c 75 § 19.
28A.21.150 Superintendents——Minimum salary. [1969 ex.s. c 176 § 15. Formerly RCW 28.19.570.] Repealed by 1971 ex.s. c 282 § 44.

28A.21.185 Possession and title to certain property-Committee to settle disputes. [1971 ex.s. c 282 § 25.] Repealed by 1974 ex.s. c 75 § 21.

28A.21.190 Prosecuting attorneys as legal advisors to board and superintendent-Written opinions of attorney general. [1971 ex.s. c 282 § 27 ; 1969 ex.s. c 176 § 20. Formerly RCW 28.19.590.] Repealed by 1974 ex.s. c 75 § 22.

28A.21.230 Board of education, superintendent, to perform duties of county board of education, county superintendent-Cooperative educational services. [1969 ex.s. c 176 § 24 . Formerly RCW 28.19.610.] Repealed by 1971 ex.s. c 282 § 44.

## Chapter 28A. 28

## CHILD EMPLOYMENT AND PART TIME SCHOOLS

28A.28.010 Permit officers designated-Coordinating council defined. [1971 c 48 § 10 ; 1969 ex.s. c $223 \S 28 A .28 .010$. Prior: 1919 c 151 § 1 ; RRS § 4906. Formerly RCW 28.28.010.] Repealed by 1973 c 51 § 4.

28A.28.020 Attendance until eighteen required- Exceptions. [1969 ex.s. c 223 § 28A.28.020. Prior: 1919 c 151 § 2; RRS § 4907. Formerly RCW 28.28.020.] Repealed by 1973 c 51 § 4.

28A.28.030 Employment permits——Who may apply——Basis and form--"Employment" defined. [1971 c 48 § $11 ; 1969$ ex.s. c 223 § 28A.28.030. Prior: 1919 c 151 § 3; RRS § 4908. Formerly RCW 28.28.030, 28.28.010 and 28.28.040.] Repealed by 1973 c 51 § 4.

28A.28.050 Duties of employers. [1969 ex.s. c 223 § 28A.28.050. Prior: 1919 c 151 § 4; RRS § 4909. Formerly RCW 28.28.050.] Repealed by 1973 c 51 § 4.

28A.28.060 Records and report of permits. [1969 ex.s. c 223 § 28A.28.060. Prior: 1919 c 151 § 5; RRS § 4910. Formerly RCW 28.28.060.] Repealed by 1973 c 51 § 4.
28A.28.070 Establishment, conduct of part time schools. [1969 ex.s. c 223 § 28A.28.070. Prior: 1927 c 181 § 1 ; 1919 c 151 § 6; RRS § 4911. Formerly RCW 28.28.070, 28.28.080.] Repealed by 1973 c 51 § 4.

28A.28.090 Coordinating council to establish rules and regulations, forms. [1969 ex.s. c 223 § 28A.28.090. Prior: 1919 c 151 § 11 ; RRS § 4916. Formerly RCW 28.28.090.] Repealed by 1973 c 51 § 4.

28A.28.100 Attendance at part time schools required-Excep-tions-PPenalty against parent or guardian. [1969 ex.s. c 223 § 28A.28.100. Prior: 1919 c 151 § 7; RRS § 4912. Formerly RCW 28.28.100.) Repealed by 1973 c 51 § 4.

28A.28.110 Employers must allow school attendance--Penalty. [1969 ex.s. c 223 § 28A.28.110. Prior: 1919 c 151 § 9; RRS § 4914. Formerly RCW 28.28.110.] Repealed by 1973 c 51 § 4.

28A.28.120 Enforcement of attendance. [1969 ex.s. c 223 § 28A.28.120. Prior: 1919 c 151 § 13; RRS § 4918. Formerly RCW 28.28.120.] Repealed by 1973 c 51 § 4.

28A.28.130 Attendance at part time school counted as hours of labor for state, federal law. [ 1969 ex.s. c 223 § 28A.28.130. Prior: 1919 c 151 § 8; RRS § 4913. Formerly RCW 28.28.130.] Repealed by 1973 c 51 § 4.

28A.28.140 Reimbursement of expense. [1969 ex.s. c 223 § 28A.28.140. Prior: 1927 c 181 § 2; 1919 c 151 § 12; RRS § 4917. Formerly RCW 28.28.140.] Repealed by 1973 c 51 § 4.

## Chapter 28A. 41

## CURRENT STATE SCHOOL FUND——SCHOOL DISTRICT REIMBURSEMENT PROGRAMS

28A.41.210 Allocations--Minimum requirements. [1973 2nd ex.s. c 4 § 2; 1973 1st ex.s. c 195 § 152.] Section expired January 1, 1975.

## Chapter 28A.44 BASIS OF APPORTIONMENT AT COUNTY LEVEL_-COUNTY HIGH SCHOOL LEVY AGAINST NONHIGH SCHOOL DISTRICTS

28A.44.050 County high school levy against nonhigh school dis-tricts--High school district fund. (Effective July 1, 1973.) [1971 ex.s. c 282 § $33 ; 1971$ c 48 § $15 ; 1969$ ex.s. c 223 § 28A.44.050. Prior: 1923 c 103 § 1 ; 1917 c 21 § 6; RRS § 4715. Formerly RCW 28.44.050.] Repealed effective July 1, 1973 by 1972 ex.s. c 124 § 9.
Repealer-—Savings: ${ }^{\text {"Section 28A.44.050, chapter 223, Laws of }}$ 1969 ex. sess., section 15 , chapter 48 , Laws of 1971 , section 33 , chapter 282, Laws of 1971 ex. sess. and RCW 28A.44.050 are each hereby repealed: Provided, That the provisions of RCW 28A.44.050 shall be effective for the satisfaction of any claims arising thereunder by high school districts against nonhigh districts." [1972 ex.s. c 124 § 9.]

Effective date——Severability——1972 ex.s. c 124: See notes following RCW 28A.44.080.

## Chapter 28A. 48 <br> APPORTIONMENT TO DISTRICTS——DISTRICT ACCOUNTING

28A.48.040 Credits for nonresident attendance--Agreement necessary. [1969 c 130 § 8; 1969 ex.s. c 223 § 28A.48.040. Prior: 1909 c 97 p 312 § 4; RRS § 4874. Formerly RCW 28.48.040.] Repealed by 1975 1st ex.s. c 66 § 3.

28A.48.050 Credits for nonresident attendance——Procedure for obtaining nonresident attendance credit. [1975 1st ex.s. c 275 § 69; 1969 ex.s. c 176 § 110; 1969 ex.s. c 223 § 28A.48.050. Prior: 1909 c

97 p 312 § 5; RRS § 4875. Formerly RCW 28.48.050.] Repealed by 1975 1st ex.s. c 66 § 3 and by 1975-'76 2nd ex.s. c 15 § 19.

28A.48.060 Special credit for school attendance from pupils of orphan homes. [1969 ex.s. c 176 § $112 ; 1969$ ex.s. c 223 § 28A.48.060. Prior: 1925 ex.s. c 139 § 1; RRS § 4874-1. Formerly RCW 28.48.060.] Repealed by 1971 c 47 § 1.

28A.48.090 Apportionment for third class districts may be withheld, when. [1975 1st ex.s. c 275 § 72; 1969 ex.s. c 176 § $113 ; 1969$ ex.s. c 223 § 28A.48.090. Prior: 1909 c 97 p 314 § 13; RRS § 4883. Formerly RCW 28.48.090.] Repealed by 1975 c 43 § 36 and by 1975'76 2nd ex.s. c 15 § 19.

28A.48.110 Distribution of state property tax proceeds. [1972 ex.s. c 124 § $10 ; 1971$ ex.s. c $100 \S 2 ; 1969$ ex.s. c 223 § 28A.48.110. Prior: 1967 ex.s. c 140 § 1 . Formerly RCW 28.48.110.] Repealed by 1973 1st ex.s. c 195 § 133, effective January 31, 1974.
Severability--Effective dates and termination dates--Construc-tion-_1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Chapter 28A. 57

## ORGANIZATION AND REORGANIZATION OF SCHOOL DISTRICTS

28A.57.332 Directors- Increase in number of former third class directors for new second class district, bow effected. [1971 c 67 § 7; 1969 ex.s. c 223 § 28A.57.332. Prior: 1959 c 268 § 8; 1947 c 266 § 33; Rem. Supp. 1947 § 4693-52. Formerly RCW 28.57.360.] Repealed by 1975 c 43 § 36.

28A.57.340 Directors--Number and terms of in reorganized city districts not divided into directors' districts. [1969 ex.s. c 223 § 28A.57.340. Prior: 1959 c 268 § 6; 1947 c 266 § 23; Rem. Supp. 1947 § 4693-42. Formerly RCW 28.57.340.] Repealed by 1971 c 67 § 9.

28A.57.350 Directors' districts generally. Number and terms of directors in new directors' districts. [ 1969 ex.s. c 176 § $138 ; 1969$ ex.s. c 223 § 28A.57.350. Prior: 1959 c 268 § 7, part; 1947 c 266 § 24, part; Rem. Supp. 1947 § 4693-43, part. Formerly RCW 28.57.350, part.] Repealed by 1971 c 67 § 9.

28A.57.370 Directors--Succession of directors when existing district divided into directors' districts. [1969 ex.s. c 176 § 139; 1969 ex.s. c 223 § 28A.57.370. Prior: 1959 c 268 § 9; 1947 c 266 § 34; Rem. Supp. 1947 § 4693-53. Formerly RCW 28.57.370.] Repealed by 1971 c 67 § 9 .

28A.57.380 Directors--Succession in districts heretofore divided into directors' districts. [1969 ex.s. c 223 § 28A.57.380. Prior: 1947 c 266 § 35; Rem. Supp. 1947 § 4693-54. Formerly RCW 28A.57.380.] Repealed by 1971 c 67 § 9.

## Chapter 28A. 58

PROVISIONS APPLICABLE TO ALL SCHOOL DISTRICTS
28A.58.042 Schoolhouses, teachers' cottages-—Purchase, lease of realty--Sites——Third class districts. Cross-reference section, decodified.

28A.58.046 Real property-—Sale——Engaging agent for-— Limitations. [1972 ex.s. c 142 § 4.] Repealed by 1975 lst ex.s. c 243 § 3.

28A.58.130 Limitation on directors' contracting indebtedness, pen-alty-—Exceptions. [1969 ex.s. c 223 § 28A.58.130. Prior: 1959 c 216 § 21; prior: 1933 c 28 § 2, part; 1909 c 97 p 288 § 9, part; 1897 c 118 § 46, part; 1893 c 107 § 3, part; RRS § 4784, part. Formerly RCW 28.58.130.] Repealed by 1975-'76 2nd ex.s. c 118 § 29.

## Chapter 28A. 59

PROVISIONS APPLICABLE ONLY TO FIRST CLASS DISTRICTS

[^21]
## Chapter 28A. 60 <br> PROVISIONS APPLICABLE ONLY TO SECOND AND THIRD CLASS DISTRICTS

28A.60.185 Schoolhouses, teachers' cottages-—Purchase, lease of realty——Sites-—Third class districts. [1969 ex.s. c 223 § 28A.60.185. Prior: 1959 c 169 § 2. Formerly RCW 28.63.185.] Repealed by 1975 c 43 § 36.

28A.60.186 Approval of building plans--Third class districts. [1975 1st ex.s. c 275 § $120 ; 1971$ ex.s. c $282 \S 39 ; 1971$ c $48 \S 36 ;$ 1969 ex.s. c 223 § 28A.60.186. Prior: 1919 c 90 § 7; 1909 c 97 p 289 § 14; RRS § 4789; prior: 1907 c 163 § 2. Formerly RCW 28.58.300, 28.58.301.] Repealed by 1975 c $43 \S 36$ and by $1975-76$ 2nd ex.s. c 15 § 19.

## Chapter 28A. 65

## SCHOOL DISTRICT BUDGETS

28A.65.010 Preliminary budgets--When prepared-Contents. [1969 ex.s. c 119 § 20; 1969 ex.s. c 223 § 28A.65.010. Prior: 1965 ex.s. c 124 § 2. Formerly RCW 28.65.010.] Repealed by 1975-'76 2nd ex.s. c 118 § 34 .

28A.65.020 Preliminary budgets-—Revenue and expenditure detail. [1975 lst ex.s. c $202 \S 1 ; 1972$ ex.s. c $115 \S 1 ; 1969$ ex.s. c 119 § 21; 1969 ex.s. c $223 \S 28$ A.65.020. Prior: 1965 ex.s. c 124 § 3. Formerly RCW 28.65.020.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.030 Preliminary budgets--Format of estimates and comparative data-Classifications. [1969 ex.s. c 223 § 28A.65.030. Prior: 1965 ex.s. c 124 § 4. Formerly RCW 28.65.030.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.040 Preliminary budgets--Items dependent upon prospective enrollment-—How submitted——Revisions. [1969 ex.s. c 119 $\S 23 ; 1969$ ex.s. c $223 \S 28$ A. 65.040 . Prior: 1965 ex.s. c $124 \S 5$. Formerly RCW 28.65.040.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.050 Preliminary budgets--Forms--Classifications- Accounting and cost systems. [1969 ex.s. c 223 § 28A.65.050. Prior: 1965 ex.s. c 124 § 6. Formerly RCW 28.65.050.] Repealed by 1975'76 2nd ex.s. c 118 § 34.

28A.65.060 Preliminary budgets-—Portion of taxable income may be budgeted for certain capital and/or bonding purposes. [1969 ex.s. c 119 § $24 ; 1969$ ex.s. c 223 § 28A. 65.060 . Prior: 1965 ex.s. c 124 § 7. Formerly RCW 28.65.060.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.070 Preliminary budgets--Notice of completion and of bearing thereon--Taxpayers' copies. [1975 1st ex.s. c $53 \S 1 ; 1969$ ex.s. c 223 § 28A.65.070. Prior: 1965 ex.s. c 124 § 8. Formerly RCW 28.65.070.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.075 Preliminary budgets- Tentative adoption of preliminary budget wben legislature has not appropriated moneys--Subsequent revision. [ 1971 ex.s. c 93 § 1.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.080 Preliminary budgets- - Hearing and adoption of preliminary budget- Tentative adoption of revisable items- -Preliminary budget review committee, duties- Preliminary budget filed - Budget constitutes appropriations for fiscal year. [1975 1st ex.s. c 275 § $122 ; 1975$ c 43 § 22 ; 1972 ex.s. c 26 § 2; 1971 ex.s. c 93 § 2; 1971 c 48 § $38 ; 1969$ ex.s. c 119 § $25 ; 1969$ ex.s. c 223 § 28A.65.080. Prior: 1965 ex.s. c 124 § 9. Formerly RCW 28.65.080.] Repealed by 1975-'76 2nd ex.s. c $118 \S 34$.
Reviser's note: This section was also reenacted by 1975-'76 2nd ex.s. c 15 without cognizance of the repeal thereof.

28A.65.090 Preliminary budgets--Meeting to revise items which depend upon enrollment--Notice--Hearing. [1975 c 43 § 23; 1969 ex.s. c 119 § 26; 1969 ex.s. c $223 \S 28$ A. 65.090 . Prior: 1965 ex.s. c 124 § 10. Formerly RCW 28.65.090.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.095 Final budget——Revenue and expenditure detail—— Petition to include receivables collectible in future years-Budget, when null and void. [1972 ex.s. c 115 § 2; 1969 ex.s. c 119 § 22. Like section formerly RCW 28.65.095.] Repealed by 1975-'76 2nd ex.s. c 118 § 34

28A.65.100 Adoption of budget--Second class districts to forward for review. [1975 1st ex.s. c 275 § 123 ; 1975 c 43 § 24; 1971 c 48 § 39; 1969 ex.s. c 119 § 27; 1969 ex.s. c 223 § 28A.65.100. Prior: 1965 ex.s. c 124 § 11. Formerly RCW 28.65.100.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

Reviser's note: This section was also reenacted by 1975-'76 2nd ex.s. c 15 without cognizance of the repeal thereof.

28A.65.110 Final budget review committee--CompositionReview, standard. [1975 1st ex.s. c 275 § 124; 1971 c 48 § 40; 1969 ex.s. c $119 \S 28 ; 1969$ ex.s. c $223 \S 28$ A. 65.110 . Prior: 1965 ex.s. c 124 § 12. Formerly RCW 28.65.110.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.120 Certification and filing of budgets. [1975 1st ex.s. c 275 § $125 ; 1975$ c 43 § $25 ; 1971$ c $48 \S 41 ; 1969$ ex.s. c 119 § $29 ; 1969$ ex.s. c 223 § 28A.65.120. Prior: 1965 ex.s. c 124 § 13. Formerly RCW 28.65.120.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

Reviser's note: This section was also reenacted by 1975-'76 2nd ex.s. c 15 without cognizance of the repeal thereof.

28A.65.130 Second and third class districts--Special levies for additional expenditures. [1969 ex.s. c 223 § 28A.65.130. Prior: 1965 ex.s. c 124 § 14. Formerly RCW 28.65.130.] Repealed by 1969 ex.s. c 119 § 37.

28A.65.140 First class districts——Emergency expenditures. [1969 ex.s. c 223 § 28A.65.140. Prior: 1965 ex.s. c 124 § 15 . Formerly RCW 28.65.140.] Repealed by 1969 ex.s. c 119 § 37.

28A.65.141 First class districts--Emergency expenditures. [1969 ex.s. c 119 § 31. Like section formerly RCW 28.65.141.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.142 First class districts--When emergency other than those enumerated under RCW 28A.65.141. [1969 ex.s. c 119 § 32. Like section formerly RCW 28.65.142.] Repealed by 1975-'76 2nd ex.s. c 118 § 34

28A.65.150 Second class districts--Emergency expenditures. [1975 1st ex.s. c 275 § $126 ; 1975$ c $43 \S 26 ; 1971$ c $48 \S 42 ; 1969$ ex.s. c 119 § 33; 1969 ex.s. c $223 \S 28$ A. 65.150 . Prior: 1965 ex.s. c $124 \S$ 16. Formerly RCW 28.65.150.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.
Reviser's note: This section was alio reenacted by 1975-'76 2nd ex.s. c 15 without cognizance of the repeal thereof.

28A.65.153 Emergency expenditure resolutions filed with officials. [1975 1st ex.s. c 275 § $127 ; 1971$ c 48 § $43 ; 1969$ ex.s. c 119 § 34. Like section formerly RCW 28.65.153.] Repealed by 1975-'76 2nd ex.s. c 118 § 34

28A.65.155 Budget for ensuing fiscal year to provide for emergency revenue--Taxes levied. [ 1969 ex.s. c 119 § 35 . Like section formerly RCW 28.65.155.) Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.160 Termination of appropriations. [1969 ex.s. c 223 § 28A.65.160. Prior: 1965 ex.s. c $124 \S 17$. Formerly RCW 28.65.160.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.170 Budget constitutes appropriations--Nonbudgeted expenditures prohibited--Personal liability--Transfers between budget classes. [1975 1st ex.s. c $151 \S 1 ; 1972$ ex.s. c 26 § $1 ; 1971$ ex.s. c $93 \S 3 ; 1969$ ex.s. c 119 § 36; 1969 ex.s. c 223 § 28A.65.170. Prior: 1965 ex.s. c 124 § 18. Formerly RCW 28.65.170.] Repealed by 1975'76 2nd ex.s. c 118 § 34.

28A.65.175 Interim expenditures authorized prior to final budget approval. [1975 1st ex.s. c 151 § 2.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.180 Rules and regulations for budgetary procedure--Review when superintendent determines budget not sound-—Revised budget, state board's financial plan until adoption. [1975 1st ex.s. c 275 § $128 ; 1971$ c 48 § $44 ; 1969$ ex.s. c 119 § 30 . Like section formerly RCW 28.65.180.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

28A.65.190 Preliminary budget as final school budget. [1974 ex.s. c 91 § 6.] Repealed by 1975-'76 2nd ex.s. c 118 § 34.

## Chapter 28A. 72 <br> NEGOTIATIONS BY CERTIFICATED PERSONNEL

28A.72.010 Declaration of purpose. [1969 ex.s. c 223 § 28A.72.010. Prior: 1965 c 143 § 1. Formerly RCW 28.72.010.] Repealed by 1975 1st ex.s. c 288 § 28, effective January 1, 1976.

28A.72.020 Definitions. [1975 1st ex.s. c 296 § 8; 1969 ex.s. c 223 § 28A.72.020. Prior: 1965 c 143 § 2. Formerly RCW 28.72.020.] Repealed by 1975 1st ex.s. c 288 § 28 and also repealed by 1975 2nd ex.s. c 5 § 7, effective January 1, 1976.
28A.72.030 Negotiation by representatives of employee organiza-tion--Authorized--Subject matter. [1969 ex.s. c 223 § 28A.72.030. Prior: 1965 c 143 § 3. Formerly RCW 28.72.030.] Repealed by 1975 1st ex.s. c 288 § 28, effective January 1, 1976.
28A.72.040 Negotiation by representatives of employee organiza-tion--Separate employee organization of employees of community college. [1969 ex.s. c 223 § 28A.72.040. Prior: 1965 c 143 § 4. Formerly RCW 28.72.040.] Repealed by 1971 ex.s. c 196 § 11.

28A.72.050 Certificated employee may appear in own behalf. [1969 ex.s. c 223 § 28A.72.050. Prior: 1965 c 143 § 5. Formerly RCW 28.72.050.] Repealed by 1975 1st ex.s. c 288 § 28, effective January 1, 1976.

28A.72.060 Advisory committee-Composition-—Report—— Recommendations, effect. [1975 1st ex.s. c 296 § 9; 1969 ex.s. c 52 § 3; 1969 ex.s. c 223 § 28A.72.060. Prior: 1965 c 143 § 6. Formerly RCW 28.72.060.] Repealed by 1975 lst ex.s. c 288 § 28 and also repealed by 1975 2nd ex.s. c 5 § 7, effective January 1, 1976.

28A.72.070 Discrimination prohibited. [1969 ex.s. c 52 § 4; 1969 ex.s. c 223 § 28A.72.070. Prior: 1965 c 143 § 7. Formerly RCW 28.72.070.] Repealed by 1975 1st ex.s. c 288 § 28, effective January 1, 1976.

28A.72.080 District directors to adopt rules and regulations. [1975 1st ex.s. c 296 § $10 ; 1969$ ȩx.s. c 223 § 28A.72.080. Prior: 1965 c 143 § 8. Formerly RCW 28.72.080.] Repealed by 1975 1st ex.s. c 288 § 28 and also repealed by 1975 2nd ex.s. c 5 § 7, effective January 1, 1976.
28A.72.090 Prior agreements. [1969 ex.s. c 223 § 28A.72.090. Prior: 1965 c 143 § 9. Formerly RCW 28.72.090.] Repealed by 1975 1st ex.s. c 288 § 28, effective January 1, 1976.
28A.72.100 Principals, assistant principals, application to. [1975 1st ex.s. c 296 § 11; 1973 1st ex.s. c 115 § 1.] Repealed by 1975 1st ex.s. c 288 § 28 and also repealed by 1975 2nd ex.s. c 5 § 7, effective January 1, 1976.

## Chapter 28A. 87 <br> OFFENSES RELATING TO SCHOOLS, SCHOOL PERSONNEL——PENALTIES

28A.87.200 School districts fraudulently presenting claims toPenalty. Cross-reference section, decodified.

28A.87.210 Damaging, destroying, removing educational building or contents--Penalty. Cross-reference section, decodified.

## Chapter 28A. 88 <br> APPEALS FROM ACTION OR NONACTION OF SCHOOL OFFICIALS AND SCHOOL BOARDS

28A.88.020 Appeals to and from intermediate school district board--Appeals to superior court. [1969 ex.s. c 176 § $154 ; 1969$ ex.s. c 223 § 28A.88.020. Prior: 1919 c 90 § 23; 1909 c 97 p 363 § 2; RRS § 5065. Formerly RCW 28.88.020, 28.88.030.] Repealed by 1971 ex.s. c 282 § 44 .

28A.88.040 Superintendent of public instruction's decision final, when--Court review. [1969 ex.s. c 223 § 28A.88.040. Prior: 1927 c 102 § 3; 1909 c 97 p 364 § 6; RRS § 5069. Formerly RCW 28.88.040.] Repealed by 1971 ex.s. c 282 § 44.
28A.88.050 Basis of appeal. [1969 ex.s. c 223 § 28A.88.050. Prior: 1909 c 97 p 363 § 3; RRS § 5066; prior: 1897 c 118 § 47; 1890 p 366 §32. Formerly RCW 28.88.050.] Repealed by 1971 ex.s. c 282 § 44.

28A.88.060 Notice of appeal——Transcript——Notice of hearing. [1969 ex.s. c 223 § 28A.88.060. Prior: 1927 c 102 § 1; 1909 c 97 p 363 § 4; RRS § 5067; prior: 1897 c 118 § 47; 1890 p 366 § 32. Formerly RCW 28.88.060.] Repealed by 1971 ex.s. c 282 § 44.

28A.88.070 Procedure at hearings on appeals. [1971 c 48 § 53; 1969 ex.s. c 223 § 28A.88.070. Prior: 1927 c 102 § 2; 1909 c 97 p 363 § 5; RRS § 5068. Formerly RCW 28.88.070.] Repealed by 1973 c 46 $\S 4$ and by 1971 ex.s. c 282 § 44.

28A.88.080 Record of decisions and notice. [1969 ex.s. c 223 § 28A.88.080. Prior: 1909 c 97 p 364 § 7; RRS § 5070. Formerly RCW 28.88.080.] Repealed by 1971 ex.s. c 282 § 44.

## Chapter 28A. 96

## TEMPORARY SPECIAL LEVY STUDY COMMISSION

28A.96.010 "Commission", "common schools", defined. [1969 ex.s. c 235 § 1 . Formerly RCW 28.96.010.] Repealed by 1972 ex.s. c 2 § 1.
28A.96.020 Purpose. [1969 ex.s. c 235 § 2. Formerly RCW 28.96.020.] Repealed by 1972 ex.s. c 2 § 1.
28A.96.030 Commission created-Meetings. [1969 ex.s. c 235 § 3. Formerly RCW 28.96.030.] Repealed by 1972 ex.s. c 2 § 1 .

28A.96.040 Membership——Appointed members, limitations. [1971 c 48 § $54 ; 1969$ ex.s. c 235 § 4. Formerly RCW 28.96.040.] Repealed by 1972 ex.s. c $2 \S 1$.

28A.96.050 Members, per diem and travel expenses. [1969 ex.s. c 235 § 5. Formerly RCW 28.96.050.] Repealed by 1972 ex.s. c 2 § 1.
28A.96.060 Chairman--Executive secretary, salary—— Staff——Consultants. [1969 ex.s. c 235 § 6. Formerly RCW 28.96.060.] Repealed by 1972 ex.s. c 2 § 1.
28A.96.070 Procedure, subcommittees, hearings-—Public agencies to furnish data-Citizen groups. [1969 ex.s. c 235 § 7. Formerly RCW 28.96.070.] Repealed by 1972 ex.s. c $2 \S 1$.

28A.96.080 Powers and duties generally. [1969 ex.s. c 235 § 8. Formerly RCW 28.96.080.] Repealed by 1972 ex.s. c 2 § 1.

28A.96.090 Preliminary and final report——Contents. [1969 ex.s. c 235 § 9. Formerly RCW 28.96.090.] Repealed by 1972 ex.s. c 2 § 1.

28A.96.100 Federal and private funds, commission may utilize. [1969 ex.s. c 235 § 10 . Formerly RCW 28.96.100.] Repealed by 1972 ex.s. c 2 § 1 .

28A.96.300 Expiration-Commission abolished. [1969 ex.s. c 235 § 11. Formerly RCW 28.96.300.] Repealed by 1972 ex.s. c 2 § 1.

Chapter 28A. 98 CONSTRUCTION

28A.98.011 Repeal-- 1970 act. The following acts or parts of acts are hereby repealed:
(1) section 2, chapter 97 , page 262, Laws of 1909 as amended by section 1, chapter 71, Laws of 1969 and RCW 28.05.010;
(2) section 2, chapter 71, Laws of 1969 and RCW 28.05.015;
(3) sections 1,4 and 5 , chapter 56, Laws of 1967 ex. sess. as amended by sections 1,2 and 3, chapter 77, Laws of 1969 and RCW 28.47.784, 28.47.787 and 28.47.788;
(4) section 1 , chapter 54 , Laws of 1965 as amended by section 1 , chapter 97, Laws of 1969 and RCW 28.02.120;
(5) section 31 , chapter 157 , Laws of 1955 as last amended by section 2, chapter 105, Laws of 1969 and RCW 28.10.080;
(6) section 5 , chapter 169 , Laws of 1947 as last amended by section 1, chapter 125, Laws of 1969 and RCW 28.58.360;
(7) section 10, chapter 266, Laws of 1947 as last amended by section 4, chapter 131, Laws of 1969 and RCW 28.57.338;
(8) sections 5 and 6, chapter 131, Laws of 1969 and RCW 28.57.425 and 28.57.426;
(9) section 13 , chapter 268 , Laws of 1959 as amended by section 7 , chapter 131, Laws of 1969 and RCW 28.57.430;
(10) section 2, chapter 154, Laws of 1965 ex. sess. as last amended by section 1, chapter 138, Laws of 1969 and RCW 28.41.130;
(11) section 1, page 324, Laws of 1909 as last amended by section 1 , chapter 142, Laws of 1969 and RCW 28.51.010;
(12) section 1, chapter 92, Laws of 1951 as amended by section 1 , chapter 2, Laws of 1969 ex. sess. and RCW 28.13.010;
(13) section 6, chapter 154, Laws of 1965 ex. sess. as amended by section 1, chapter 3, Laws of 1969 ex. sess. and RCW 28.41.170;
(14) section 15 , chapter 268, Laws of 1961 as amended by section 1 , chapter 26, Laws of 1969 ex. sess. and RCW 28.58.310;
(15) sections 2, 3, 5 and 6, chapter 241, Laws of 1961 as amended by sections 2, 3, 4 and 5, chapter 34, Laws of 1969 ex. sess. and RCW 28.58.450, 28.58.460, 28.58.480 and 28.58.490;
(16) section 1, page 362 , Laws of 1909 as last amended by section 6 , chapter 34, Laws of 1969 ex. sess. and RCW 28.88.010;
(17) sections 7 through 11 , chapter 34, Laws of 1969 ex. sess. and RCW 28.58.515, 28.19.601, 28.19.602, 28.58.445 and 28.67.065;
(18) section 1, chapter 224, Laws of 1961 as amended by section 1, chapter 49, Laws of 1969 ex. sess. and RCW 28.58.135;
(19) sections 6 and 7, chapter 143, Laws of 1965 as amended by sections 1 and 2, chapter 52, Laws of 1969 ex. sess. and RCW 28.72.060 and 28.72.070;
(20) section 1, chapter 203, Laws of 1941 as last amended by section 1, chapter 57, Laws of 1969 ex. sess. and RCW 28.05.050;
(21) section 1, page 364, Laws of 1909 as amended by section 1 , chapter 109, Laws of 1969 ex. sess. and RCW 28.27.010;
(22) sections 2 and 3, chapter 124, Laws of 1965 ex. sess. as amended by sections 1 and 2, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.010 and 28.65.020;
(23) section 3, chapter 119 , Laws of 1969 ex. sess. and RCW 28.65.095;
(24) sections $5,7,9,10,11,12$ and 14 , chapter 124, Laws of 1965 ex. sess. as amended by sections $4,5,6,7,8,9$ and 10 , chapter 119 , Laws of 1969 ex. sess. and RCW 28.65.040, 28.65.060, 28.65.080, 28.65.090, 28.65.100, 28.65.110 and 28.65.120;
(25) sections 11,12 and 13 , chapter 119 , Laws of 1969 ex . sess. and RCW 28.65.180, 28.65 .141 and 28.65.142;
(26) sections 16 and 18 , chapter 124 , Laws of 1965 ex. sess. as amended by sections 14 and 17, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.150 and 28.65.170;
(27) sections 15 and 16, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.153 and 28.65.155;
(28) section 4, chapter 76, Laws of 1957 as last amended by section 22, chapter 150, Laws of 1969 ex. sess. and RCW 28.81.170;
(29) section 2, chapter 153, Laws of 1969 ex. sess. and RCW 28.04.125;
(30) section 2, page 230, chapter 97, Laws of 1909 as amended by section 31, chapter 176, Laws of 1969 ex. sess. and RCW 28.02.020;
(31) section 3, chapter 20, Laws of 1955 as amended by section 15 , chapter 283, Laws of 1969 ex. sess. and RCW 28.02.070;
(32) section 3, page 231, chapter 97, Laws of 1909 as last amended by section 33, chapter 176, Laws of 1969 ex. sess. and RCW 28.03.030;
(33) section 2, chapter 49 , Laws of 1965 ex. sess. as last amended by section 34, chapter 176, Laws of 1969 ex. sess. and RCW 28.03.050;
(34) sections 7 and 10 , chapter 154 , Laws of 1965 ex. sess. as amended by sections 35 and 36, chapter 176, Laws of 1969 ex. sess. and RCW 28.24.080 and 28.24.110;
(35) sections 4 and 9, pages 365 and 367, chapter 97, Laws of 1909 as amended by sections 37 and 38 , chapter 176, Laws of 1969 ex. sess. and RCW 28.27.040 and 28.27.080;
(36) section 9, chapter 141 , Laws of 1945 as last amended by section 41, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.030;
(37) sections 5 and 6, pages 312 and 313, chapter 97, Laws of 1909 as last amended by sections 42 and 43, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.050 and 28.48.055;
(38) section 1 , chapter 139, Laws of 1925 ex. sess. as amended by section 44, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.060;
(39) section 13 , page 314 , chapter 97 , Laws of 1909 as amended by section 45 , chapter 176, Laws of 1969 ex. sess. and RCW 28.48.090;
(40) section 1, page 309, chapter 97, Laws of 1909 as last amended by section 46, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.100;
(41) sections 11 and 12 , chapter 266, Laws of 1947 as amended by sections 47 and 48, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.030 and 28.57.040;
(42) section 13 , chapter 266 , Laws of 1947 as last amended by section 49, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.050;
(43) sections 19 and 21 , chapter 266 , Laws of 1947 as last amended by sections 50 and 51, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.070 and 28.57.090;
(44) sections 3 and 9, chapter 266, Laws of 1947 as amended by sections 52 and 53, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.130 and 28.57.140:
(45) section 5, chapter 266, Laws of 1947 as last amended by section 54, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.150;
(46) section 15 , chapter 266 , Laws of 1947 as amended by section 55, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.170;
(47) section 16, chapter 266, Laws of 1947 as last amended by section 56, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.180;
(48) sections 17,18 and 26, chapter 266, Laws of 1947 as amended by sections 57,58 and 59 , chapter 176, Laws of 1969 ex. sess. and RCW 28.57.190, 28.57.200 and 28.57.240;
(49) section 5 , chapter 268 , Laws of 1959 as amended by section 60 , chapter 176, Laws of 1969 ex. sess. and RCW 28.57.245;
(50) section 23, chapter 130, Laws of 1961 as amended by section 61, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.255;
(51) sections 28,31 and 32 , chapter 266, Laws of 1947 as amended by sections 62, 63 and 64, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.260, 28.57.290 and 28.57.300;
(52) sections 24 and 34, chapter 266, Laws of 1947 as last amended by sections 65 and 66, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.350 and 28.57.370;
(53) section 38, chapter 266, Laws of 1947 as amended by section 67, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.390;
(54) section 1, chapter 30, Laws of 1963 as amended by section 68, chapter 176, Laws of 1969 ex. sess. and RCW 28.58.530;
(55) section 43, chapter 118 , Laws of 1897 as last amended by section 70, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.040;
(56) section 2, page 338, chapter 97, Laws of 1909 as last amended by section 71, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.060;
(57) sections 3 and 5, pages 336 and 337, chapter 97, Laws of 1909 as last amended by sections 72 and 73, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.110 and 28.70.140;
(58) section 21, chapter 139, Laws of 1965 as amended by section 74, chapter 176, Laws of 1969 ex. sess. and RCW 28.71.100;
(59) section 5, chapter 128, Laws of 1917 as last amended by section 75, chapter 176, Laws of 1969 ex. sess. and RCW 28.81.100;
(60) section 2, page 357, chapter 97, Laws of 1909 as amended by section 77, chapter 176, Laws of 1969 ex. sess. and RCW 28.87.050;
(61) section 1 , chapter 126 , Laws of 1917 as amended by section 80 , chapter 176, Laws of 1969 ex. sess. and RCW 28.87.090;
(62) sections 4,5 and 15 , pages 358 and 361 , chapter 97, Laws of 1909 as amended by sections 81,82 and 83 , chapter 176, Laws of 1969 ex. sess. and RCW 28.87.100, 28.87.110 and 28.87.170;
(63) section 2, page 363, chapter 97, Laws of 1909 as last amended by section 84 , chapter 176 , Laws of 1969 ex. sess. and RCW 28.88.020;
(64) section 3, page 298 and section 3, page 301, chapter 97, Laws of 1909 as a mended by sections 85 and 86, chapter 176, Laws of 1969 ex. sess. and RCW 28.63.020 and 28.63.022;
(65) section 3, chapter 169, Laws of 1947 as amended by section 2, chapter 184, Laws of 1969 ex. sess. and RCW 28.58.340;
(66) section 1 , chapter 196, Laws of 1969 ex. sess. and RCW 28.81.055;
(67) section 11, page 368, Laws of 1909 as amended by section 43, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.104;
(68) section 5, chapter 77, Laws of 1903 as amended by section 44, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.190;
(69) section 2, chapter 106, Laws of 1909 as amended by section 45, chapter 199, Laws of 1969 ex. sess. and RCW 28.58.281;
(70) section 11 , page 360 , section 12 , page 361 , section 7 , page 359 and section 9, page 360, Laws of 1909 as amended by sections 46 through 52, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.010, 28.87.060, 28.87.130 and 28.87.140;
(71) section 13, chapter 244, Laws of 1969 ex. sess. and RCW 28.41.140;
(72) section 2, chapter 217, Laws of 1969 ex. sess. and RCW 28.41.145;
(73) section 1, chapter 191, Laws of 1959 as amended by section 1 , chapter 222, Laws of 1969 ex. sess. and RCW 28.76.420;
(74) sections 4,7 and 8 , chapter 229 , Laws of 1961 as amended by sections 6,7 and 8 , chapter 232, Laws of 1969 ex. sess. and RCW 28.76.192, 28.76.194 and 28.76.200; repealing section 3, chapter 284, Laws of 1947 as amended by section 9, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.370;
(75) section 4, chapter 254, Laws of 1957 as last amended by section 10, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.530;
(76) section 8, chapter 193, Laws of 1959 as amended by section 11, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.547;
(77) sections 4 and 7, chapter 12, Laws of 1961 ex. sess. as amended by sections 12 and 13, chapter 232, Laws of 1969 ex. sess. and RCW 28.80.530 and 28.80.560;
(78) section 39, chapter 8, Laws of 1967 ex. sess. as amended by section 36, chapter 232, Laws of 1969 ex. sess. and RCW 28.85.390;
(79) section 12, page 329, Laws of 1909 as last amended by section 66, chapter 232, Laws of 1969 ex. sess. and RCW 28.51.180;
(80) sections 5 and 6, pages 333 and 334, Laws of 1909 as amended by sections 67 and 68 , chapter 232, Laws of 1969 ex. sess. and RCW 28.52.050 and 28.52.055;
(81) section 4, chapter 14, Laws of 1961 ex. sess. as amended by section 69, chapter 232, Laws of 1969 ex. sess. and RCW 28.81.530;
(82) section 8, chapter 14, Laws of 1961 ex. sess. as amended by section 70, chapter 232, Laws of 1969 ex. sess. and RCW 28.81.570;
(83) section 1, chapter 187, Laws of 1959 as last amended by section 2, chapter 237, Laws of 1969 ex. sess. and RCW 28.76.410;
(84) sections 32 and 37 , chapter 81 , Laws of 1967 ex. sess. as amended by sections 1 and 4, chapter 238 , Laws of 1969 ex. sess. and RCW 28.85.320 and 28.85.370;
(85) sections $2,3,5,6,9,10,24,25$ and 31 , chapter 8 , Laws of 1967 ex. sess. as amended by sections $2,3,4,5,6,7,9,10$ and 11 , chapter 261, Laws of 1969 ex. sess. and RCW 28.85.020, 28.85.030, $28.85 .050,28.85 .060,28.85 .090,28.85 .100,28.85 .240,28.85 .250$ and 28.85.310;
(86) section 15 , chapter 261, Laws of 1969 ex. sess. and RCW 28.85.535;
(87) section 5, chapter 139 , Laws of 1921 as last amended by section 3, chapter 269, Laws of 1969 ex. sess. and RCW 28.77.070;
(88) section 4, chapter 164, Laws of 1921 as amended by section 4, chapter 269, Laws of 1969 ex. sess. and RCW 28.80.060;
(89) section 5, chapter 269, Laws of 1969 ex. sess. and RCW 28.81.084;
(90) section 6, page 308, Laws of 1909 as amended by section 14 , chapter 283, Laws of 1969 ex. sess. and RCW 28.02.060;
(91) section 3, chapter 258, Laws of 1947 as last amended by section 16, chapter 283, Laws of 1969 ex. sess. and RCW 28.04.060;
(92) section 3, chapter 49, Laws of 1965 ex. sess. as amended by section 18 , chapter 283, Laws of 1969 ex. sess. and RCW 28.67.076;
(93) sections 17 and 58 , chapter 8, Laws of 1967 ex. sess. as amended by sections 20 and 21, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.170 and 28.85.580;
(94) RCW 28.47.792 through 28.47.799, 28.10.100 through 28.10.110, 28.75.010 through 28.75.220 and 28.75.900 through 28.75.930, 28.75.230, 28.77.235, 28.80.246, 28.85.221, 28.19.500 through 28.19. 595 and 28.19 .600 through 28.19.610; 28.76.421; 28.76.540; 28.47 .800 through 28.47.811; 28.85.875; 28.90.100 through 28.90.180; 28.77.215; 28.76.560, 28.89.010 through 28.89.120, 28.89.900 and 28.89.910; 28 .67.066, 28.67.074, 28.76.570, 28.93.010 through 28.93.030, 28.85.551, 28.58.610, 28.02.061, 28.85.850 through 28.85.869; 28.85.572 through $28.85 .575,28.85 .145,28.85 .245,28.85 .246,28.96 .010$ through 28.96.100 and 28.96.300. [1970 ex.s. c 16 § 1.]

Effective date: "This 1970 amendatory act shall be effective at such time as chapter 223 , Laws of 1969 ex. sess. becomes effective." [1970 ex.s. c 16 § 2.] This applies to RCW 28A.98.011 above. Chapter 223, Laws of 1969 ex. sess. is effective July 1, 1970; see RCW 28A.98.080 and 28B.98.080.

28A.98.012 Repeal-- 1971 act. The following acts or parts of acts are each hereby repealed:
(1) Section 2, chapter 244, Laws of 1969 ex. sess., section 4, chapter 42, Laws of 1970 ex. sess. and RCW 28.47.801;
(2) Section 1, page 324, Laws of 1909, section 12, chapter 90, Laws of 1919, section 1, chapter 147, Laws of 1921, section 1, chapter 99, Laws of 1927, section 1, chapter 163, Laws of 1953, section 1, chapter 142, Laws of 1969 , section 6, chapter 42, Laws of 1970 ex. sess. and RCW 28.51.010;
(3) Section 2, page 324, Laws of 1909, section 8, chapter 42, Laws of 1970 ex. sess. and RCW 28.51.020; and
(4) Section 1, chapter 62, Laws of 1965 , section 10 , chapter 42 , Laws of 1970 ex. sess. and RCW 28.58.550. [1971 c 8 § 6.]

[^22]
# 28B HIGHER EDUCATION 

## Chapter 28B. 10 <br> COLLEGES AND UNIVERSITIES GENERALLY

28B.10.180 Financial plan for ensuing fiscal period--State colleges and universities. [1971 ex.s. c 40 § 1.] Repealed by 1975 1st ex.s. c 293 § 21 .

28B.10.450 Annuities and retirement income plans for state college faculty members and certain employees. [1970 ex.s. c $53 \S 1 ; 1969$ ex.s. c 223 § 28B.10.450. Prior: 1961 c 202 § 1; 1957 c 76 § 1. Formerly RCW 28.81.140.] Repealed by 1971 ex.s. c $261 \S 6$.

28B.10.455 Annuities and retirement income plans for state college faculty members and certain employees-Contributions by faculty members and employees. [1970 ex.s. c $53 \S 2 ; 1969$ ex.s. c 223 § 28B.10.455. Prior: 1961 c 202 § 2; 1957 c 76 § 2. Formerly RCW 28.81.150.] Repealed by 1971 ex.s. c 261 § 6.
28B.10.460 Annuities and retirement income plans for state college faculty members and certain employees--Limitation on institution's contribution. [ 1970 ex.s. c 53 § 3; 1969 ex.s. c $223 \S 28 B .10 .460$. Prior: 1961 c 202 § $3 ; 1957$ c 76 § 3. Formerly RCW 28.81.160.] Repealed by 1971 ex.s. c $261 \S 6$.

28B.10.465 Annuities and retirement income plans for state college faculty members and certain employees--Rights and duties of members of state teachers' retirement system. [1971 c 8 § $1 ; 1970$ ex.s. c 53 $\S 4 ; 1970$ ex.s. c $35 \S 6 ; 1969$ ex.s. c $150 \S 23 ; 1969$ ex.s. c $223 \S$ 28B.10.465. Prior: 1967 c 151 § 4; 1959 c 96 § 1 ; 1957 c 76 § 4. Formerly RCW 28.81.170.] Repealed by 1971 ex.s. c 261 § 6.
28B.10.720 Senior college concept, adaptability to state system, review and report of. [1969 ex.s c 283 § 3. Formerly RCW 28.76.440.] Repealed by 1973 c 62 § 25.

Savings--Severability——1973 c 62: See notes following RCW 28B. 10.200.

## Chapter 28B. 15 <br> COLLEGE AND UNIVERSITY FEES

28B.15.010 "Resident students" and "nonresident students" defined. [1969 ex.s. c 223 § 28B.15.010. Prior: (i) 1967 ex.s. c 8 § 31, part. Formerly RCW 28.85.310, part. (ii) 1963 c 181 § 1, part; 1961 ex.s. c 10 § 1, part; 1959 c 186 § 1, part; 1947 c 243 § 1, part; 1945 c 187 § 1, part; 1933 c 169 § 1, part; 1931 c 48 § 1, part; 1921 c 139 § 1 , part; 1919 c 63 § 1 , part; 1915 c 66 § 2, part; RRS § 4546, part. Formerly RCW 28.77.030, part. (iii) 1963 c $180 \S 1$, part; 1961 ex.s. c 11 § 1 , part; 1949 c 73 § 1, part; 1931 c 49 § 1, part; 1921 c 164 § 1, part; Rem. Supp. 1949 § 4569, part. Formerly RCW 28.80.030, part. (iv) 1967 c 47 § 10, part; 1965 ex.s. c 147 § 1, part; 1963 c 143 § 1, part; 1961 ex.s. c $13 \S$ 3, part. Formerly RCW 28.81.080, part.] Repealed by 1971 ex.s. c $273 \S 5$.

28B.15.030 "Incidental fees" at universities defined. [1969 ex.s. c 223 § 28B.15.030. Prior: (i) 1963 c 181 § 1 , part; 1961 ex.s. c $10 \S 1$, part; 1959 c 186 § 1 , part; 1947 c 243 § 1, part; 1945 c 187 § 1 , part; 1933 c 169 § 1, part; 1931 c 48 § 1, part; 1921 c 139 § 1, part; 1919 c 63 § 1 , part; 1915 c 66 § 2, part; RRS § 4546, part. Formerly RCW 28.77.030, part. (ii) 1963 c $180 \S 1$, part; 1961 ex.s. c 11 § 1 , part; 1949 c 73 § 1 , part; 1931 c 49 § 1, part; 1921 c 164 § 1, part; Rem. Supp. 1949 § 4569, part. Formerly RCW 28.80.030, part.] Repealed by 1971 ex.s. c $279 \S 24$.

28B.15.040 "Incidental fees" at state colleges defined. [1969 ex.s. c 223 § 28B.15.040. Prior: 1967 c 47 § 10, part; 1965 ex.s. c 147 § 1 , part; 1963 c 143 § 1 , part; 1961 ex.s. c 13 § 3, part; prior: (i) 1921 c 136 § 1, part; 1905 c 85 § 3, part; RRS § 4616, part. (ii) 1909 c 97 p 255 § 12, part; RRS § 4619, part. Formerly RCW 28.81.080, part.] Repealed by 1971 ex.s. c 279 § 24.

28B.15.050 "Incidental fees" at community colleges defined. [1969 ex.s. c 223 § 28B. 15.050 . Prior: 1967 ex.s. c 8 § 31, part. Formerly RCW 28.85.310, part.] Repealed by 1971 ex.s. c 279 § 24.

28B.15.390 Giving note for fees at universities. [1969 ex.s. c $223 \S$ 28B.15.390. Prior: (i) 1921 c 139 § 6; RRS § 4551. Formerly RCW 28.77.080. (ii) 1921 c 164 § 4, part. Formerly RCW 28.80.060, part.] Repealed by 1969 ex.s. c 269 § 12.

28B.15.410 Fees--Additional charges. [1969 ex.s. c 223 § 28B. 15 +10. Prior: 1967 c 47 § 10, part; 1965 ex.s. c 147 § 1 , part; 1963 c 143 § 1, part: 1961 ex.s. c 13 § 3, part; prior: (i) 1921 c 136 § 1 , part; 1905 c 85 § 3, part; RRS § 4616, part. (ii) 1909 c 97 p 255 § 12, part; RRS § 4619, part. Formerly RCW 28.81.080, part.] Repealed by 1971 ex.s. c 279 § 24.

## Chapter 28B. 20 <br> UNIVERSITY OF WASHINGTON

28B.20.380 Disposition of old university grounds-—Limit of term. [1969 ex.s. c 223 § 28B.20.380. Prior: 1953 c 69 § 1; 1951 c 97 § 1 ; 1923 c 44 § 1 ; RRS § 7846-1. Formerly RCW 28.77.340.] Repealed by 1974 ex.s. c 174 § 2.

## Chapter 28B. 40 <br> STATE COLLEGES

28B.40.125 Trustees--Pecuniary interest in certain contracts forbidden--Penalty. [1969 ex.s. c 223 § 28B.40.125. Prior: 1909 c 97 p 256 § 16; RRS § 4623; prior: 1897 c 118 § 227; 1893 c 107 § 22. Formerly RCW 28.81.130.] Repealed by 1969 ex.s. c 234 § 38.

28B.40.210 Master degrees in education, arts or science authorized. [1969 ex.s. c 223 § 28B. 40.210 . Prior: (i) 1967 c 47 § 8; 1949 c 34 § 2 ; 1947 c 108 § 1 ; Rem. Supp. 1949 § 4618-2. Formerly RCW 28.81.053; 28.81.050(17). (ii) 1967 c 47 § 9, part; 1963 c 109 § 1, part. Formerly RCW 28.81.054, part.] Repealed by 1975 1st ex.s. c 232 § 2.

28B.40.226 Granting of specific degrees authorized——Eastern Washington State College. [1974 ex.s. c 14 § $1 ; 1971$ ex.s. c 28 § 1.] Repealed by 1975 1st ex.s. c 232 § 2.

## Chapter 28B. 50 <br> COMMUNITY COLLEGES ACT OF 1967 (AND COMMUNITY COLLEGES GENERALLY)

28B.50.110 Community college boards of trustees-—Nominating committees for initial trustees--Chairman--Meetings-—Per diem and expenses. [1969 ex.s. c 223 § 28B.50.110. Prior: 1967 ex.s. c 8 § 11 . Formerly RCW 28.85.110.] Repealed by 1969 ex.s. c 261 § 31.
28B.50.120 Community college boards of trustees- Nominating committees for initial trustees--Submission of list, considerations when preparing--Appointment upon committee failure to submit list. [1969 ex.s. c 223 § 28B.50.120. Prior: 1967 ex.s. c 8 § 12. Formerly RCW 28.85.120.] Repealed by 1969 ex.s. c 261 § 31.

28B.50.160 Coordinating council for occupational education-Created--Purpose--Powers and duties. [1970 ex.s. c 18 § 54; 1969 ex.s. c 223 § 28B.50.160. Prior: 1967 ex.s. c 8 § 16 . Formerly RCW 28.85.160.] Repealed by 1975 lst ex.s. c 174 § 18.

28B.50.170 Coordinating council for occupational education-Members--Appointment - Terms——Qualifications and restrictions as to governor's appointees--Per diem and mileage. [1973 c 62 § 20; 1969 ex.s. c 283 § 28; 1969 ex.s. c 223 § 28B.50.170. Prior: 1967 ex.s. c 8 § 17. Like section formerly RCW 28.85.170.] Repealed by 1975 lst ex.s. c 174 § 18.

28B.50.180 Coordinating council for occupational education-Organization--Bylaws-Chairman and vice chairman, election of, terms--Meetings--Quorum--Annual report--Fiscal year. [1969 ex.s. c 223 § 28B. 50.180 . Prior: 1967 ex.s. c 8 § 18 . Formerly RCW 28.85.180.] Repealed by 1975 1st ex.s. c 174 § 18.

28B.50.190 Coordinating council for occupational educationDivisions created--Purposes. [1969 ex.s. c 223 § 28B.50.190. Prior: 1967 ex.s. c 8 § 19. Formerly RCW 28.85.190.] Repealed by 1970 ex.s. c 18 § 62.

28B.50.200 Coordinating council for occupational educationDirector of vocational education--Appointment--Term——Qual-ifications--Duties--Salary and expenses. [1973 c 62 § 21; 1969 ex.s. c 223 § 28B.50.200. Prior: 1967 ex.s. c 8 § 20. Formerly RCW 28.85.200.] Repealed by 1975 1st ex.s. c 174 § 18.

28B.50.210 Coordinating council for occupational education- Division of vocational rehabilitation-Director--Appointment-Term--Qualifications-Duties--Salary and expenses. [1969 ex.s. c 223 § 28B.50.210. Prior: 1967 ex.s. c 8 § 21 . Formerly RCW 28.85.210.] Repealed by 1970 ex.s. c 18 § 62.

28B.50.211 Division of vocational rehabilitation of the coordinating council for occupational education abolished. [Code Reviser cross reference section.] Decodified.

28B.50.220 Coordinating council for occupational education-Additional powers and duties. [ 1970 ex.s. c $18 \S 55 ; 1969$ ex.s. c $223 \S$ 28B.50.220. Prior: 1967 ex.s. c 8 § 22. Formerly RCW 28.85.220.] Repealed by 1975 1st ex.s. c 174 § 18.

28B.50.221 Coordinating council for occupational education-Additional powers and duties. [1969 ex.s. c 98 § 1. Formerly RCW 28.85.221.] Recodified as RCW 28C.04.140 pursuant to 1975 1st ex.s. c 174 § 17.
28B.50.230 Coordinating council for occupational education-Preparation of state plan for vocational education by, considera-tions- - Allocation of funds, standard. [1969 ex.s. c 223 § 28B.50.230. Prior: 1967 ex.s. c 8 § 23. Formerly RCW 28.85.230.] Recodified as RCW 28C.04.090 pursuant to 1975 1st ex.s. c 174 § 17.

28B.50.240 School district vocational education programsScope. [1969 ex.s. c 261 § 24; 1969 ex.s. c 223 § 28B.50.240. Prior: 1967 ex.s. c 8 § 24 . Like section formerly RCW 28.85.240.] Now codified as RCW 28A.09.100.
28B.50.245 State advisory council on vocational education-Created-Members--Qualifications--Appointment—— Terms-_Chairman--Meetings_-Per diem and expenses. [1969 ex.s. c 283 § 52. Formerly RCW 28.85.245.] Recodified as RCW 28C.04.300 pursuant to 1975 1st ex.s. c 174 § 17.

28B.50.246 State advisory council on vocational education-Powers and duties. [1969 ex.s. c 283 § 53. Formerly RCW 28.85.246.] Recodified as RCW 28C.04.310 pursuant to 1975 1st ex.s. c 174 § 17.

28B.50.260 Coordinating council to conduct division business sepa-rately-Director as secretary. [1969 ex.s. c 223 § 28B.50.260. Prior: 1967 ex.s. c 8 § 26. Formerly RCW 28.85.260.] Repealed by 1970 ex.s. c 18 § 62.
Savings: See note following RCW 72.01.020.
28B.50.540 Conditions incident to existing teachers' contracts to continue--Teacher tenure plan report. [1969 ex.s. c 223 § 28B.50.540. Prior: 1967 ex.s. c 8 § 54. Formerly RCW 28.85.540.] Repealed by 1969 ex.s. c 283 § 31.
28B.50.550 Sick leave credit plans to continue for faculty and nonacademic personnel--Leave provisions generally. [1969 ex.s. c 223 § 28B.50.550. Prior: 1967 ex.s. c 8 § 55. Formerly RCW 28.85.550.] Repealed by 1969 ex.s. c 283 § 26.

28B.50.560 Health care service contracts or hospitalization contracts to continue for faculty and nonacademic personnel--Premium payments——Future contracts. [1969 ex.s. c 223 § 28B.50.560. Prior: 1967 ex.s. c 8 § 56. Formerly RCW 28.85.560.] Repealed by 1973 lst ex.s. c $46 \S 10$, effective June 30, 1974.
28B.50.570 Pension plans to continue for faculty and nonacademic personnel- Payments for--Option for new faculty--Study report for pension plans for faculty. [1969 ex.s. c 223 § 28B.50.570. Prior: 1967 ex.s. c 8 § 57. Formerly RCW 28.85.57.0.] Repealed by 1973 1st ex.s. c 149 § 7, effective July 1, 1974.

Reviser's note: Section 7, chapter 149, Laws of 1973 lst ex.s. which repealed RCW 28B. 50.570 reads in the last paragraph thereof:
"Such repeals shall not be construed as affecting any existing right acquired under the provisions of the statutes repealed; nor any rule, regulation, or order adopted pursuant thereto, nor as affecting any proceeding instituted thereunder." [1973 1st ex.s. c 149 § 7.]

28B.50.571 Faculty, employee, retirement-OId age annuity or retirement income plans. Rules and regulations. [1969 ex.s. c $283 \S 46$. Formerly RCW 28.85.571.] Repealed by 1973 lst ex.s. c 149 § 7, effective July 1, 1974.

Reviser's note: For rule of construction applying to the repeal of this section, see note following RCW 28B.50.570.
28B.50.572 Faculty, employee, retirement--Faculty, employee, contributions toward purchase of annuity or retirement income plan. [1969 ex.s. c 283 § 47. Formerly RCW 28.85.572.] Repealed by 1973 1st ex.s. c 149 § 7, effective July 1, 1974.

Reviser's note: For rule of construction applying to the repeal of this section, see note following RCW 28B.50.570.

28B.50.573 Faculty, employee, retirement——Maximum state board contribution toward purchase of annuity or retirement income plan. [1969 ex.s. c $283 \S 48$. Formerly RCW 28.85.573.] Repealed by 1973 lst ex.s. c 149 § 7, effective July 1, 1974.

Reviser's note: For rule of construction applying to the repeal of this section, see note following RCW 28B.50.570.

28B.50.574 Faculty, employee, retirement-Mandatory retirement age. [1969 ex.s. c 283 § 49. Formerly RCW 28.85.574.] Repealed by 1973 lst ex.s. c 149 § 7, effective July 1, 1974.

Reviser's note: For rule of construction applying to the repeal of this section, see note following RCW 28B.50.570.

28B.50.575 Faculty, employee, retirement-OOption to present members of retirement systems--Rights upon withdrawal from such systems--Service in public educational employment upon retirement as affecting pension rights. [1970 ex.s. c 79 § 2; 1969 ex.s. c 283 § 50. Formerly RCW 28.85.575.] Repealed by 1973 1st ex.s. c 149 § 7, effective July 1, 1974.
Reviser's note: For rule of construction applying to the repeal of this section, see note following RCW 28B.50.570.

28B.50.580 Professional negotiations law. [1969 ex.s. c 283 § 29; 1969 ex.s. c 223 § 28B. 50.580 . Prior: 1967 ex.s. c 8 § 58. Like section formerly RCW 28.85.580.) Repealed by 1971 ex.s. c 196 § 11.

28B.50.620 Transfer of records, equipment or property and pending business of abolished agencies or agencies whose powers and duties transferred--Pending proceedings saved-Completion. [1969 ex.s. c 223 § 28B.50.620. Prior: 1967 ex.s. c 8 § 62. Formerly RCW 28.85.620.] Repealed by 1973 lst ex.s. c 46 § 10, effective June 30, 1974.
28B.50.630 Transfer of records, equipment or property and pending business of abolished agencies or agencies whose powers and duties transferred--Orders, rules and regulations saved--Effective until revoked or modified. [1969 ex.s. c 223 § 28B.50.630. Prior: 1967 ex.s. c 8 § 63. Formerly RCW 28.85.630.] Repealed by 1973 lst ex.s. c 46 § 10, effective June 30, 1974.

28B.50.650 Transfer of records, equipment or property and pending business of abolished agencies or agencies whose powers and duties transferred- Reports required by law to be made to be performed by successor agencies. [1969 ex.s. c 223 § 28B.50.650. Prior: 1967 ex.s. c 8 § 65. Formerly RCW 28.85.650.] Repealed by 1973 lst ex.s. c 46 § 10, effective June 30, 1974.

28B.50.670 Transfer of records, equipment or property and pending business of abolished agencies or agencies whose powers and duties transferred-Transfer of powers and duties, vesting of - - Legal ef-fect--Obligations, duties and rights same. [1969 ex.s. c 223 § 28B.50.670. Prior: 1967 ex.s. c 8 § 67. Formerly RCW 28.85.670.] Repealed by 1973 lst ex.s. c $46 \S 10$, effective June 30, 1974.

28B.50.680 Transfer of records, equipment or property and pending business of abolished agencies or agencies whose powers and duties transferred-Teachers and other employees to continue performing usual duties until removed, appointed to other positions, or further transferred. [1969 ex.s. c 223 § 28B.50.680. Prior: 1967 ex.s. c 8 § 68. Formerly RCW 28.85.680.] Repealed by 1973 lst ex.s. c 46 § 10, effective June 30, 1974.

28B.50.690 Transfer of appropriations. [1969 ex.s. c 223 § 28B.50.690. Prior: 1967 ex.s. c 8 § 69. Formerly RCW 28.85.690.] Repealed by 1973 c 62 § 25.
Savings-—Severability——1973 c 62: See notes following RCW 28B.10.200.

28B.50.700 Transfers from state board of education to state board for conımunity college education--Apportionment procedure- Certification of apportionments. [1969 ex.s. c 223 § 28B.50.700. Prior: 1967 ex.s. c 8 § 70. Formerly RCW 28.85.700.] Repealed by 1973 c 62 § 25.

Savings——Severability——1973 c 62: See notes following RCW 28B.10.200.
28B.50.710 Community college special service revolving fundsDisbursement of - Transfer. [1969 ex.s. c 223 § 28B.50.710. Prior: 1967 ex.s. c 8 § 71. Formerly RCW 28.85.710.] Repealed by 1973 c 62 § 25.

Savings_-Severability——1973 c 62: See notes following RCW 28B.10.200.

28B.50.770 School districts may elect to have vocational-technical institutes remain a part of school district--Relinquishment of administrative control over. [1969 ex.s. c 223 § 28B.50.770. Prior: 1967 ex.s. c 8 § 77. Formerly RCW 28.85.770.] Repealed by 1975 1st ex.s. c 174 § 18 .

28B.50.780 Funds for community colleges authorized in 1965 act. [1969 ex.s. c $223 \S 28 B .50 .780$. Prior: 1967 ex.s. c 8 § 78. Formerly RCW 28.85.780.] Repealed by 1973 c 62 § 25.
Savings--Severability——1973 c 62: See notes following RCW 28B.10.200.

28B.50.790 Performance of powers and duties during transitional period. [1969 ex.s. c 223 § 28B.50.790. Prior: 1967 ex.s. c 58 § 1. Formerly RCW 28.85.790.] Repealed by 1973 c 62 § 25.
Savings——Severability——1973 c 62: See notes following RCW 28B.10.200.

## Chapter 28B. 75 <br> HIGHER EDUCATION FACILITIES COMMISSION

28B.75.010 "Commission" defined. [1969 ex.s. c 223 § 28B.75.010. Prior: 1965 ex.s. c 128 § 1 . Formerly RCW 28.90.010.] Repealed by 1970 ex.s. c 15 § 29.
28B.75.020 Commission created. [1969 ex.s. c 223 § 28B.75.020. Prior: 1965 ex.s. c 128 § 2. Formerly RCW 28.90.020.] Repealed by 1970 ex.s. c 15 § 29.

28B.75.030 Members--Appointment, qualifications--Terms-Commission chairman. [1969 ex.s. c 223 § 28B.75.030. Prior: 1965 ex.s. c 128 § 3. Formerly RCW 28.90.030.] Repealed by 1970 ex.s. c 15 § 29.
28B.75.040 Commission powers and duties. [1969 ex.s. c 223 § 28B.75.040. Prior: 1967 ex.s. c $5 \S 1 ; 1965$ ex.s. c $128 \S 4$. Formerly RCW 28.90.040.] Repealed by 1970 ex.s. c $15 \S 29$.

28B.75.050 Employees. [1969 ex.s. c 223 § 28B.75.050. Prior: 1965 ex.s. c 128 § 5. Formerly RCW 28.90.050.] Repealed by 1970 ex.s. c 15 § 29.

28B.75.060 Members-Compensation and expenses of. [1969 ex.s. c 223 § 28B.75.060. Prior: 1965 ex.s. c 128 § 6. Formerly RCW 28.90.060.] Repealed by 1970 ex.s. c 15 § 29.

28B.75.070 Federal funds. [1969 ex.s. c 223 § 28B.75.070. Prior: 1965 ex.s. c 128 § 7. Formerly RCW 28.90.070.] Repealed by 1970 ex.s. c 15 § 29 .

## Chapter 28B. 81 <br> COMMISSION ON HIGHER EDUCATION

28B.81.010 Commission created——Members——Purpose. [1969 ex.s. c $263 \S 1$. Formerly RCW 28.90.100.] Repealed by 1975 lst ex.s. c 132 § 11 .

28B.81.020 Chairman, selection of. [1970 ex.s. c 102 § 10; 1969 ex.s. c 263 § 2. Formerly RCW 28.90.110.) Repealed by 1975 1st ex.s. c 132 § 11 .

28B.81.030 Programs administered by. [1969 ex.s. c 263 § 3. Formerly RCW 28.90.120.] Repealed by 1975 1st ex.s. c 132 § 11.

28B.81.040 Powers and duties generally. [1969 ex.s. c 263 § 4. Formerly RCW 28.90.130.] Repealed by 1975 1st ex.s. c 132 § 11.

28B.81.050 Federal funds, private gifts or grants. [1969 ex.s. c 263 § 5. Formerly RCW 28.90.140.] Repealed by 1975 1st ex.s. c 132 § 11.

28B.81.060 Professional staff——Council as source. [1969 ex.s. c 263 § 6. Formerly RCW 28.90.150.] Repealed by 1975 1st ex.s. c 132 § 11 .

28B.81.070 Student financial aid programs administered by. [1969 ex.s. c 263 § 7. Formerly RCW 28.90.160.] Repealed by 1975 1st ex.s. c 132 § 11 .

28B.81.080 Rules and regulations. [1969 ex.s. c 263 § 8. Formerly RCW 28.90.170.] Repealed by 1975 lst ex.s. c 132 § 11.

28B.81.090 Members--Per diem and travel expenses. [1969 ex.s. c 263 § 9. Formerly RCW 28.90.180.] Repealed by 1975 1st ex.s. c 132 § 11.

28B.81.150 State student financial aid program. Decodified.
28B.81.900 Severability—— 1969 ex.s. c 263. [1969 ex.s. c 263 § 12.] Repealed by 1975 1st ex.s. c 132 § 11.

## Title 29 ELECTIONS

Chapter 29.10
REGISTRATION TRANSFERS AND CANCELLATIONS
29.10.010 Transfers within same city or town--AuthorityRequest. [1965 c 9 § 29.10.010. Prior: 1955 c 181 § 3; prior: 1933 c 1 § 14, part; RRS § 5114-14, part; prior: 1919 c 163 § 9, part; 1915 c 16 § 9, part; 1889 p 417 § 12, part; RRS § 5129, part.] Repealed by 1971 ex.s. c 202 § 45.
29.10.070 Change of city boundaries--Transfer of registration. [1965 c 9 § 29.10.070. Prior: 1933 c 1 § 18; RRS § 5114-18.] Repealed by 1971 ex.s. c 202 § 46.

## Chapter 29.13

TIMES FOR HOLDING ELECTIONS AND PRIMARIES
29.13.022 Elections in certain first class cities under commission form of government. [1955 c 55 § 13.] Repealed by 1963 c 200 § 26.
29.13.030 Elections by cities, towns, school districts, in class 1 through class 9 counties--Special elections--Consolidated election laws defined. [1965 c 9 § 29.13.030. Prior: 1963 c 200 § 5; 1955 c 55 § 2; 1951 c 257 § 3; 1951 c 101 § 2; 1949 c 161 § $2 ; 1927$ c 279 § 1 ; 1921 c 170 § 1; Rem. Supp. 1949 § 5150.] Repealed by 1965 c 123 § 9(12). Later enactment, see RCW 29.13.020.
29.13.061 Elections in first class school districts containing a city of the first class, in class $A$ and class AA counties--Election under RCW 29.13.060 to be held in even-numbered years. [1955 c 55 § 14.] Repealed by 1963 c 200 § 26.
29.13.065 School district regular elections to be held in March in odd-numbered years--Other statutes superseded--Special elections not affected. [1961 c 252 § 1.] Repealed by 1963 c 200 § 26.

## Chapter 29.18 <br> PARTISAN PRIMARIES

29.18.130 Refusal of nomination. [1949 c 161 § 8, last am'ds 1889 p 404 § 11; Rem. Supp. 1949 § 5175.] Repealed by 1961 c 130 § 22.
29.18.140 Statement of expense of candidate--Penalty. [1965 ex.s. c 150 § 9; 1965 c 9 § 29.18.140. Prior: 1909 c 82 § 9; 1907 c 209 § 30; RRS § 5206.] Repealed by 1973 c 1 § 50 (Initiative Measure No. 276 § 50). Effective January 1, 1973.

Reviser's note: RCW 29.18 .140 was also repealed by 1972 ex.s. c 98 $\S 20$ (Referendum Bill No. 25) which was referred to and ratified by the people at the Nov. 7, 1972 general election. Section 50 of Initiative Measure No. 276 which was approved at the same election repealed 1972 ex.s. c 98 and Referendum Bill No. 25. See RCW 42.17.940.

## Chapter 29.21 <br> NONPARTISAN PRIMARIES AND ELECTIONS

29.21.030 Declarations of candidacy--Commission form cities. [1965 c 9 § 29.21.030. Prior: 1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.] Repealed by 1965 c 123 § 9(12).
29.21.050 Nominating petition in commission form cities. [1965 c 9 § 29.21.050. Prior: 1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.] Repealed by 1965 c 123 § 9(12).
29.21.170 Determining nominees for multiple positions--Quota oecessary for placement on ticket as unopposed. [1965 c 9 § 29.21.170. Prior: 1933 c 85 § 1, part; RRS § 5213-1, part.] Repealed by 1975'76 2nd ex.s. c 120 § 15.
29.21.230 School directors in district embracing city over one hundred thousand-Names of candidates to appear on general election ballot. [1973 2nd ex.s. c 21 § 9; 1969 c 131 § 3; 1965 c 9 § 29.21.230. Prior: 1959 c 247 § 7.] Repealed by 1975-'76 2nd ex.s. c $120 \S 15$.

## Chapter 29.24 <br> NOMINATIONS OTHER THAN BY PRIMARY

29.24.100 Nominating certificates for offices for which primaries are not required. [1895 c 156 § 3.] Repealed by 1955 c 102 § 9.
29.24.110 Nominations in towns. [1965 c 9 § 29.24.110. Prior: 1963 c 200 § 11 ; 1951 c 101 § 3; 1949 c 161 § 4; Rem. Supp. 1949 § 5179-2.] Repealed by 1975-'76 2nd ex.s. c 120 § 15.

## Chapter 29.27 <br> CERTIFICATES AND NOTICES

29.27.070 Certification of measures under consolidated election laws. [1923 c 53 § 6; RRS § 5148-2.] Repealed by 1955 c 153 § 2.

## Chapter 29.30 BALLOTS

29.30.070 Primary ballots in municipal elections. [(i) 1935 c 26 § 2, part; RRS § 5187. (ii) 1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.] Decodified with 1965 title reenactment, all city and town elections being at present subject to RCW 29. . 13.020 (heretofore referred to as the consolidated election laws, in part).
29.30.120 General election ballots--Change of name by sticker. [1890 p 405 § 13 ; RRS § 5270.] Repealed by 1961 c 130 § 22.

Chapter 29.36
ABSENTEE VOTING
29.36.015 Absentee ballot to voter attending new or minor party convention on primary day--Voting restricted to nonpartisan officers. [1961 c 130 § 21.] Repealed by 1963 ex.s. c 23 § 6.
29.36.080 Canvassing September primary ballots--Time. [1961 c 130 § 20; 1950 ex.s. c 14 § 18.] Repealed by 1963 ex.s. c 23 § 6.
29.36.090 Canvassing November election ballots--Time. [1950 ex.s. c 14 § 20.] Repealed by 1963 ex.s. c 23 § 6.

## Chapter 29.59 <br> CHALLENGING

29.59.070 Challenge for lack of residence——Procedure. [1965 c 9 § 29.59.070. Prior: 1961 c 225 § 2; 1955 c 181 § 9.] Repealed by 1967 c 225 § 4 .

## Chapter 29.68 <br> UNITED STATES CONGRESSIONAL ELECTIONS

29.68.004 Boundaries——Guide to interpretation of——1955 act. [1965 ex.s. c 152 § 7.] Decodified.
29.68.005 Date precinct boundaries established. [1965 c 9 § 29.68.005. Prior: 1959 c 288 § 1; 1957 c 149 § 6.] Decodified.
29.68.007 Inclusion of precincts not specifically mentioned or included within any district. [1965 c 9 § 29.68.007. Prior: 1957 c 149 § 7.) Decodified.
29.68.008 Boundaries--Guide for inclusion of areas not specifcally mentioned or if of doubtful status - $\mathbf{1 9 6 5}$ act. [1965 ex.s. c 152 § 8. For like prior law see RCW 29.68.007; 1965 c 9 § 29.68.007; prior: 1957 c 149 § 7.] Decodified.
29.68.010 First district boundaries and representation. [1931 c 28 § 1; RRS § 3792. Prior: 1913 c 94 § 1.] Repealed by 1957 c 149 § 1.
29.68.011 First district boundaries and representation. [1965 c 9 § 29.68.011. Prior: 1957 c 149 § 2; prior: RCW 29.68.010; 1931 c 28 § 1; RRS § 3792; prior: 1913 c 94 §1; 1907 c 181 § 1.] Decodified.
29.68.012 First district boundaries and representation-- 1965 act. [1965 ex.s. c 152 § 1. Prior: RCW 29.68.011; 1965 c 9 § 29.68.011; prior: 1957 c 149 § 2; prior: RCW 29.68.010; 1931 c 28 § 1; RRS § 3792; prior: 1913 c 94 § 1 ; 1907 c 181 § 1.] Decodified.
29.68.020 Second district boundaries and representation. [1931 c 28 § 2; RRS § 3793. Prior: 1913 c 94 § 2.] Repealed by 1957 c 149 § 1.
29.68.021 Second district boundaries and representation. [1965 c 9 § 29.68.021. Prior: 1957 c 149 § 3; prior: RCW 29.68.020; 1931 c 28 § 2; RRS § 3793; prior: 1913 c 94 § 2; 1907 c 181 § 2.] Decodified.
29.68.022 Second district boundaries and representation--1965 act. [1965 ex.s. c 152 § 2. Prior: RCW 29.68.021; 1965 c 9 § 29.68.021; prior: 1957 c 149 § 3; prior: RCW 29.68.020; 1931 c 28 § 2 ; RRS § 3793; prior: 1913 c 94 § 2; 1907 c 181 § 2.] Decodified.
29.68.030 Third district boundaries and representation. [1965 c 9 § 29.68.030. Prior: 1931 c 28 § 3; RRS § 3794; prior: 1913 c 94 § 3; 1907 c 181 § 3.] Decodified.
29.68.031 Third district boundaries and representation-- 1965 act. [1965 ex.s. c 152 § 3. Prior: RCW 29.68.030; 1965 c 9 § 29.68.030; prior: 1931 c 28 § 3; RRS § 3794; prior: 1913 c 94 § 3; 1907 c 181 §3.] Decodified.
29.68.040 Fourth district boundaries and representation. [1965 c 9 § 29.68.040. Prior: 1931 c 28 § 4; RRS § 3795; prior: 1913 c 94 § 4.] Decodified.
29.68.041 Fourth district boundaries and representation-- 1965 act. [1965 ex.s. c 152 §4. Prior: RCW 29.68.040; 1965 c 9 § 29.68.040; prior: 1931 c 28 § 4; RRS § 3795 ; prior: 1913 c 94 § 4.] Decodified.
29.68.050 Fifth district boundaries and representation. [1965 c 9 § 29.68.050. Prior: 1931 c 28 § 5; RRS § 3796; prior: 1913 c 94 § 5.] Decodified.
29.68.060 Sixth district boundaries and representation. [1931 c 28 §6; RRS § 3796-1.] Repealed by 1957 c 149 § 1.
29.68.061 Sixth district boundaries and representation. [1957 c 149 § 4.] Repealed by 1959 c 288 § 4.
29.68.062 Sixth district boundaries and representation. [1965 c 9 § 29.68.062. Prior: 1959 c 288 § 2; prior: RCW 29.68.061; 1957 c 149 § 4; prior: RCW 29.68.060; 1931 c 28 § 6; RRS § 3796-1.] Decodified.
29.68.063 Sixth district boundaries and representation-- 1965 act. [1965 ex.s. c 152 § 5. Prior: RCW 29.68.062; 1965 c 9 § 29.68.062; prior: 1959 c 288 § 2; prior: RCW 29.68.061; 1957 c 149 § 4; prior: RCW 29.68.060; 1931 c 28 § 6; RRS § 3796-1.] Decodified.
29.68.066 Seventh district boundaries and representation. [1965 c 9 § 29.68.066. Prior: 1959 c 288 § 3; prior: RCW 29.68.065; 1957 c 149 § 5.] Decodified.
29.68.067 Seventh district boundaries and representation-- 1965 act. [1965 ex.s. c 152 § 6. Prior: RCW 29.68.066; 1965 c 9 § 29.68.066; prior: 1959 c 288 § 3; prior: RCW 29.68.065; 1957 c 149 § 5.] Decodified.

## Chapter 29.72 <br> U.S. ELECTIONS——NEW RESIDENT, SPECIAL VOTER, VOTING

29.72.025 "Special voter"——Qualifications. [1971 ex.s. c 178 § 5.] Repealed by 1974 ex.s. c 127 § 15 .
29.72.045 Special voter ballot application form. [1971 ex.s. c 178 § 8.) Repealed by 1974 ex.s. c 127 § 15.
29.72.900 Termination of "Special Voters" provisions, when. [1971 ex.s. c 178 § 13.] Repealed by 1974 ex.s. c 127 § 15.

## Chapter 29.79 <br> INITIATIVE AND REFERENDUM

29.79.240 Petitions——Fraudulent names——Record. [1965 c 9 § 29.79.240. Prior: 1933 c 144 § 2; 1913 c 138 § 16; RRS § 5412.] Repealed by 1969 ex.s. c 107 § 3.
29.79.330 State printing of arguments--Initiative and referendum measures. [1933 c 144 § 4, part, last am'ds 1913 c 138 § 26; RRS § 5422, part.] Repealed by 1959 c 329 §§ $14,15$.
29.79.340 State printing of arguments--Initiatives to legislature, alternatives, referendum bills, etc. [1933 c 144 § 4, part, last am'ds 1913 c 138 § 26; RRS § 5422, part.] Repealed by 1959 c 329 §§ 14 , 16.
29.79.350 State printing of arguments--Length- NumberDeposits for cost. [1933 c 144 § 4, part, last am'ds 1913 c 138 § 26; RRS § 5422, part.] Repealed by 1959 c 329 §§ $14,17$.
29.79.3502 Voters' pamphlet——Contents, how organized. [1959 c 329 § 1.] Now codified, as reenacted, as RCW 29.81.010.
29.79.3506 Voters' pamphlet——Explanatory statement by attorney general, appeal, judicial statement-Arguments by committees. [1959 c 329 § 2.] Now codified, as reenacted, as RCW 29.81.020.
29.79.3510 Committee advocating approval of constitutional amendment, referendum bill, referendum measure--MembershipSuspension of argument for printing. [1959 c 329 § 3.] Now codified, as reenacted, as RCW 29.81.030.
29.79.3514 Committee advocating rejection of constitutional amendnent, referendum bill--Membership-_Submission of argument for printing. [1959 c 329 § 4.] Now codified, as reenacted, as RCW 29.81.040.
29.79.3518 Committee advocating rejection of referendum peti-tion-Committees advocating for and against initiative measures-Membership-—Submission of arguments for printing. [1959 c 329 § 5.] Now codified, as reenacted, as RCW 29.81.050.
29.79.3522 Committees-Chairmen, advisory members, vacancies. [1959 c 329 § 6.] Now codified, as reenacted, as RCW 29.81.060.
29.79.3526 Rules and regulations by secretary of state. [1959 c 329 § 7.] Now codified, as reenacted, as RCW 29.81.070.
29.79.3530 Manner and style of printing proposed constitutional amendments in pamphlets. [1959 c 329 § 8.] Now codified, as reenacted, as RCW 29.81.080.
29.79.360 Arguments containing obscene, libelous, treasonable, etc., language may be refused-Board of censors, appeal by committee. [1959 c 329 § 18. Prior: 1933 c 144 § 4, part, last am'ds 1913 c 138 § 26; RRS § 5422, part.] Now codified, as reenacted, as RCW 29.81.090.
29.79.370 Publication date of pamphlets--Arrangement of material. [1959 c 329 § 10 . Prior: 1917 c 30 § 1 , part; 1913 c 138 § 27, part; RRS § 5423, part.] Now codified, as reenacted, as RCW 29.81.100.
29.79.380 Order in which measures and arguments must be printed in pamphlets. [1959 c 329 § 11 . Prior: 1917 c 30 § 1 , part; 1913 c 138 § 27, part; RRS § 5423, part.] Now codified, as reenacted, as RCW 29.81.110.
29.79.390 Printing specifications and make-up of measures and arguments in pamphlets. [1959 c 329 § 12. Prior: 1917 c 30 § 1, part; 1913 c 138 § 27, part; RRS § 5423, part.] Now codified, as reenacted, as RCW 29.81.120.
29.79.400 Costs of printing and binding pamphlets. [1959 c 329 § 13. Prior: 1917 c 30 § 1, part; 1913 c 138 § 27, part; RRS § 5423 , part.] Now codified, as reenacted, as RCW 29.81.130.
29.79.410 Pamphlets——Distribution to voters. [1913 c 138 § 29, part; RRS § 5425, part.] Now codified, as reenacted, as RCW 29.81.140.
29.79.420 Pamphlets-Distribution to officers and institutions. [1913 c 138 § 29, part; RRS § 5425, part.] Now codified, as reenacted, as RCW 29.81.150.
29.79.430 Pamphlets——Distribution costs——How paid. [1913 c 138 § 29, part; RRS § 5425 , part.] Now codified, as reenacted, as RCW 29.81.160.
29.79.450 Violations--Signing more than one petition for same measure. [1913 c 138 § 31, part; RRS § 5427, part.] Now codified, as reenacted, in RCW 29.79.440.
29.79.460 Violations--Signing by one not a legal voter. [1913 c 138 § 31, part; RRS § 5427, part.] Now codified, as reenacted, in RCW 29.79.440.
29.79.470 Violations--Signer making false statement as to residence. [1913 c 138 § 31, part; RRS § 5427 , part.] Now codified, as reenacted, in RCW 29.79.440.

## Chapter 29.82 THE RECALL

29.82.180 Violations--Signing more than one petition for same recall. [1913 c 146 § 15 , part; RRS § 5364, part.] Now codified, as reenacted, in RCW 29.82.170.
29.82.190 Violations--Signing by one not a legal voter. [1913 c 146 § 15 , part; RRS § 5364, part.] Now codified, as reenacted, in RCW 29.82.170.
29.82.200 Violations--Signer making false statement as to residence. [1913 c 146 § 15 , part; RRS § 5364, part.] Now codified, as reenacted, in RCW 29.82.170.

## Chapter 29.83 <br> CAMPAIGN REPORTING ACT <br> (REFERENDUM BILL NO. 25-—1972)

29.83.010 through $29.83 .190,29.83 .900$ through 29.83.940. [1972 ex.s. c 98 §§ 1-26. (Referendum Bill No. 25).] Repealed by 1973 c 1 § 50 (Initiative Measure No. 276 § 50).

## Chapter 29.85

CRIMES AND PENALTIES
29.85.250 Violations——"Catch-all" clause. [1935 c 100 § 2; RRS § 5291-2.] Now codified, as reenacted, as RCW 29.51.215.
29.85.270 Political advertising——Use of assumed name. [1965 c 9 § 29.85.270. Prior: 1959 c 112 § $1 ; 1955$ c 317 § 1.] Repealed by 1972 ex.s. c 98 § 20.
Reviser's note: The act which repealed this section [1972 ex.s. c 98] was referred to and ratified by the people at the November 7, 1972 general election [Referendum Bill No. 25]. Section 50 of Initiative Measure No. 276 which was approved at the same election repealed 1972 ex.s. c 98 and Referendum Bill No. 25. See RCW 42.17.940.

## Title 30

## BANKS AND TRUST COMPANIES

Chapter 30.04
GENERAL PROVISIONS
30.04.080 Schedule of fees. [1955 c $33 \S 30.08 .095$. Prior: 1929 c 72 § 1 ; 1923 c 115 § 1 ; 1917 c $80 \S 12$; RRS § 3219.] Now codified as RCW 30.08.095.

## Chapter 30.08 <br> ORGANIZATION AND POWERS

30.08.100 Dissolved national bank may become state bank or trust company. [1917 c 80 § 29; RRS § 3236.] Repealed by 1953 c 234 § 14, see chapter 30.49 RCW.
30.08.130 Reorganization of state bank or trust company as national bank. [1919 c 209 § 10 ; 1917 c 80 § 28; RRS § 3235.] Repealed by 1953 c 234 § 14 , see chapter 30.49 RCW.

## Chapter 30.16 CHECKS

30.16.020 Forged or raised checks——Liability. [1955 c 33 § 30.16.020. Prior: 1917 c 80 § 45; RRS § 3252.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-406.

Effective date-- 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A.10-102.
General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed-- 1965 ex.s. c 157: RCW 62A.10-104.
30.16.030 Stop-payment orders. [1959 c 106 § 4; 1955 c 33 § 30.16.030. Prior: (i) 1923 c 114 § 1, part; RRS § 3252-1, part. (ii) 1923 c 114 § 2; RRS § 3252-2.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-403.
30.16.040 Renewal of stop orders. [1955 c 33 § 30.16.040. Prior: (i) 1923 c 114 § 1, part; RikS § 3252-1, part. (ii) 1923 c 114 § 3; RRS § 3252-3.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-403.
30.16.050 Belated checks. [1955 c 33 § 30.16.050. Prior: (i) 1923 c 114 § 1 , part; RRS § 3252-1, part. (ii) 1923 c 114 § 5; RRS § 3252-5.] Repealed effective midnight June 30, 1967, by section $10-$

102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-404.

## Chapter 30.20 <br> DEPOSITS

30.20.040 Unclaimed deposits, state of. [1955 c 33 § 30.20.040. Prior: 1905 c 129 § 1 ; RRS § 3291.] Repealed by 1955 c 385 § 33.
$\mathbf{3 0 . 2 0 . 0 5 0}$ Penalty for failure to furnish statement. [1955 c 33 § 30.20.050. Prior: 1905 c 129 § 2; RRS § 3292.] Repealed by 1955 c 385 § 33.

## Chapter 30.24 <br> INVESTMENTS OF TRUST FUNDS

30.24.100 Investment in safe deposit corporation authorized. [1955 c 302 § 1.] Now codified as RCW 30.04.122.
30.24.110 Investment in corporation holding premises of the bank——Definition of "affiliate." [1955 c 302 § 2.] Now codified as RCW 30.04.124.

## Chapter 30.40 <br> BRANCH BANKS

30.40.030 Stop-payment orders on branch banks. [1955 c 33 § 30.40.030. Prior: 1939 c 59 § 1 ; RRS § 3252-6.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-106.

Effective date-- 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A.10-102.

General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - 1965 ex.s. c 157: RCW 62A.10-104.
30.40.040 Presentment at branch where payable. [1955 c 33 § 30.40.040. Prior: 1939 c 59 § 2; RRS § 3252-7.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-106.
30.40.050 Tender of payment at branch bank. [1955 c 33 § 30.40.050. Prior: 1939 c 59 § 3; RRS § 3252-8.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.4-106.

## Chapter 30.48 <br> CONSOLIDATION

30.48.010 through 30.48 .110 [1931 c 126; RRS §§ 87-1 —— $87-13$.] Repealed by 1953 c 234 § 14.

## Chapter 30.52 BANK COLLECTION CODE

30.52.010 through $\mathbf{3 0 . 5 2 . 0 6 0}$ [1955 c $33 \S 30.52 .010$ through 30.52.060.] Repealed effective midnight June 30, 1967, by section 10102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). See comparative table at 30.52 .070 , below.
30.52.065 Presentment through clearing house or at place requested by other bank. [1963 c 194 § 3.] Repealed by 1965 ex.s. c 157 § $10-$ 102.
30.52.070 through $\mathbf{3 0 . 5 2 . 1 6 0}$ [1955 c 33 §§ 30.52.070 through 30.52.160.] Repealed effective midnight June 30, 1967, by section 10102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date- 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-- 1965 ex.s. c 157: RCW 62A.10-102.

General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - 1965 ex.s. c 157: RCW 62A.10-104.

## COMPARATIVE TABLE

Chapter 30.52 RCW (Bank Collection Code) to Title 62A RCW (Uniform Commercial Code).

| Chapter 30.52 | Title 62A |
| :---: | :---: |
| 30.52.010 | 62A.1-201(4) |
|  | 62A.4-104(1)(g) |
|  | 62A.4-104 |
|  | 62A.4-105 |
|  | 62A.4-106 |
| 30.52.020 | 62A.4-201 |
|  | 62A.4-203 |
|  | 62A.4-208 |
|  | 62A.4-212 |
| 30.52.030 | 62A.4-301 |
|  | 62A.4-302 |
| 30.52.040 | 62A.4-201 |
|  | 62A.4-207 |
| 30.52.050 | 62A.4-103 |
|  | 62A.4-202 |
| 30.52.060 | 62A.4-103 |
|  | 62A.4-202 |
|  | 62A.4-204 |
| 30.52.065 | 62A.4-204 |
| 30.52.070 |  |
| 30.52.080 |  |
| 30.52 .090 | 62A.4-211 |
| 30.52.100 | 62A.4-211 |
| 30.52 .110 | 62A.4-212 |
|  | 62A.4-213 |
| 30.52.120 | - |
| 30.52 .130 | 62A.4-214 |
| 30.52.140 | - |
| 30.52.150 | - |
| 30.52.160 |  |

Title 31
MISCELLANEOUS LOAN AGENCIES

## Chapter 31.04 <br> INDUSTRIAL LOAN COMPANIES

31.04.020 Use of words in name. [1941 c 19 § 1 , part; 1925 ex.s. c 186 § 1; 1923 c 172 § 1, part; Rem. Supp. 1941 § 3862-1, part.] Now codified in RCW 31.04.010.
31.04.170 Records--False advertising. [1941 c 19 § 6, part; 1923 c 172 § 15, part; Rem. Supp. 1941 § 3862-15, part.] Now codified in RCW 31.04.150.
31.04. 180 Rules and regulations. [1941 c 19 § 6, part; 1923 c 172 § 15, part; Rem. Supp. 1941 § 3862-15, part.] Now codified in RCW 31.04.150.
31.04.190 Appeal. [1941 c 19 § 6, part; 1923 c 172 § 15, part; Rem. Supp. 1941 § 3862-15, part.] Now codified in RCW 31.04.150.
31.04.240 Permit, rules and regulations as to sales of securities. [1923 c 172 § 20, part; RRS § 3862-20, part.] Now codified in RCW 31.04.230.

## Chapter 31.08 <br> SMALL LOAN COMPANIES

31.08.040 Bond. [1941 c 208 § 3, part; Rem. Supp. 1941 § 83713, part.] Now codified in RCW 31.08.030.
31.08.110 Application to particular license only-—Surrender of license. [1941 c 208 § 9, part; Rem. Supp. 1941 § 8371-9, part.] Now codified in RCW 31.08.100.
31.08.120 Revocation, etc., not to affect existing contracts-—Reinstatement. [1941 c 208 § 9, part; Rem. Supp. 1941 § 8371-9, part.] Now codified in RCW 31.08.100.

Chapter 31.12
CREDIT UNIONS
31.12.060 Investigation--Decision--Appeal. [1943 c 131 § 3, part; 1933 c 173 § 3, part; Rem. Supp. 1943 § 3923-3, part.] Now codified in RCW 31.12.050.
31.12.070 Approval--Filing——Incorporation completeForms. [1943 c 131 § 3, part; 1933 c 173 § 3, part; Rem. Supp. 1943 § 3923-3, part.] Now codified in RCW 31.12.050.
31.12.420 Unclaimed funds, disposition of. [1943 c 131 § 22, part; 1933 c 173 § 30, part; Rem. Supp. 1943 § 3923-30, part.] Now codified in RCW 31.12.410.

Chapter 31.16
CROP CREDIT ASSOCIATIONS
31.16.010 Definitions. [(i) 1921 c 121 § 3, part; RRS § 2912, part. (ii) 1921 c 121 § 4; RRS § 2913. (iii) 1921 c 121 § 36; RRS § 2945.] Now codified as follows: (i) 1921 c 121 § 3 in RCW 31.16.025, (ii) 1921 c 121 § 4 as RCW 31.16.028, and (iii) 1921 c 121 § 36 as RCW 31.16.330.
31.16.140 Crop credit notes. [1921 c 121 § 27; RRS § 2936.] Now codified as RCW 31.16.255.

# 32 <br> MUTUAL SAVINGS BANKS 

## Chapter 32.20 <br> INVESTMENTS

32.20.200 Obligations of industrial corporations. [1955 c 13 § 32.20.200. Prior: 1949 c 219 § 2; Rem. Supp. 1949 § 3381-16a.] Repealed by 1955 c 80 § 7.
Saving and repealer: "Repeals and saving. Section 32.20.200, chapter 13, Laws of 1955 and RCW 32.20.200 are each repealed but such repeal shall not be construed as affecting the legality of any investment made pursuant to the provisions of the statute repealed prior to the effective date of this act." [1955 c 80 § 7.]

Reviser's note: The subject matter of the section repealed is now codified as RCW 32.20.330.

## Title 33

## SAVINGS AND LOAN ASSOCIATIONS

## Chapter 33.04

GENERAL PROVISIONS
33.04.100 Public funds may be invested in savings and loan associations. [1951 c 6 § 1.] Now codified as RCW 33.52.010.

Chapter 33.12
POWERS AND RESTRICTIONS
33.12.100 Dividends-_Time of payment--Reserve accounts. [1953 c 71 § 4; 1949 c 20 § 3; 1945 c 235 § 50; Rem. Supp. 1949 § 3717-169. Prior: 1939 c 98 § 13 ; 1933 c $183 \S \S 64,65$; 1925 ex.s. c 144 § $4 ; 1919$ c 169 § 6; 1913 c 110 § 7.] Repealed by 1967 c 49 § 9.

## Chapter $\mathbf{3 3 . 2 0}$

MEMBERS——SAVINGS
33.20.140 Savings exempt from levy-—Limitation. [1945 c 235 § 114; Rem. Supp. 1945 § 3717-233. Prior: 1933 c 183 § 91.] Repealed by 1965 c 89 § 2 .
33.20.160 Postponement of withdrawals. [1945 c 235 § 98; Rem. Supp. 1945 § 3717-217.] Repealed by 1953 c 71 § 12. See RCW 33.20.150.

## Chapter 33.44

CONVERSION TO MUTUAL SAVINGS BANK

[^23]33.44.050 Submission to members--Meeting--Notice. [1927 c 177 § lc: 1917 c 154 § 1c; RRS § 3752.] Now codified in RCW 33.44.020.
33.44.060 Certificate of reincorporation--Contents. [1927 c 177 § 1d; 1917 c 154 § ld; RRS 3753.] Now codified in RCW 33.44.020.
33.44.070 Authorization certificate. [1927 c 177 § le; 1917 c 154 § le; RRS § 3754.] Now codified in RCW 33.44.020.
33.44.100 Conversion of domestic association to federal association. [1949 c 20 § 10; 1945 c 235 § 116; Rem. Supp. 1949 § 3717235.] Now codified as RCW 33.43 .010 .
33.44.110 Federal association--Powers. [1945 c 235 § 117 ; Rem. Supp. 1945 § 3717-236.] Now codified as RCW 33.43.020.
33.44.120 Conversion of federal association to domestic association. [1945 c 235 § 118; Rem. Supp. 1945 § 3717-237.] Now codified as RCW 33.43.030.

Title 35

## CITIES AND TOWNS

Chapter 35.02
INCORPORATION PROCEEDINGS
35.02.085 Election--Selection of form of government. [1951 c 86 § 1.] Repealed by 1953 c 219 § 10.

## Chapter 35.04

INCORPORATION OF INTERCOUNTY AREAS
35.04.900 Severability. [1955 c 345 § 19.] Repealed by 1965 c 7 § 35.98.040.

Chapter 35.05

## REINCORPORATION

35.05.010 through 35.05.100 [1909 c 185 § 1; 1890 p 133 § 4; RRS § 8886.] Decodified.
35.05.110 [1890 p 135 § 5; RRS § 8887.] Decodified.
35.05.120 [1890 p 136 § 8; RRS § 8891.] Decodified.

## Chapter 35.10 <br> CONSOLIDATION AND ANNEXATION OF CITIES AND TOWNS (FORMERLY: CONSOLIDATION INCLUDING ANNEXATION OF THIRD CLASS CITY OR TOWN TO FIRST CLASS CITY)

35.10.010 Consolidation authorized. [(i) 1929 c 64 § 1; RRS § 8909-1. Now codified as RCW 35.10.200. (ii) 1929 c 64 § 2 , part; RRS § 8909-2, part. Now codified in RCW 35.10.210.]
35.10.020 Petition--Fixing election date. [(i) 1929 c 64 § 2 , part; RRS § 8909-2, part. Now codified in RCW 35.10.210. (ii) 1929 c 64 § 3, part; RRS § 8909-3, part. Now codified in RCW 35.10.220.]
35.10.030 Commission form of government——When question submitted. [1929 c 64 § 2, part; RRS § 8909-2,, part.] Now codified in RCW 35.10.210.
35.10.040 Notification of other cities. [1929 c 64 § 3, part; RRS § 8909-3, part.] Now codified in RCW 35.10.220.
35.10.050 Calling election--Notice. [1929 c 64 § 4, part; RRS § 8909-4, part.] Now codified in RCW 35.10.230.
35.10.060 Notice of election--Content. [1929 c 64 § 4, part; RRS § 8909-4, part.] Now codified in RCW 35.10.230.
35.10.070 Canvass--Abstract of vote--Filing. [1929 c 64 § 5; RRS § 8909-5.] Now codified as RCW 35.10.240.
35.10.080 Election of new officers. [1929 c 64 § 6; RRS § 8909-6.] Now codified as RCW 35.10.250.
35.10.090 Effective date of consolidation. [1929 c 64 § 7; RRS § 8909-7.] Now codified as RCW 35.10.260.
35.10.100 Title to property. [1929 c 64 § 11, part; RRS § 890911, part.] Now codified in RCW 35.10.300.
35.10.110 Assets and liabilities of component cities. [1929 c 64 § 12, part; RRS § 8909-12, part.] Now codified in RCW 35.10.310.
35.10.120 Former ordinances--Enforcement——Repeal. [1929 c 64 § 13, part; RRS § 8909-13, part.] Now codified in RCW 35.10.320.
35.10.130 Taxation of component cities. [(i) 1929 c 64 § 12, part; RRS § 8909-12, part. Now codified in RCW 35.10.310. (ii) 1929 c 64 § 14, part; RRS § 8909-14, part. Now codified in RCW 35.10.330.]
35.10.140 Validation of preexisting obligations by former city. [1897 c 84 § 12; RRS § 5646.] Now codified as RCW 35.37.027.
35.10.150 Funds of consolidating entities to be kept distinct. [Reviser's cross-reference section.] Now codified as RCW 35.10.340.
35.10.210 Petition--Question submitted to vote-—Proposition for creation of community municipal corporation. [1967 c 73 § 14; 1965 c 7 § 35.10.210. Prior: 1929 c 64 § 2; RRS § 8909-2. Formerly RCW 35.10.010, part, 35.10.020, part, 35.11.010, and 35.11.020, part.] Repealed by 1969 ex.s. c 89 § 18.
35.10.270 Annexation of third class city or town to first class city--Annexation and/or creation of community municipal corpora-tion--Vote--Canvass--Census--Petition. [1967 c 73 § 19; 1965 c 7 § 35.10 .270 . Prior: 1929 c 64 § 8; RRS § 8909-8. Formerly RCW 35.11.030 and 35.11.040.] Repealed by 1969 ex.s. c 89 § 18.
35.10.280 Annexation of third class city or town to first class city--Determination by first class city--Wards--Ordinance. [1967 c 73 § 20; 1965 c 7 § 35.10.280. Prior: 1929 c 64 § 9; RRS § 8909-9. Formerly RCW 35.11.050.] Repealed by 1969 ex.s. c 89 § 18.
35.10.290 Annexation of third class city or town to first class city--When effective--Election of councilmen--Filing. [1967 c 73 § 21 ; 1965 c 7 § 35.10.290. Prior: 1929 c 64 § 10; RRS §8909-10. Formerly RCW 35.11 .060 and 35.11 .070 .] Repealed by 1969 ex.s. c 89 § 18.
35.10.330 Taxation of component cities. [1965 c 7 § 35.10.330. Prior: 1929 c 64 § 14; RRS § 8909-14. Formerly RCW 35.10.130, part, and 35.11.080, part.] Repealed by 1969 ex.s. c 89 § 18.

## Chapter 35.11 <br> ANNEXATION OF THIRD CLASS CITY OR TOWN TO FIRST CLASS CITY

35.11.010 Proceedings to initiate annexation. [1929 c 64 § 2, part; RRS § 8909-2, part.] Now codified in RCW 35.10.210.
35.11.020 Annexation election--Notice. [(i) 1929 c 64 § 2, part; RRS § 8909-2, part. Now codified in RCW 35.10.210. (ii) 1929 c 64 § 4, part; RRS § 8909-4, part. Now codified in RCW 35.10.230.]
35.11.030 Canvass--Census. [1929 c 64 § 8, part; RRS § 89098, part.] Now codified in RCW 35.10.270.
35.11.040 Petition for annexation. [1929 c 64 § 8, part; RRS § 8909-8, part.] Now codified in RCW 35.10.270.
35.11.050 Hearing on petition by annexing city. [1929 c 64 § 9; RRS § 8909-9.] Now codified as RCW 35.10.280.
35.11.060 Certified copy of ordinance filed with secretary of state. [1929 c 64 § 10, part; RRS § 8909-10, part.] Now codified in RCW 35.10.290.
35.11.070 Effective date of annexation--New councilmen. [1929 c $64 \S 10$, part; RRS § 8909-10, part.] Now codified in RCW 35.10.290.
35.11.080 Effect of annexation. [(i) 1929 c 64 § 11, part; RRS § 8909-11, part. Now codified in RCW 35.10.300. (ii) 1929 c 64 § 12 , part; RRS § 8909-12, part. Now codified in RCW 35.10.310. (iii) 1929 c 64 § 13, part; RRS § 8909-13, part. Now codified in RCW 35.10.320. (iv) 1929 c 64 § 14 , part; RRS § 8909-14, part. Now codified in RCW 35.10.330.]
35.11.090 Funds of annexed portions to be kept distinct. [1897 c 84 § 11; RRS § 5645.] Now codified as RCW 35.37.025.
35.11.100 Cancellation, acquisition, of franchise or permit for operation of public service business in territory annexed. [Reviser's crossreference section.] Now codified as RCW 35.10.350.

## Chapter 35.12 <br> ANNEXATION OF ALL OR PART OF ANOTHER CITY OR SUBURB

35.12.010 Procedure. [1965 c 7 § 35.12.010. Prior: 1890 p 136 § 9 , part; RRS § 8894, part. Cf. 1890 p 227 §§ 1-14. Formerly RCW 35.12.010, 35.12.020, 35.12 .030 and 35.12 .040 .] Repealed by 1969 ex.s. c 89 § 18.
35.12.020 Notice of election. [1890 p 136 § 9, part; RRS § 8894, part.] Now codified in RCW 35.12.010.
35.12.030 Canvassing the returns--Abstract of vote. [1890 § 136 § 9, part; RRS § 8894, part.] Now codified in RCW 35.12.010.
35.12.040 Effective date of annexation--Effect of annexation. [1890 p 136 § 9, part; RRS § 8894, part.] Now codified in RCW 35.12.010.

## Chapter 35.13

## ANNEXATION OF UNINCORPORATED AREAS

35.13.220 Annexation of water, sewer, and fire districts--Disposition of properties-Outstanding indebtedness. [1965 c 7 § 35.13.220. Prior: 1961 c 282 § 21 ; 1957 c 119 § 1 ; 1951 c 248 § 1.] Repealed by 1971 ex.s. c 95 § 10. Later enactment, see chapter 35.13A RCW.
35.13.230 Annexation of water, sewer, and fire districts--Apportionment of properties, debts, control where only part of district is annexed. [1951 c 248 § 2.] Repealed by 1961 c 282 § 25.
35.13.240 Annexation of water, sewer, and fire districts--Apportionment of properties, control where part of district is located within the city. [1951 c 248 § 3.] Repealed by 1961 c 282 § 25.
35.13.243 Annexation of water, sewer, and fire districts--Assumption of control of entire or part of water or sewer district if sixty percent or more of area or valuation is annexed or lies within city or town--Acquisition subject to obligations. [1965 c 7 § 35.13.243. Prior: 1963 c 231 § 1 ; 1961 c 282 § 22.] Repealed by 1971 ex.s. c 95 § 10. Later enactment, see chapter 35.13 A RCW.
35.13.246 Annexation of water, sewer, and fire districts--Assumption of control of part of water or sewer district if less than sixty percent of the area or valuation annexed. [1965 c 7 § 35.13.246. Prior: 1963 c 231 § $2 ; 1961$ c 282 § 23.] Repealed by 1971 ex.s. c $95 \S 10$. Later enactment, see chapter 35.13A RCW.
35.13.250 Annexation of water, sewer, and fire districts-City and district may contract regarding rights and obligations. [1965 c 7 § 35.13.250. Prior: 1961 c 282 § $24 ; 1951$ 2nd ex.s. c 27 § $1 ; 1951$ c 248 §4.] Repealed by 1971 ex.s. c 95 § 10 . Later enactment, see chapter 35.13A RCW.
35.13.255 Acquisition of water or sewer district if sixty percent or more of area or valuation within city or town. [1969 ex.s. c 51 § 4.] Repealed by 1971 ex.s. c 95 § 10. Later enactment, see chapter 35.13A RCW.

## Chapter 35.17 COMMISSION FORM OF GOVERNMENT

35.17.110 Salaries of commissioners--In general. [1965 c 22 § 1; 1965 c 7 § 35.17.110. Prior: 1955 c 309 § 2; prior: 1951 c 46 § 1; 1943 c 25 § 4, part; 1911 c 116 § 14, part; Rem. Supp. 1943 § 9103 , part.] Repealed by 1967 c 100 § 2 . Later enactment, see RCW 35.17.108.
35.17.115 Salaries of commissioners in certain cities operating public utilities. [1965 c 7 § 35.17 .115 . Prior: 1951 c 47 § 1.] Repealed by 1967 c 100 § 2 . Later enactment, see RCW 35.17.108.
35.17.140 Officers and employees--Interest in contracts prohibited. [1911 c 116 § 17, part; RRS § 9106, part.] Repealed by 1961 c 268 §§ $9,10$.

## Chapter 35.20 <br> MUNICIPAL COURTS--CITIES OVER FIVE HUNDRED THOUSAND

35.20.130 Departments Nos. 2 and 3--Traffic cases--Traffic violations bureau. [1967 c 241 § 3; 1965 c 7 § 35.20.130. Prior: 1955 c 290 § 13.] Repealed by 1969 ex.s. c 147 § 10.
35.20.920 Severability. [1955 c 290 § 29.] Repealed by 1965 c 7 § 35.98.040(83). Later enactment, see RCW 35.98.030.

## Chapter 35.21

## MISCELLANEOUS PROVISIONS AFFECTING ALL CITIES AND TOWNS

35.21.040 Civilian defense——Authority to provide for. [1943 c 24 § 1; Rem. Supp. 1943 § 8607-25.] Repealed by 1951 c 178 § 17.
35.21.050 Civilian defense——Liability of municipality. [1943 c 24 § 2; Rem. Supp. 1943 § 8607-26.] Repealed by 1951 c 178 § 17.
35.21.060 Civilian defense--Status of official or employee. [1943 c 24 § 3; Rem. Supp. 1943 § 8607-27.] Repealed by 1951 c 178 § 17.
35.21.460 Surplus war housing——Acquisition, operation, without housing authority. [1953 c 63 § 1.] Decodified.
35.21.580 Allocation of state funds to cities and towns for calendar year 1957. [1957 c 175 § 16.] Decodified.

## Chapter 35.22 <br> FIRST CLASS CITIES

35.22.040 Enumeration of inhabitants. [1965 c 7 § 35.22.040. Prior: 1890 p 216 § 2; RRS § 8952.] Repealed by 1965 ex.s. c 47 § 14.
35.22.230 Canvass of election returns. [(i) 1911 c 32 § 1 ; RRS § 8960. (ii) 1911 c 32 § 2; RRS § 8961.] Decodified.
35.22.240 Investment board created. [1965 c 7 § 35.22.240. Prior: 1929 c 192 § 1 ; RRS § 8966-1.] Repealed by 1965 ex.s. c 46 § 2.
35.22.250 Officers of investment board. [1965 c 7 § 35.22.250. Prior: 1929 c 192 § 2 ; RRS § 8966-2.] Repealed by 1965 ex.s. c 46 § 2.
35.22.260 Meetings of board. [1965 c 7 § 35.22.260. Prior: 1929 c 192 § 3; RRS § 8966-3.] Repealed by 1965 ex.s. c 46 § 2.
35.22.270 Investments authorized. [1965 c 7 § 35.22.270. Prior: 1957 c 123 § 1 ; 1929 c 192 § 4; RRS § 8966-4.] Repealed by 1965 ex.s. c 46 § 2.
35.22.450 Police judge in certain first class cities-Appointment of clerks. [1943 c 105 § 1 ; Rem. Supp. 1943 § 8996-1.] Decodified.
35.22.470 Regulation of disorderly conduct, etc. [1965 c 7 § 35.22.470. Prior: 1923 c 182 § 1 ; RRS § 8992-1.] Repealed by 1965 ex.s. c 116 § 19 .

## Chapter 35.23 <br> SECOND CLASS CITIES

35.23.060 Canvass of votes. [1907 c 241 § 6; RRS § 9011.] Decodified. See RCW 29.13.040 and chapter 29.62 RCW.
35.23.340 Damage claims——Allowance of. [1965 c 7 § 35.23.340. Prior: 1957 c 224 § 1 ; 1907 c 241 § $36 ; 1890$ p 154 § $40 ;$ RRS § 9043.] Repealed by 1967 c 164 § 16.

Purpose——1967 c 164: See note following RCW 4.96 .010 for purpose of 1967 c 164 .

Severability——1967 c 164: See note following RCW 4.96.010.
35.23.520 Utilities——Leasing or sale of. [1907 c 241 § 33; RRS § 9040.] Decodified. See chapter 35.94 RCW.

## Chapter 35.24 <br> THIRD CLASS CITIES

35.24.040 Eligibility--Interest in contract or work for city, etc. [1941 c 57 § 1, part; 1915 c 184 § 32, part; Rem. Supp. 1941 § 9146 , part.] Repealed by 1961 c 268 § 17.
35.24.170 Officers not to be interested in city contracts. [1941 c 57 § 1, part; 1915 c 184 § 32, part; 1890 p 197 § 140; Rem. Supp. 1941 § 9146, part.] Repealed by 1961 c 268 § 17.
35.24.240 Ordinances not inconsistent with chapter continued. [1957 c 97 § 9; 1915 c 184 § 34; RRS § 9148.] Decodified.

## Chapter 35.27

## TOWNS

35.27.020 Annexation of unplatted lands--Consent. [1951 c 109 § 1; 1890 p 141 § 15, part; RRS § 8935, part.] 1951 c 109 § 1 repealed by 1961 c 277 § $6 ; 1890$ p 141 § 15 now codified in RCW 35.21.010, subsequently reenacted by 1965 c 7 § 35.21 .010 and amended by 1965 c 138 § 1 .
35.27.150 Officers not to be interested in town contracts. [1941 c 57 § 2; 1890 p 215 § 176; Rem. Supp. 1941 § 9194.] Repealed by 1961 с 268 § 18.
35.27.420 Taxation-—Estimates to be filed. [1965 c 7 § 35.27.420. Prior: 1955 c 337 § 26; prior: (i) 1929 c 61 § 1 ; 1909 c 138 § 1 ; RRS § 11229. (ii) 1941 c 27 § 1, part; 1929 c 61 § 4, part; 1927 c 141 § 1 ; 1909 c 138 § 4 ; Rem. Supp. 1949 § 11232, part.] Repealed by 1969 ex.s. c 95 § 26.
35.27.430 Taxation--Notice of bearing on estimates. [1965 c 7 § 35.27.430. Prior: 1929 c 61 § 2; 1909 c 138 § 2; RRS § 11230.] Repealed by 1969 ex.s. c 95 § 26.
35.27.440 Taxation--Hearing--Tax levies. [1965 c 7 § 35.27.440. Prior: 1929 c 61 § 3; 1909 c 138 § 3; RRS § 11231.] Repealed by 1969 ex.s. c $95 \S 26$.
35.27.450 Taxation--Tolerance allowed in expendituresPenalty for violations. [1965 c 7 § 35.27.450. Prior: 1955 c 337 § 27; prior: (i) 1929 c 61 §5; RRS § 11233. (ii) 1941 c 27 § 1 , part; 1929 c 61 § 4, part; 1917 c 141 § 1; 1909 c 138 § 4; Rem. Supp. 1941 § 11232, part.] Repealed by 1969 ex.s. c $95 \S 26$.
35.27.460 Taxation--Nondebatable emergency expenditures. [1965 c 7 § 35.27.460. Prior: 1955 c 337 § 28; prior: 1941 c 27 § 1 , part; 1929 c 61 § 4, part; 1917 c 141 § 1; 1909 c 138 § 4; Rem. Supp. 1941 § 11232 , part.] Repealed by 1969 ex.s. c 95 § 26.
35.27.470 Taxation-—Emergencies subject to bearing. [1965 c 7 § 35.27.470. Prior: 1955 c 337 § 29; prior: 1941 c 27 § 1 , part; 1929 c 61 § 4, part; 1917 c 141 § 1 ; 1909 c 138 § 4; Rem. Supp. 1941 § 11232, part.] Repealed by 1969 ex.s. c 95 § 26.
35.27.480 Taxation--Payment of emergency warrants. [1965 c 7 § 35.27.480. Prior: 1955 c 337 § 30; prior: 1941 c 27 § 1 , part; 1929 c 61 § 4, part; 1917 c 141 § 1 ; 1909 c 138 § 4; Rem. Supp. 1941 § 11232, part.] Repealed by 1969 ex.s. c 95 § 26.

## Chapter 35.32 <br> BUDGETS IN CITIES OVER 300,000

35.32.010 Definitions. [1965 c 7 § 35.32.010. Prior: (i) 1925 ex.s. c 125 § 1, part; RRS § 9000-13, part. (ii) 1925 ex.s. c 125 § 2, part; RRS § 9000-14, part.] Repealed by 1967 c 7 § 13.
35.32.020 Budget mandatory-—Other expenditures void. [1965 c 7 § 35.32.020. Prior: (i) 1925 ex.s. c 125 § 1 , part; RRS § 9000-13, part. (ii) 1925 ex.s. c $125 \S 10$, part; RRS § $9000-22$, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.090.
35.32.030 Budget estimates. [1965 c 7 § 35.32.030. Prior: 1925 ex.s. c 125 § 2, part; RRS § 9000-14, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A. 030 .
35.32.040 Budget estimates--Classification and segregation. [1965 c 7 § 35.32.040. Prior: 1925 ex.s. c 125 § 2, part; RRS § $9000-$ 14, part.] Repealed by 1967 c 7 § 13.
35.32.050 Budget estimates——Deficits——Debts. [1965 c 7 § 35.32.050. Prior: 1925 ex.s. c 125 § 3, part; RRS § $9000-15$, part.] Repealed by 1967 c 7 § 13.
35.32.060 Budget estimates——Revenues. [1965 c 7 § 35.32.060. Prior: 1925 ex.s. c 125 § 3, part; RRS § $9000-15$, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A. 030.
35.32.070 Budget--Preliminary bearing-—Publication. [1965 c 7 § 35.32.070. Prior: 1925 ex.s. c 125 § 4, part; RRS § 9000-16, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.040.
35.32.080 Budget-—Final hearing——Adoption. [1965 c 7 § 35.32.080. Prior: (i) 1925 ex.s. c 125 § 4, part; RRS § $9000-16$, part. (ii) 1925 ex.s. c 125 §5; RRS § 9000-17.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.040.
35.32.090 Budget forms-Compulsory. [1965 c 7 § 35.32.090. Prior: 1925 ex.s. c 125 § 11 ; RRS § 9000-23.] Repealed by 1967 c 7 § 13.
35.32.100 Emergency-—Creation of fund. [1965 c 7 § 35.32.100. Prior: (i) 1925 ex.s. c 125 § 2, part; RRS § $9000-14$, part. (ii) 1949 c 118 § 1, part; 1927 c 168 § 1, part; 1925 ex.s. c 125 § 7, part; Rem. Supp. 1949 § 9000-19, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A. 060 .
35.32.110 Emergency——Withdrawals. [1965 c 7 § 35.32.110. Prior: 1949 c 118 § 1 , part; 1927 c 168 § 1, part; 1925 ex.s. c 125 § 7, part; Rem. Supp. 1949 § 9000-19, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.060.
35.32.120 Emergencies declarable by three-fourths vote. [1965 c 7 § 35.32.120. Prior: 1949 c 118 § 1, part; 1927 c 168 § 1, part; 1925 ex.s. c 125 § 7, part; Rem. Supp. 1949 § $9000-19$, part.] Repealed by 1967 c 7 § 13.
35.32.130 Emergencies requiring unanimous vote. [1965 c 7 § 35.32.130. Prior: 1949 c 118 § 1, part; 1927 c 168 § 1, part; 1925 ex.s. c 125 § 7, part; Rem. Supp. 1949 § 9000-19, part.] Repealed by 1967 c 7 § 13.
35.32.140 Funds——A ppropriations——Transfers. [1965 c 7 § 35.32.140. Prior: 1925 ex.s. c 125 § 6, part; RRS § $9000-18$, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A. 050 .
35.32.150 Funds-—Monthly budget——Exceptions. [1965 c 7 § 35.32.150. Prior: 1925 ex.s. c 125 § 6, part; RRS § $9000-18$, part.] Repealed by 1967 c 7 § 13.
35.32.160 Unexpended appropriations--Annual-_Operating and maintenance. [1965 c 7 § 35.32 .160 . Prior: 1927 c 168 § 2, part; 1925 ex.s. c 125 § 8, part; RRS § 9000-20, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.080.
35.32.170 Unexpended appropriations--Annual-_Capital and betterment outlays. [1965 c 7 § 35.32 .170 . Prior: 1927 c 168 § 2, part; 1925 ex.s. c 125 § 8, part; RRS § 9000-20, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A. 080 .
35.32.180 Unexpended balances——Monthly. [1965 c 7 § 35.32180. Prior: 1925 ex.s. c 125 § 6, part; RRS § $9000-18$, part.] Repealed by 1967 c 7 § 13 .
35.32.190 Utilities-—Exemption from budget control——Capital and emergency expenditures. [ 1965 c 7 § 35.32.190. Prior: 1925 ex.s. c 125 § 2, part; RRS § 9000-14, part.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.070.
35.32.195 Municipal transportation systems-—Budget by transportation commission. [1965 c 7 § 35.32.195. Prior: 1951 c 80 § 1.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A.010.
35.32.200 Computation of indebtedness. [1965 c 7 § 35.32.200. Prior: 1925 ex.s. c 125 § 9; RRS § 9000-21.] Repealed by 1967 c 7 § 13.
35.32.210 Violations and penalties. [1965 c 7 § 35.32.210. Prior: (i) 1925 ex.s. c $125 \S 2$, part; RRS § $9000-14$, part. (ii) 1925 ex.s. c 125 § 10, part; RRS § $9000-22$, part. (iii) 1925 ex.s. c 125 § 12 , part; RRS § 9000-24.] Repealed by 1967 c 7 § 13. Later enactment, see RCW 35.32A. 090 .

## Chapter 35.33 <br> BUDGETS IN SECOND AND THIRD CLASS CITIES AND FIRST CLASS CITIES UNDER $\mathbf{3 0 0 , 0 0 0}$

35.33.010 Definitions. [1965 c 7 § 35.33.010. Prior: 1923 c 158 § 9; RRS § 9000-9.] Repealed by 1969 ex.s. c 95 § 26.
35.33.030 Budget estimates. [1965 c 7 § 35.33.030. Prior: 1923 c 158 § 1; RRS § $9000-1$. .) Repealed by 1969 ex.s. c 95 § 26.
35.33.040 Budget estimates--Classification and segregation-Transfer. [1965 c 7 § 35.33.040. Prior: 1953 c 180 § 1 ; 1923 c 158 § 2, part; RRS § 9000-2, part.] Repealed by 1969 ex.s. c 95 § 26.
35.33.050 Budget——Preliminary. [1965 c 7 § 35.33.050. Prior: (i) 1923 c 158 § 2, part; RRS § 9000-2, part. (ii) 1923 c 158 § 3, part; RRS § 9000-3, part.] Repealed by 1969 ex.s. c 95 § 26
35.33.060 Budget--Notice of bearing on final. [1965 c 7 § 35.33.060. Prior: 1923 c 158 § 3, part; RRS § $9000-3$, part.] Repealed by 1969 ex.s. c $95 \S 26$.
35.33.070 Budget--Final—— Hearing-_Adoption. [1965 c 7 § 35.33.070. Prior: 1923 c 158 § 4; RRS § 9000-4.] Repealed by 1969 ex.s. c 95 § 26.
35.33.080 Emergency expenditures--Nondebatable emergencies. [1965 c 7 § 35.33 .080 . Prior: 1961 c 166 § $1 ; 1955$ c 337 § 32; prior: 1923 c 158 § 6, part; RRS § 9000-6, part.] Repealed by 1969 ex.s. c 95 § 26.
35.33.090 Emergency expenditures--Other emergenciesHearing. [1965 c 7 § 35.33.090. Prior: 1961 c 166 § 2; 1955 c 337 § 33; prior: 1923 c 158 § 6, part; RRS § 9000-6, part.] Repealed by 1969 ex.s. c $95 \S 26$.
35.33.100 Emergency warrants. [1965 c 7 § 35.33.100. Prior: 1957 c 44 § 1; 1955 c 337 § 34; prior: 1953 c 180 § 2 ; 1923 c 158 § 6, part; RRS § 9000-6, part.] Repealed by 1969 ex.s. c 95 § 26.
35.33.105 Adjustment of wages, etc., of electrical workers permissible, budget notwithstanding. [1965 c 7 § 35.33.105. Prior: 1951 c 154 § 1.] Repealed by 1969 ex.s. c 95 § 26.
35.33.110 Forms--Accounting--Supervision by state. [1965 c 7 § 35.33.110. Prior: 1923 c 158 § 10; RRS § 9000-10.] Repealed by 1969 ex.s. c 95 § 26.
35.33.120 Funds--Limitations on expenditures-—Transfers. [1965 c 7 § 35.33.120. Prior: 1961 c 166 § 4; prior: 1955 c 322 § 1 ; 1923 c 158 § 5, part; RRS § 9000-5, part.] Repealed by 1969 ex.s. c 95 § 26.
35.33.130 Funds received from sales of bonds and warrantsExpenditure. [1965 c 7 § 35.33.130. Prior: 1961 c 166 § 5; prior: 1923 c 158 § 5, part; RRS § $9000-5$, part.] Repealed by 1969 ex.s. c 95 § 26.
35.33.140 Funds--Monthly report of status. [1965 c 7 § 35.33.140. Prior: 1923 c 158 §7; RRS § 9000-7.] Repealed by 1969 ex.s. c 95 § 26.
35.33.150 Unexpended appropriations. [1965 ex.s. c 14 § $1 ; 1965$ c 7 § 35.33.150. Prior: 1961 c 166 § 6; 1957 c 44 § 2; 1955 c 337 § 35 ; prior: 1953 c 180 § 3 ; 1923 c 158 § 6, part; RRS § 9000-6, part.] Repealed by 1969 ex.s. c $95 \S 26$.
35.33.160 Violations and penalties. [1965 c 7 § 35.33.160. Prior: 1923 c 158 § 11 ; RRS § $9000-11$.] Repealed by 1969 ex.s. c 95 § 26.

## Chapter 35.37 <br> FISCAL——CITIES UNDER 20,000 AND CITIES OTHER THAN FIRST CLASS——BONDS

35.37.025 Funds of annexed portions to be kept distinct. [1965 c 7 § 35.37.025. Prior: 1897 c 84 § 11; RRS § 5645.] Repealed by 1969 ex.s. c 89 § 18.
35.37.080 General indebtedness bonds-—Form——Terms—— Signatures. [1965 c 7 § 35.37.080. Prior: 1891 c 128 §5, part; RRS § 9543, part.] Repealed by 1967 c 107 § 6.

## Chapter 35.38 <br> FISCAL——DEPOSITARIES

35.38.020 Cities of $\mathbf{7 5 , 0 0 0}$ or more inhabitants-C Contract as to interest--Surety bond or collateral. [1969 ex.s. c 193 § 23; 1969 c 28 § 2; 1967 c 132 § 5; 1965 c 7 § 35.38.020. Prior: 1947 c 245 § $1 ; 1945$ c 240 § $1 ; 1935$ c $45 \S 1$; 1931 c $87 \S 4 ; 1913$ c 118 § 1 ; 1909 ex.s. c 10 § $1 ; 1909$ c 103 § 2; Rem. Supp. 1947 § 5569.] Repealed by 1973 c 126 § 18.
35.38.070 Trustee for safekeeping of securities. [1965 c 7 § 35.38.070. Prior: 1945 c 70 § 1, part; 1941 c 18 § 1 , part; 1929 c 186 § 1 , part; Rem. Supp. 1945 § 5574-1, part.] Repealed by 1969 ex.s. c 193 § 30.
35.38.080 Procedure upon insolvency of depositary. [1965 c 7 § 35.38.080. Prior: 1929 c 186 § 3, part; RRS § 5574-3, part.] Repealed by 1969 ex.s. c $193 \S 30$.
35.38.090 Bank as trustee of its own pledged securities. [1965 c 7 § 35.38.090. Prior: 1929 c 186 § 5, part; RRS § 5574-5, part.] Repealed by 1969 ex.s. c 193 § 30.
35.38.100 Compensation of trustee. [1965 c 7 § 35.38.100. Prior: 1929 c 186 § 4, part; RRS §5574-4, part.] Repealed by 1969 ex.s. c 193 § 30.
35.38.110 Trustee's receipt. [1965 c 7 § 35.38.110. Prior: 1929 c 186 § 2, part; RRS §5574-2, part.] Repealed by 1969 ex.s. c 193 § 30.

## FISCAL——FINANCE Chapter 35.39 COMMITTEE——INVESTMENT OF FUNDS

35.39.010 City finance committee-—Cities over 75,000. [1965 c 7 § 35.39.010. Prior: 1935 c 45 § 2; RRS § 5570-1.] Repealed by 1965 ex.s. c 46 § 2.
35.39.020 City finance committee-Cities and towns under 75,000. [1965 c 7 § 35.39.020. Prior: 1935 c 45 § 4; RRS § 5573-1.] Repealed by 1965 ex.s. c 46 § 2.

## Chapter 35.41 <br> FISCAL——MUNICIPAL REVENUE BOND ACT

35.41.020 Special funds-Considerations in creation-CLimitation on amounts. [1957 c 117 § 2.] Repealed by 1959 c 203 § 2.

## Chapter 35.43 <br> LOCAL IMPROVEMENTS--AUTHORITY——INITIATION OF PROCEEDINGS

35.43.090 Ordinance--Creation of district--Special cases. [1965 c 7 § 35.43.090. Prior: 1957 c 144 § 5; prior: (i) 1911 c 98 § 16, part; RRS § 9368, part. (ii) 1911 c 98 § 17, part; RRS § 9369, part. (iii) 1911 c 98 § 18, part; RRS § 9370 , part.] Repealed by 1969 ex.s. c 258 § 17.
35.43.160 Restraints on authority-—When initiated by petition. [1967 c 52 § 7; 1965 c 7 § 35.43.160. Prior: 1957 c 144 § 10 ; prior: 1953 c 26 § 2; 1927 c 209 § 4, part; 1923 c 141 § 4, part; RRS § 9351-4, part.] Repealed by 1971 ex.s. c 116 § 12.
35.43.170 Restraints on authority- - When initiated by resolution. [1965 c 58 § 1 ; 1965 c 7 § 35.43 .170 . Prior: 1957 c 144 § 11; prior: 1927 c 209 § 4, part; 1923 c 141 § 4, part; RRS § 9351-4, part.] Repealed by 1971 ex.s. c 116 § 12.

## Chapter 35.45 LOCAL IMPROVEMENTS--BONDS AND WARRANTS

35.45.100 First class cities-—Diversion prohibited——Refund of excess. [1917 c 58 § 1 ; 1915 c 17 § 1 ; RRS § 8983.] Now codified as RCW 35.22.580.
35.45.110 First class cities-—Bonds voted by people——Transfer of excess to redemption fund. [1915 c 17 § 2; RRS § 8984.] Now codified as RCW 35.22.590.
35.45.120 Liability for violations. [1915 c 17 § 3; RRS § 8985.] Now codified as RCW 35.22.600.

## Chapter 35.58 <br> METROPOLITAN MUNICIPAL CORPORATIONS

35.58.2793 Mass public transit system——State financial assist-ance-Distribution of funds--Formula--Federal funds. [1973 1st ex.s. c 136 § 6.] Repealed by 1975 1st ex.s. c 270 § 28.
35.58.910 Severability. [1957 c 213 § 57.] Repealed by 1965 c 7 § 35.98.040(71). See RCW 35.98.030.

## Chapter 35.60 WORLD FAIRS OR EXPOSITIONS——PARTICIPATION BY MUNICIPALITIES

35.60.900 Severability. [1961 c 149 § 9. Prior: 1961 c 39 § 9.] Repealed by 1965 c 7 § 35.98.040(25). See RCW 35.98.030.

## Chapter 35.67 <br> SEWERAGE SYSTEMS--REFUSE COLLECTION AND DISPOSAL

35.67.040 Election--Calling——When necessary. [1941 c 193 § 2, part; Rem. Supp. 1941 § 9354-5, part.] Repealed by 1965 c 7 § 35.98.040(194). Reenacted in RCW 35.67.030.
35.67.050 Election--Notice. [1941 c 193 § 2, part; Rem. Supp. 1941 § 9354-5, part.] Repealed by 1965 c 7 § 35.98 .040 (194). Reenacted in RCW 35.67.030.
35.67.060 Election--Vote required. [1941 c 193 § 2, part; Rem. Supp. 1941 § 9354-5, part.] Repealed by 1965 c 7 § 35.98.040(194). Reenacted in RCW 35.67.030.
35.67.192 Storm or surface water sewers--Revenues, charges- Combining with water system. [1965 c 7 § 35.67.192. Prior: 1955 c 266 § 4.] Repealed by 1965 c 110 § 2.
35.67.320 Waterworks-_Sewerage system made part of without popular vote. [1965 c 7 § 35.67.320. Prior: 1941 c 193 § 12, part; Rem. Supp. 1941 § 9354-15, part.] Repealed by 1969 ex.s. c 51 § 3.
35.67.330 Waterworks--Sewerage system made part of by popular vote. [1965 c 7 § 35.67.330. Prior: 1941 c 193 § 12, part; Rem. Supp. 1941 § 9354-15, part.] Repealed by 1969 ex.s. c 51 § 3.

## Chapter 35.71 <br> PEDESTRIAN MALLS

35.71.900 Severability. [1961 c 111 § 14.] Repealed by 1965 c 7 § 35.98.040(23). See RCW 35.98.030.

Chapter 35.80
UNFIT DWELLINGS, BUILDINGS AND STRUCTURES
35.80.900 Severability. [1959 c 82 § 5.] Repealed by 1965 c 7 § 35.98.040(42). See RCW 35.98.030.

Chapter 35.81
URBAN RENEWAL LAW
35.81.900 Severability. [1957 c 42 § 19.] Repealed by 1965 c 7 § 35.98.040(50). See RCW 35.98.030.

Chapter 35.83

## HOUSING COOPERATION LAW

35.83.900 Severability. [1939 c 24 § 9; RRS § 6889-39.] Repealed by 1965 c 7 § 35.98.040(196). See RCW 35.98.030.

Chapter 35.86
OFF-STREET PARKING FACILITIES
35.86.070 Payment of annual excise tax by city or lessee. [1967 ex.s. c 144 § 6; 1965 c 7 § 35.86.070. Prior: 1959 c 302 § 7.] Repealed by 1969 c 144 § 1 . Later enactment, see RCW 35.86A.110.
35.86.900 Severability. [1959 c 302 § 8.] Repealed by 1965 c 7 § 35.98.040(48). See RCW 35.98.030.

## Chapter 35.92

MUNICIPAL UTILITIES
35.92.210 Submission to vote of electors. [1933 ex.s. c 17 § 4; RRS § 9502-4. Formerly RCW 80.40.210.] Repealed by 1957 c 288 § 9.

Chapter 35.93

## MUNICIPAL STREET RAILWAY BONDS

35.93.010 Street railway refunding bonds. [1929 c 145 § 1 ; RRS § 9488-4. Formerly RCW 80.44.010.] Decodified.
35.93.020 Cities may borrow to fund or refund obligations. [1939 c 47 § 1 ; RRS \& 9488-6. Formerly RCW 80.44.020.] Decodified.
35.93.030 Issuance of bonds. [1939 c 47 § 2, part; RRS § 9488-7, part. Formerly RCW 80.44.030.] Decodified.
35.93.040 Form of bonds. [1939 c 47 § 2, part; RRS § 9488-7, part. Formerly RCW 80.44.040.] Decodified.
35.93.050 Rights of bondholder. [1939 c 47 § 2, part; RRS § 9488-7, part. Formerly RCW 80.44.050.] Decodified.
35.93.060 Funding and refunding bonds may be refunded. [1939 c 47 § 3; RRS § 9488-8. Formerly RCW 80.44.060.] Decodified.
35.93.070 Covenants of bonds. [1939 c 47 § 4; RRS § 9488-9. Formerly RCW 80.44.070.] Decodified.
35.93.080 Commission created——Powers. [1939 c 47 §5; RRS § 9488-10. Formerly RCW 80.44.080.] Decodified.
35.93.090 Construction of chapter. [1939 c 47 § 6; RRS § 9488 11. Formerly RCW 80.44.090.] Decodified.
35.93.100 Extension of time of payment. [1927 c 228 § 1 ; RRS § 9511-1. Formerly RCW 80.44.100.] Decodified.
35.93.110 Consent of bondholders. [1927 c 228 § 2; RRS § 95112. Formerly RCW 80.44.110.] Decodified.
35.93.120 Effect on validity of bonds. [1927 c 228 § 3; RRS § 9511-3. Formerly RCW 80.44.120.] Decodified.

# 35A <br> OPTIONAL MUNICIPAL CODE 

## Chapter 35A. 03

## INCORPORATION AS NONCHARTER CODE CITY

35A.03.150 Disposition of uncollected road district taxes. [1967 ex.s. c 119 § 35A.03.150.] Repealed by 1971 ex.s. c 251 § 15.

Severability——1971 ex.s. c 251: RCW 35A.90.050.

## Chapter 35A. 14

## ANNEXATION BY CODE CITIES

35A.14.350 Annexation of water, sewer, and fire districts-DDisposition of properties--Outstanding indebtedness. [1967 ex.s. c 119 § 35A.14.350.] Repealed by 1971 ex.s. c 95 § 10. Later enactment, see chapter 35.13A RCW.

35A.14.360 Assumption of control of entire or part of water or sewer district if sixty percent or more of area or valuation is annexed or lies within code city--Acquisition subject to obligations. [1967 ex.s. c 119 § 35A.14.360.] Repealed by 1971 ex.s. c 95 § 10. Later enactment, see chapter 35.13 A RCW.
35A.14.365 Assumption of control of entire or part of water or sewer district if sixty percent or more of area or valuation is annexed or lies within code city--Employees-—Retention of service credits, sick leave and vacation credit. [1969 ex.s. c 51 § 5.] Repealed by 1971 ex.s. c $95 \S 10$. Later enactment, see chapter 35.13A RCW.

35A.14.370 Assumption of control of part of water or sewer district if less than sixty percent of the area or valuation annexed. [1967 ex.s. c 119 § 35A.14.370.] Repealed by 1971 ex.s. c 95 § 10. Later enactment, see chapter 35.13A RCW.

35A.14.600 Code city and district may contract regarding rights and obligations. [1967 ex.s. c 119 \& 35A.14.600.] Repealed by 1971 ex.s. c $95 \S 10$. Later enactment, see chapter 35.13A RCW.

35A.14.800 Road district taxes collected in annexed territory- Disposition. [1967 ex.s. c 119 § 35A.14.800.] Repealed by 1971 ex.s. c 251 § 15.

Severability - 1971 ex.s. c 251: RCW 35A.90.050.

Title 36
COUNTIES
Chapter $\mathbf{3 6 . 0 9}$
DIVISION OF COUNTY
36.09.030 Disagreement--Judges to decide. [1909 c 79 § 1, part; RRS § 3991, part.] Decodified. Now codified in RCW 36.09.050.

Chapter 36.13
CLASSIFICATION OF COUNTIES
36.13.060 Classification of new or altered counties. [1890 p 316 § 47; RRS § 4228.] Decodified. Reenacted as RCW 36.13.075, to preserve session law context of RCW 36.13.020-36.13.070.

## Chapter 36.16 <br> COUNTY OFFICERS——GENERAL

36.16.080 Official seals. [(i) Code 1881 § 2672; 1854 p 421 § 10 ; RRS § 4069. (ii) Code 1881 § 2724; RRS § 4103. (iii) 1903 c 15 § 1 ; RRS § 4125.] Decodified. Now in (i) RCW 36.32.135, (ii) RCW 36.22.020, (iii) RCW 36.29.025.

## Chapter 36.17 <br> SALARIES OF COUNTY OFFICERS

36.17.025 Schedule of salaries in counties over five hundred thousand. [1953 c 215 § 1.] Decodified. See last paragraph of RCW 36.17.020.
36.17.030 Expenses. [1963 c 4 § 36.17.030. Prior: 1961 c 79 § 1 ; 1961 c 35 § 1; prior: (1) 1949 c 200 § 1, part; 1945 c 87 § 1, part; 1945 c 87 § 1, part; 1937 c 197 § 3, part; 1933 c 136 § 6, part; 1925 ex.s. c 148 § 6, part; 1919 c 168 § 2, part; Rem. Supp. 1949 § 42005a, part. (2) 1921 c 184 § 2, part; RRS § 4203, part.] Repealed by 1974 ex.s. c 24 § 1. Later enactment, see chapter 42.24 RCW.
36.17.060 Expenses in lieu of mileage. [(i) Code 1881 § 2109; 1863 p 424 §§ 6, 8; RRS § 509. (ii) Code 1881 § 2109; 1863 p 424 §§ 6, 8; RRS § 4230.] Decodified. Now RCW 2.40.030.

Chapter $\mathbf{3 6 . 2 1}$
COUNTY ASSESSOR
36.21.010 Employment of deputies and experts. [1925 ex.s. c $130 \S$ 56; RRS § 11139.$]$ Repealed by 1955 c 251 § 17.

## Chapter 36.22

COUNTY AUDITOR
36.22.130 Board's proceedings to be published. [Code 1881 § 2724; RRS § 4102.] Decodified. Now part of RCW 36.22.020.

## Chapter 36.23

COUNTY CLERK
36.23.010 General duties. [1891 c 57 § 3; RRS § 77.] Decodified. Restored as RCW 2.32.050.
36.23.050 To certify jurors' mileage and per diem and other court costs. [Code 1881 § 2109, part; 1863 p 424 §§ 6, 8; RRS § 4230, part.] Decodified. Restored as RCW 2.40.030.
36.23.060 Clerk not to practice law. [1891 c 57 § 5; RRS § 81.] Decodified. Restored as RCW 2.32.090.

## Chapter 36.29 <br> COUNTY TREASURER

36.29.015 Treasurer's report on property tax revenue and budget expenditures of units of local government. [1971 ex.s. c 288 § 15.] Repealed by 1973 c 58 § 1.

## Chapter 36.32 <br> COUNTY COMMISSIONERS

36.32.190 Interest in county contracts barred. [1895 c 97 § 1; Code 1881 § 2686; RRS § 4058.] Repealed by 1961 c 268 § 18.
36.32.320 Compensation for extra service-Compensation as road overseers in certain counties. [1967 c 218 § 4; 1963 c 4 § 36.32.320. Prior: 1950 ex.s. c 9 § 1; 1927 c 274 § 1 ; RRS § 4053-1.] Repealed by 1971 ex.s. c 237 § 3.

## Chapter 36.33

COUNTY FUNDS
36.33.050 Salary fund--General. [1890 p 314 § 36; RRS § 4219.] Repealed by 1961 c 273 § 2.

Chapter 36.37
AGRICULTURAL FAIRS AND POULTRY SHOWS
36.37.030 County commissioners to supervise. [1917 c 32 § 3; RRS § 2752.] Repealed by 1957 c 124 § 2.
36.37.060 County exhibits at state fair-—Exhibit funds. [(i) 1927 c 266 § 1; RRS § 2753-1. (ii) 1927 c 266 § 3; RRS § 2753-3.] Repealed by 1957 c 124 § 2.
36.37.070 Disposition of premiums earned. [1927 c 266 § 2; RRS § 2753-2.] Repealed by 1957 c 124 § 2.
36.37.080 Expenditures from exhibit fund. [1927 c 266 § 4; RRS § 2753-4.] Repealed by 1957 c 124 § 2.

Chapter 36.39
ASSISTANCE AND RELIEF
36.39.020 Aid to indigent nonbanker taken sick. [Code 1881 § 2701; 1854 p 396 § 6; RRS § 9986.] Repealed by 1953 ex.s. c 5 § 15.

## Chapter 36.40 BUDGET

36.40.300 Costs of county revaluation program to be shared by all local taxing districts--Duties of county treasurar. [1973 1st ex.s. c 195 § 34; 1973 lst ex.s. c 195 § 143; 1972 ex.s. c 102 § 1.] Expired December 31, 1974.

Chapter 36.44

## CIVILIAN DEFENSE

36.44.010 through 36.44.050 [1943 c 6 § 1-5; Rem. Supp. 1943 §§ 8607-20-8607-24.] Repealed by 1951 c 178 § 17.

## Chapter 36.48 <br> DEPOSITARIES

36.48.030 Depositaries to be designated by treasurer-Contract as to interest. [1963 c 4 § 36.48.030. Prior: 1933 ex.s. c 45 § 1; 1907 c 51 § 3; RRS § 5564.] Repealed by 1969 ex.s. c 193 § 30.
36.48.100 County clerk's funds may be deposited-Clerk's depositary bond or collateral--Federal deposit insurance as affecting. [1967 c 132 § 4; 1963 c 4 § 36.48.100. Prior: 1933 ex.s. c 40 § 3; RRS § 5561-3.] Repealed by 1969 ex.s. c 193 § 30.
36.48.110 Trustee for safekeeping of collateral. [1963 c 4 § 36.48.110. Prior: 1945 c 70 § 1, part; 1941 c 18 § 1, part; 1929 c 186 § 1 , part; Rem. Supp. 1945 § 5574-1, part.] Repealed by 1969 ex.s. c 193 § 30.
36.48.120 Trustee for safekeeping of collateral-—Trustee's receipt. [1963 c 4 § 36.48.120. Prior: 1929 c 186 § 2, part; RRS § 55742, part.] Repealed by 1969 ex.s. c 193 § 30.
36.48.130 Trustee for safekeeping of collateral--Procedure on insolvency of depositary. [1963 c 4 § 36.48.130. Prior: 1929 c 186 § 3, part; RRS § 5574-3, part.] Repealed by 1969 ex.s. c 193 § 30.
36.48.140 Trustee for safekeeping of collateral-COmpensation of trustee. [1963 c 4 § 36.48.140. Prior: 1929 c 186 § 4, part; RRS § $5574-4$, part.] Repealed by 1969 ex.s. c 193 § 30.
36.48.150 Trustee for safekeeping of collateral-Bank cannot act as trustee of own collateral. [1963 c 4 § 36.48.150. Prior: 1929 c 186 § 5, part; RRS § 5574-5, part.] Repealed by 1969 ex.s. c 193 § 30.

Chapter 36.59
HOMESITE LANDS
36.59.010 Definitions. [1939 c 201 § 1; RRS § 4026-11.] Now codified as RCW 36.59.300.
36.59.020 Designation of homesite lands. [1939 c 201 § 3, part; RRS § 4026-13, part.] Now codified in RCW 36.59.320.
36.59.030 Acreage of tracts. [1939 c 201 § 6; RRS § 4026-16.] Now codified as RCW 36.59.350.
36.59.040 Notice of opening for entry. [1939 c 201 § 3, part; RRS § 4026-13, part.] Now codified in RCW 36.59.320.
36.59.050 Entry——Persons entitled. [1939 c 201 § 2; RRS § 4026-12.] Now codified as RCW 36.59.310.
36.59.060 Application for entry——Affidavit. [1939 c 201 § 4, part; RRS § 4026-14, part.] Now codified in RCW 36.59.330.
36.59.070 Forms to be furnished. [1939 c 201 § 5; RRS § 402615.] Now codified as RCW 36.59.340.
36.59.080 Record of entries. [1939 c 201 § 7; RRS § 4026-17.] Now codified as RCW 36.59.360.
36.59.090 Conflicting entries. [1939 c 201 § 10; RRS § 4026-20.] Now codified as RCW 36.59.390.
36.59.100 Certificate of entry--Fee. [(i) 1939 c 201 § 8; RRS § 4026-18. Now codified as RCW 36.59.370. (ii) 1939 c 201 § 4, part; RRS § 4026-14, part. Now codified in RCW 36.59.330.]
36.59.110 First year's requirements. [1939 c 201 § 9, part; RRS § 4026-19, part.] Now codified in RCW 36.59.380.
36.59.120 Second year's and subsequent requirements. [1939 c 201 § 9, part: RRS § 4026-19, part.] Now codified in RCW 36.59.380.
36.59.130 Permitted absence. [1939 c 201 § 9, part; RRS § 402619, part.] Now codified in RCW 36.59.380.
36.59.140 Reversion for nonresidence or abandonment. [1939 c 201 § 12, part; RRS § 4026-22, part.] Now codified in RCW 36.59.410.
36.59.150 Final proof-Conveyance. [1939 c 201 § 9, part; RRS § 4026-19, part.] Now codified in RCW 36.59.380.
36.59.160 Deatb of entryman-—Effect. [1939 c 201 § 9, part; RRS § 4026-19, part.] Now codified in RCW 36.59.380.
36.59.170 Marriage of entryman to entrywoman. [1939 c 201 § 11; RRS § 4026-21.] Now codified as RCW 36.59.400.
36.59.180 Separation of spouses after entry. [1939 c 201 § 12, part; RRS § 4026-22, part.] Now codified in RCW 36.59.410.
36.59.190 Transfer of entry rights. [1939 c 201 § 13; RRS § 402623.] Now codified as RCW 36.59.420.
36.59.200 Execution of deeds. [1939 c 201 § 9, part; RRS § 402619, part.] Now codified in RCW 36.59.380.
36.59.210 Mineral rights to be reserved. [1939 c 201 § 14 ; RRS § 4026-24.] Now codified as RCW 36.59.430.

## Chapter 36.62 <br> HOSPITALS

36.62.260 Budget. [1951 c 256 § 2.] Repealed by 1953 ex.s. c 5 § 15.
36.62.280 Payments and advances from department of public assistance——Reimbursement. [1963. c 4 § 36.62.280. Prior: 1961 c 144 § $2 ; 1951$ c 256 § 4.] Repealed by 197.1 ex.s. c 277 § 4.

Chapter 36.67
LIMITATION OF INDEBTEDNESS——COUNTY BONDS
36.67.020 Additional indebtedness with vote of electors. [ 1970 ex.s. c 42 § 18 ; 1967 c 107 § 2; 1963 c 4 § 36.67.020. Prior: 1890 p 37 § 2 ; RRS § 5576.] Repealed by 1971 c 76 § 6.

## Chapter 36.70 <br> PLANNING ENABLING ACT

36.70.950 Section captions not part of law. [1959 c 201 § 95.] Decodified for reenactment purposes. Covered by chapter 36.98 RCW.
36.70.960 Severability. [1959 c 201 § 96.] Decodified for reenactment purposes. Covered by chapter 36.98 RCW.

## Chapter 36.75 <br> ROADS AND BRIDGES——GENERAL PROVISIONS

36.75.045 Powers--Transfer of duties of prior elective county engineer to county commissioners. [1963 c 4 § 36.75.045. Prior: 1943 c 73 § 1, part; 1937 c 187 § 4, part; Rem. Supp. 1943 § 6450-4, part.] Repealed by 1969 ex.s. c $182 \S 16$.

## Chapter 36.76 <br> ROADS AND BRIDGES——BONDS

36.76.010 Election to authorize issuance. [1970 ex.s. c 56 § 52 ; 1970 ex.s. c 42 § 21 ; 1969 ex.s. c 232 § 72; 1963 c 4 § 36.76.010. Prior: 1890 p 40 § 1 ; RRS § 5584.] Repealed by 1971 c 76 § 6.
36.76.020 How to be held--Ballots--Issuance of bonds. [1963 c 4 § 36.76 .020 . Prior: 1913 c 150 § 1; 1891 c 90 § 1; 1890 p 41 § 2; RRS § 5585.] Repealed by 1971 c 76 § 6.
36.76.030 Notice of election. [1963 c 4 § 36.76.030. Prior: 1890 p 41 § 3; RRS § 5586.] Repealed by 1971 c 76 § 6.
36.76.040 Disposition of proceeds of bonds. [1963 c 4 § 36.76.040. Prior: 1890 p 41 § 4; RRS § 5587.] Repealed by 1971 c 76 § 6.
36.76.050 Tax levy to meet interest and principal. [1963 c 4 § 36.76.050. Prior: 1890 p 42 §5; RRS § 5588.] Repealed by 1971 c 76 § 6.
36.76.060 Form of bonds. [1963 c 4 § 36.76.060. Prior: 1890 p 42 § 6; RRS § 5589.] Repealed by 1971 c 76 § 6.
36.76.070 Payment of interest. [1963 c 4 § 36.76.070. Prior: 1890 p 42 § 7; RRS § 5590.] Repealed by 1971 c 76 § 6.

## Chapter 36.81 <br> ROADS AND BRIDGES——ESTABLISHMENT

36.81.120 Long range county road program to be adopted. [1949 c 156 § 5; Rem. Supp. 1949 § 6450-8e.] Repealed by 1961 c 195 § 3.

## Chapter 36.82 <br> ROADS AND BRIDGES--FUNDS——BUDGET

36.82.240 Authorization to rent county road equipment for maintenance and operation of garbage disposal sites--Exception. [1967 c 218 § 1.] Repealed by 1971 ex.s. c 25 § 3.
36.82.245 Authorization to rent county road equipment for maintenance and operation of garbage disposal sites--Declared to be county road purpose. [1967 c 218 § 2.] Repealed by 1971 ex.s. c 25 § 3.

## Chapter 36.89 <br> HIGHWAYS——OPEN SPACES——PARKS—— <br> RECREATION--COMMUNITY, HEALTH AND SAFETY <br> FACILITIES——STORM WATER CONTROL

36.89.070 Limitation in application of chapter. [1967 c 109 §8.] Repealed by 1970 ex.s. c $30 \S 11$.

## Chapter $\mathbf{3 6 . 9 0}$ <br> SOUTHWEST WASHINGTON FAIR

36.90.060 Agent may manage property. [1963 c 4 § 36.90.060. Prior: 1959 c 34 § 3.] Repealed by 1973 1st ex.s. c 97 § 7.

## Chapter 36.91

TRADING STAMP LICENSES
36.91.010 through 36.91.050. [1957 c 221 §§ 2, 3; 1939 c 31 § 1 , part; 1913 c 134.] Now codified as chapter 19.83 RCW.

## Chapter 36.95

## TELEVISION RECEPTION IMPROVEMENT DISTRICTS

36.95.170 District board——Bonding of members. [1971 ex.s. c 155 § 17.] Repealed by 1973 c 55 § 1.

Construction of repeal--1973 c 55: "Section 1 of this act shall not have the effect of terminating, or in any way modifying, any liability which shall already be in existence at the date this act becomes effective." [1973 c 55 § 2.]

## Title 37 <br> FEDERAL AREAS AND JURISDICTION <br> Chapter 37.08 <br> JURISDICTION IN SPECIAL CASES

37.08.010 County may aid in acquisition of land for permanent military reservations. [1917 c 4 § 2; no RRS.] Now codified as RCW 37.16.010.
37.08.020 Bonds may be issued. [1917 c 4 § 3; no RRS.] Now codified as RCW 37.16.020.
37.08.030 Bonds——Requisites——Issuance. [1917 c 4 § 4; no RRS.] Now codified as RCW 37.16.030.
37.08.040 Bonds——Form——Tax levy. [1917 c 4 § 5; no RRS.] Now codified as RCW 37.16.040.
37.08.050 Bonds——Registration. [1917 c 4 § 8; no RRS.] Now codified as RCW 37.16.050.
37.08.060 Eminent domain. [1917 c 4 § 9; no RRS.] Now codified as RCW 37.16.060.
37.08.070 Petition for condemnation. [1917 c 4 § 10 ; no RRS.] Now codified as RCW 37.16.070.
37.08.080 Notice——Service. [1917 c 4 § 11; no RRS.] Now codified as RCW 37.16.080.
37.08.090 Service where state land is involved. [1917 c 4 § 12 ; no RRS.] Now codified as RCW 37.16.090.
37.08.100 Adjournments. [1917 c 4 § 13; no RRS.] Now codified as RCW 37.16.100.
37.08.110 Order impaneling jury. [1917 c 4 § 14; no RRS.] Now codified as RCW 37.16.110.
37.08.120 Trial——Judgment. [1917 c 4 § 15; no RRS.] Now codified as RCW 37.16.120.
37.08.130 Appeal-_Payment of award into court-—Immediate possession. [1917 c 4 § 16; no RRS.] Now codified as RCW 37.16.130.
37.08.140 Decree of appropriation. [1917 c 4 § 17; no RRS.] Now codified as RCW 37.16.140.
37.08.150 Dismissal of proceedings as to particular tracts. [1917 c 4 § 18; no RRS.] Now codified as RCW 37.16.150.
37.08.160 Order directing payment. [1917 c 4 § 19; no RRS.] Now codified as RCW 37.16.160.
37.08.170 Practice and procedure. [1917 c 4 § 20; no RRS.] Now codified as RCW 37.16.170.
37.08.190 Limit of indebtedness. [1917 c 4 § 23; no RRS.] Now codified as RCW 37.16.190.

## Chapter 37.12

INDIANS AND INDIAN LANDS——JURISDICTION
37.12.020 Assumption of criminal and civil jurisdiction by state--Resolution of request - - Proclamation by governor. [1957 c 240 § 2.] Repealed by 1963 c 36 § 6. Later enactment see RCW 37.12.021.

## Chapter 37.16 <br> ACQUISITION OF LANDS FOR PERMANENT MILITARY INSTALLATIONS

37.16.010 County may aid in acquisition of land for permanent military reservations. [1970 ex.s. c 42 § 23; 1917 c 4 § 2 ; no RRS. Formerly RCW 37.08.010.] Repealed by 1971 c 76 § 6.
37.16.020 Bonds may be issued. [ 1970 ex.s. c $56 \S 56 ; 1970$ ex.s. c 42 § 24; 1969 ex.s. c $232 \S 74 ; 1917$ c $4 \S 3$; no RRS. Formerly RCW 37.08.020.] Repealed by 1971 c 76 § 6.

Reviser's note: RCW 37.16 .020 was amended and repealed during the 1971 session of the legislature, each without reference to the other.
For rule of construction concerning sections amended more than once at the same legislative session, see RCW 1.12.025.
37.16.030 Bonds may be issued——Requisites——Issuance. [1970 ex.s.c $56 \S 57 ; 1969$ ex.s. c $232 \S 75 ; 1917$ c $4 \S 4$; no RRS. Formerly RCW 37.08.030.] Repealed by 1971 c 76 § 6.
37.16.040 Bonds may be issued-_Form--Tax levy. [1917 c 4 § 5; no RRS. Formerly RCW 37.08.040.] Repealed by 1971 c 76 § 6.
37.16.042 Bonds may be issued-Calling in bonds, notice of. [1917 c 4 § 6; no RRS.] Repealed by 1971 c 76 § 6.
37.16.045 Bonds may be issued--Presentment for payment. [1917 c 4 § 7; no RRS.] Repealed by 1971 c 76 § 6.
37.16.050 Bonds may be issued——Registration. [1917 c 4 § 8, no RRS. Formerly RCW 37.08.050.] Repealed by 1971 c 76 § 6.
37.16.060 Eminent domain. [1917 c 4 § 9; no RRS. Formerly RCW 37.08.060.] Repealed by 1971 c 76 § 6.
37.16.070 Eminent domain-—Petition for condemnation. [1917 c 4 § 10; no RRS. Formerly RCW 37.08.070.] Repealed by 1971 c 76 § 6.
37.16.080 Eminent domain--Notice——Service. [1917 c 4 § 11; no RRS. Formerly RCW 37.08.080.] Repealed by 1971 c 76 § 6.
37.16.090 Eminent domain-—Service where state land is involved. [1917 c 4 § 12; no RRS. Formerly RCW 37.08.090.] Repealed by 1971 c 76 § 6.
37.16.100 Eminent domain-_Adjournments. [1917 c 4 § 13; no RRS. Formerly RCW 37.08.100.] Repealed by 1971 c 76 § 6.
37.16.110 Eminent domain-OOrder impaneling jury. [1917 c 4 § 14; no RRS. Formerly RCW 37.08.110.] Repealed by 1971 c 76 § 6.
37.16.120 Eminent domain--Trial——Judgment. [1917 c 4 § 15 ; no RRS. Formerly RCW 37.08.120.] Repealed by 1971 c 76 § 6.
37.16.130 Eminent domain--Appeal--Payment of award into court--Immediate possession. [1917 c 4 § 16; no RRS. Formerly RCW 37.08.130.] Repealed by 1971 c 76 § 6.

Reviser's note: RCW 37.16.130 was amended and repealed during the 1971 session of the legislature, each without reference to the other.

For rule of construction concerning sections amended more than once at the same legislative session, see RCW 1.12.025.
37.16.140 Eminent domain-DDecree of appropriation. [1917 c 4 § 17; no RRS. Formerly RCW 37.08.140.] Repealed by 1971 c 76 § 6.
37.16.150 Eminent domain-—Dismissal of proceedings as to particular tracts. [1917 c 4 § 18; no RRS. Formerly RCW 37.08.150.] Repealed by 1971 c 76 § 6.
37.16.160 Eminent domain-OOrder directing payment. [1917 c 4 § 19; no RRS. Formerly RCW 37.08.160.] Repealed by 1971 c 76 § 6.
37.16.170 Practice and procedure. [1917 c 4 § 20; no RRS. Formerly RCW 37.08.170.] Repealed by 1971 c 76 § 6.
37.16.190 Limit of indebtedness. [1917 c 4 § 23; no RRS. Formerly RCW 37.08.190.] Repealed by 1971 c 76 § 6.

## Title 38 <br> MILITIA AND MILITARY AFFAIRS

## Chapter 38.04 GENERAL PROVISIONS

38.04.050 Military offenses defined. [1943 c 130 § 83; Rem. Supp. 1943 § 8603-83. Prior: 1917 c 107 §§ 61-88; 1909 c 134 § 74; 1901 c 78 § $15 ; 1895$ c 108 §§ 151,154 .] Repealed by 1963 c 220 § 139. Later enactment, see chapter 38.38 RCW.

## Chapter 38.12

## MILITIA OFFICERS AND ADVISORY COUNCIL

38.12.080 Staff officers; bow chosen. [1943 c 130 § 22; Rem. Supp. 1943 § 8603-22. Prior: 1917 c 107 § 15; 1909 c 134 § 31, part; 1895 c 108 § 42, part.] Repealed by 1974 ex.s. c 34 § 7.
38.12.100 Commissioned officers; selection. [1943 c 130 § 24; Rem. Supp. 1943 § 8603-24. Prior: 1917 c 107 § 12, part; 1909 c 134 § 31, part; 1895 c 108 § 42, part.] Repealed by 1974 ex.s. c 34 § 7.
38.12.110 Commissioned officers; promotion. [1943 c 130 § 25; Rem. Supp. 1943 § 8603-25. Prior: 1917 c 107 § 19; 1909 c 134 § 31, part; 1895 c 108 § 42, part.] Repealed by 1974 ex.s. c 34 § 7.
38.12.120 Commissioned officers; detail to staff. [1943 c 130 § 26; Rem. Supp. 1943 § 8603-26. Prior: 1917 c 107 § 19; 1909 c 134 § 31, part; 1895 c 107 § 42, part.] Repealed by 1974 ex.s. c 34 § 7.
38.12.130 Field officer; bow chosen. [1943 c 130 § 27; Rem. Supp. 1943 § 8603-27. Prior: 1917 c 107 § 20; 1909 c 134 § 31, part; 1895 c 108 § 42, part.] Repealed by 1974 ex.s. c 34 § 7.
38.12.140 Officer may waive right to promotion. [1943 c 130 § 28; Rem. Supp. 1943 § 8603-28. Prior: 1917 c 107 § 25; 1909 c 134 § 36, part; 1895 c 107 § 49.] Repealed by 1974 ex.s. c 34 § 7.
38.12.190 Seniority of officers. [1943 c 130 § 32; Rem. Supp. 1943 § 8603-32. Prior: 1925 c 28 § 1; 1909 c 134 § 33; 1895 c 108 § 41, part.] Repealed by 1974 ex.s. c 34 § 7.

## Chapter 38.28 <br> MILITARY TRIBUNALS

38.28.010 Military tribunals. [1943 c 130 § 56; Rem. Supp. 1943 § 8603-56. Prior: 1917 c 107 § 45; 1909 c 134 § 72, part.] Repealed by 1963 c 220 § 139.

For a later enactment on the subject matter of this chapter, see chapter 38.38 RCW
38.28.020 Military courts. [1943 c 130 § 57; Rem. Supp. 1943 § 8603-57. Prior: 1917 c 107 § 46; 1909 c 134 §§ 72, part, 73, part; 1895 c 108 §§ $132,134,135$ and 136.] Repealed by 1963 c $220 \S 139$.
38.28.030 General courts martial. [1943 c 130 § 58; Rem. Supp. 1943 § 8603-58. Prior: 1917 c 107 § 47.] Repealed by 1963 c 220 § 139.
38.28.040 Special courts martial. [1943 c 130 § 59; Rem. Supp. 1943 § 8603-59. Prior: 1917 c 107 § 48.] Repealed by 1963 c 220 § 139.
38.28.050 Summary court officer. [1943 c 130 § 60; Rem. Supp. 1943 § 8603-60. Prior: 1917 c 107 § 49. Cf. 1909 c 134 § 76.] Repealed by 1963 c 220 § 139.
38.28.060 Jurisdiction of military courts. [1943 c 130 § 63; Rem. Supp. 1943 § 8603-63. Prior: 1917 c 107 § 55. Cf. 1909 c 134 § 73, part.] Repealed by 1963 c 220 § 139.
38.28.070 Nonliability of military courts. [1943 c 130 § 64; Rem. Supp. 1943 § 8603-64.] Repealed by 1963 c 220 § 139.
38.28.080 Courts of inquiry. [1943 c 130 § 85; Rem. Supp. 1943 § 8603-85. Prior: 1917 c 107 § 110.] Repealed by 1963 c 220 § 139.

## Chapter 38.32 <br> OFFENSES——PUNISHMENT

38.32.040 Officers and men may be arrested. [1943 c 130 § 67; Rem. Supp. 1943 § 8603-67. Prior: 1917 c 107 § 56.] Repealed by 1963 c 220 § 139.
For a later enactment on the subject matter repealed in this and other sections of this chapter, see chapter 38.38 RCW.
38.32.050 Felonies--Civil authority. [1943 c 130 § 68; Rem. Supp. 1943 § 8603-68.] Repealed by 1963 c 220 § 139.
38.32.060 Right of pursuit. [1943 c 130 § 79; Rem. Supp. 1943 § 8603-79.] Repealed by 1963 c 220 § 139.
38.32.110 Wrongful taking of military property from armory. [1943 c 130 § 88; Rem. Supp. 1943 § 8603-88. Prior: 1909 c 134 § 100.] Repealed by 1963 c 220 § 139.
38.32.130 Punishment for offenses. [1943 c 130 § 94; Rem. Supp. 1943 § 8603-94.] Repealed by 1963 c 220 § 139

Reviser's note: Section 138 of chapter 220, Laws of 1963, the basic act enacting the uniform act of military justice, also amended section 94 , chapter 130, Laws of 1943 and RCW 38.32.130.
38.32.150 Governor's approval of sentence. [1953 c 81 § 1; 1943 c 130 § 62; Rem. Supp. 1943 § 8603-62. Prior: 1917 c 107 § 54.] Repealed by 1963 c 220 § 139.

## Chapter 38.36 <br> TRIAL PROCEDURE

38.36.010 Courts not bound by technical rules. [1943 c 130 § 65; Rem. Supp. 1943 § 8603-65.] Repealed by 1963 c 220 § 139.
For a later enactment on the subject matter of this chapter, see chapter 38.38 RCW .
38.36.020 Regularity of proceedings presumed. [1943 c 130 § 66; Rem. Supp. 1943 § 8603-66.] Repealed by 1963 c 220 § 139.
38.36.030 Charges; how preferred. [1943 c 130 § 69; Rem. Supp. 1943 § 8603-69. Cf. 1909 c 134 § 74, part; 1895 c 108 § 146, part.] Repealed by 1963 c 220 § 139.
38.36.040 Accused shall be summoned. [1943 c 130 § 70; Rem. Supp. 1943 § 8603-69. Prior: 1909 c 134 § 81; 1895 c 108 § 145.] Repealed by 1963 c 220 § 139.
38.36.050 Default in appearance. [1943 c 130 § 71; Rem. Supp. 1943 § 8603-71. Cf. 1909 c 134 § 83.] Repealed by 1963 c 220 § 139.
38.36.060 Restraint pending trial. [1943 c 130 § 72; Rem. Supp. 1943 § 8603-72.] Repealed by 1963 c 220 § 139.
38.36.070 Process. [1943 c 130 § 73; Rem. Supp. 1943 § 8603-73. Prior: 1917 c 107 § 58; 1909 c 134 § 88; 1895 c 108 § 158.] Repealed by 1963 c $220 \S 139$.
38.36.080 Contempt of court. [1943 c 130 § 74; Rem. Supp. 1943 § 8603-74. Prior: 1909 c 134 § 89; 1895 c 108 § 144.] Repealed by 1963 c 220 § 139.
38.36.090 Subpoenas-DDepositions. [1943 c 130 § 75; Rem. Supp. 1943 § 8603-75. Prior: 1909 c 134 § 86; 1895 c 108 § 143.] Repealed by 1963 c 220 § 139
38.36.100 Witnesses. [1943 c 130 § 76; Rem. Supp. 1943 § 860376. Prior: 1917 c 107 § 57; 1909 c 134 § 87; 1895 c 108 § 142.] Repealed by 1963 c 220 § 139.
38.36.110 Service of order--Commitment. [1943 c 130 § 77; Rem. Supp. 1943 § 8603-77. Prior: 1917 c 107 § 109. Cf. 1909 c 134 § 84; 1895 c 108 § 147.] Repealed by 1963 c 220 § 139.

## Chapter $\mathbf{3 8 . 4 0}$ <br> MISCELLANEOUS PROVISIONS

38.40.070 Telegraph employees exempt from militia duty. [Code 1881 § 2351, part; 1866 p 74 § 10, part; RRS § 11358, part.] Now codified as RCW 2.36.120.

## Chapter 38.48 <br> STATE AND NATIONAL DEFENSE

38.48.010 Defense council created. [1941 c 177 § 2; Rem. Supp. 1941 § 8607-2.] Repealed by 1951 c 178 § 17. See RCW 38.52.920.
38.48.020 Organization of council. [1941 c 177 § 3; Rem. Supp. 1941 § 8607-3.] Repealed by 1951 c 178 § 17. See RCW 38.52.920.
38.48.030 Powers and duties. [1941 c 177 § 4; Rem. Supp. 1941 § 8607-4.] Repealed by 1951 c 178 § 17. See RCW 38.52.920.
38.48.040 Local councils of defense. [1941 c 177 § 5; Rem. Supp. 1941 § 8607-5.] Repealed by 1951 c 178 § 17. See RCW 38.52.920.

## Chapter 38.52 <br> CIVIL DEFENSE

38.52.007 Code reviser may change references to department, council and director in RCW. [1972 ex.s. c 6 § 3.] Repealed by 1974 ex.s. c 171 § 47.
38.52.910 Act expires July 1, 1955. [1951 c 178 § 21.] Repealed by 1955 c $210 \S 2$.

Title 39
PUBLIC CONTRACTS AND INDEBTEDNESS

## Chapter 39.04 PUBLIC WORKS

39.04.030 Publication when cost over twenty-five hundred dollars. [1923 c 183 § 2, part; RRS § 10322-2, part.] Now codified in RCW 39.04.020.

## Chapter 39.08 <br> CONTRACTOR'S BOND

39.08.020 Notice to contractor condition to suit on bond. [1915 c 167 § 1 ; RRS § $1159-1$.] Now codified as RCW 39.08.065.
39.08.040 Right of action on bond--Notice of claim. [1915 c 28 § 2, part; 1909 c 207 § 3, part; RRS § 1161, part.] Now codified in RCW 39.08.030
39.08.050 Notice is public record-—Attomey's fee. [1915 c 28 § 2, part; 1909 c 207 § 3, part; RRS § 1161, part.] Now codified in RCW 39.08.030.
39.08.060 Conflicting charter provisions no bar. [1915 c 28 § 2, part; 1909 c 207 § 3, part; RRS § 1161, part.] Now codified in RCW 39.08.030.
39.08.070 Liability for failure to take bond. [1909 c 207 § 2; RRS § 1160.] Now codified as RCW 39.08.015.

Chapter 39.16
RESIDENT EMPLOYEES ON PUBLIC WORKS
39.16.010 Percentage of resident employees specified- Wages. [1943 c 246 § 1; Rem. Supp. 1943 § 10322-10a.] Repealed by 1972 ex.s. c 28 § 2.

## Chapter 39.24 <br> WASHINGTON COMMODITIES TO BE USED

39.24.010 Five percent differential prescribed in public purchases. [1933 c 34 § 1 ; RRS § 10322-14.] Repealed by 1967 ex.s. c 101 § 1.

## Chapter 39.44

BONDS——FORM, TERMS OF SALE, PAYMENT, ETC.
39.44.040 Notice of call for bids-—Contents——Publication. [1923 c 151 § 3, part; RRS § 5583-3, part.] Now codified in RCW 39.44.030.
39.44.050 Sale of bonds--Bid deposits. [1923 c 151 § 3, part; RRS § 5583-3, part.] Now codified in RCW 39.44.030.

Chapter 39.68
TEMPORARY FUNDS FOR CURRENT EXPENSES OF COUNTIES, CITIES, TOWNS AND SCHOOL DISTRICTS
39.68.010 through 39.68 .110 [1895 c 116 §§ 1 through 11; RRS §§ 5624 through 5634.] Repealed by 1959 c 15 § 1.

## Title 40 <br> PUBLIC DOCUMENTS, RECORDS AND PUBLICATIONS

## Chapter 40.04 <br> PUBLIC DOCUMENTS

40.04.050 Delivery for use of legislature. [1941 c 150 § 4, part; Rem. Supp. 1941 § 8217-4, part.] Now codified in RCW 40.04.040.
40.04.060 Distribution to counties-—Duty of county auditor. [1941 c 150 § 4, part; Rem. Supp. 1941 § 8217-4, part.] Now codified in RCW 40.04.040.
40.04.070 Surplus copies, sale of-—Price. [1941 c 150 § 4, part; Rem. Supp. 1941 § 8217-4, part.] Now codified in RCW 40.04.040.
40.04.080 Exchange of session laws. [1941 ¿ 150 § 4, part; Rem. Supp. 1941 § 8217-4, part.] Now codified in RCW 40.04.040.

## Chapter 40.08 <br> STATE ARCHIVES

40.08.010 Definition. [1909 c 38 § 2.] Repealed by 1957 c 246 § 9.
40.08.020 Duties of director of public institutions. [(i) 1929 c 160 § 1; 1921 c 7 § 9 ; RRS § 10767-1. (ii) 1909 c 38 § 3; RRS § 10955. (iii) 1909 c 38 § 6; RRS § 10958.] Repealed by 1957 c 246 § 9.
40.08.030 Rules and regulations--Seal. [1909 c 38 § 4; RRS § 10956.] Repealed by 1957 c 246 § 9.
40.08.040 Records to be surrendered for preservation. [1909 c 38 § 5; RRS § 10957.] Repealed by 1957 c 246 § 9.
40.08.050 Biennial report. [1909 c 38 § 7.] Repealed by 1957 c 246 § 9.

## Chapter 40.12 <br> DESTRUCTION OF PUBLIC RECORDS

40.12.010 Duty of director of public institutions. [1951 c 145 § 1 ; 1941 c 109 § 1 ; RRS § 10964-20.] Repealed by 1957 c 246 § 9.
40.12.020 Departments to prepare lists of obsolete records. [1941 c 109 § 2; RRS § 10964-21.] Repealed by 1957 c 246 § 9.
40.12.030 Cooperation enjoined. [1941 c 109 § 6; RRS § 10964 25.] Repealed by 1957 c 246 § 9.
40.12.040 Committee to determine records to be destroyed. [1951 c 145 § 2; 1941 c 109 § 3; RRS § 10964-22.] Repealed by 1957 c 246 § 9.
40.12.050 Classification of records. [1951 c 145 § 3; 1941 c 109 § 4; RRS § 10964-23.] Repealed by 1957 c 246 § 9.
40.12.060 Expense of committee. [1951 c 145 § 4; 1941 c 109 § 5; RRS § 10964-24.] Repealed by 1957 c 246 § 9.
40.12.070 Director to arrange for destruction of records. [1941 c 109 § 7; RRS § 10964-26.] Repealed by 1957 c 246 § 9.
40.12.080 Destruction of local government records. [1951 c 145 § 5; 1941 c 109 § 8; RRS § 10964-27.] Repealed by 1957 c 246 § 9.
40.12.090 Time of destruction. [1941 c 109 § 9; RRS § 10964-28.] Repealed by 1957 c 246 § 9.
40.12.100 Certification and filing of list of destroyed records. [1941 c 109 § 10 ; RRS § 10964-29.] Repealed by 1957 c 246 § 9.
40.12.110 Construction of chapter. [1951 c 145 § 6.] Repealed by 1957 c 246 § 9.

## Title 41 <br> PUBLIC EMPLOYMENT, CIVIL SERVICE AND PENSIONS

Chapter 41.04
GENERAL PROVISIONS
41.04.200 Department of personnel as administrator and trustee of bealtb benefit programs. [1969 ex.s. c 237 § 5.] Repealed by 1970 ex.s. c 39 § 12. Later enactment, see RCW 41.05.030.
41.04.210 Department of general administration to procure health benefit programs. [1969 ex.s. c 237 § 6.] Repealed by 1970 ex.s. c 39 § 12. Later enactment, see RCW 41.05.060.

Severability——1970 ex.s. c 39: See note following RCW 41.05.010.

## Chapter 41.06 <br> STATE CIVIL SERVICE LAW

41.06.050 Institutions of higher learning-—Personnel committee, director of personnel, payrolls. [1961 c 1 §5.] Repealed by 1969 ex.s. c 36 § 24.
41.06.060 Department of highways - - Personnel board, personnel director, transfer of personnel, equipment, etc., of prior merit system. [1961 c 1 § 6.] Repealed by 1969 ex.s. c 45 § 7. Later enactment, see RCW 41.06.300-41.06.310.
41.06.370 Hospitalization and medical aid plans--Contributions of state agencies for employees. [1970 ex.s. c 39 § 9.] Repealed by 1973 lst ex.s. c 147 § 8.

## Chapter 41.16

FIREMEN'S RELIEF AND PENSIONS - - 1947 ACT.
41.16.146 Calculation of benefits payable under 1970 and 1971 acts. [1971 ex.s. c 257 § 17.] Repealed by 1974 ex.s. c 190 § 5.

## Chapter 41.18

FIREMEN'S RELIEF AND PENSIONS——1955 ACT
41.18.070 Disablement in line of duty-_Pension--Restoration to active service. [1955 c 382 § 7.] Repealed by 1961 c 255 § 14.
41.18.105 Calculation of benefits payable under 1970 and 1971 acts. [1971 ex.s. c 257 § 18.] Repealed by 1974 ex.s. c 190 § 5.
41.18.110 Payment on death not in line of duty. [1955 c 382 § 12.] Repealed by 1961 c 255 § 14.
41.18.120 Payment on separation--After twenty years service. [1955 c 382 § 10.] Repealed by 1961 c 255 § 14.

## Chapter 41.28

RETIREMENT OF PERSONNEL IN CERTAIN FIRST CLASS CITIES
41.28.250 Extension of provisions to nonincluded personnel. [1945 c 52 § 1; 1941 c 192 § 1; Rem. Supp. 1945 § 9592-129.] Now codified as RCW 41.04.130.

## Table of Disposition of Former RCW Sections

## Chapter 41.32 <br> TEACHERS' RETIREMENT

41.32.200 Authority over funds-—Investments authorized. [1969 ex.s. c $150 \S 6 ; 1965$ ex.s. c $81 \S 2 ; 1963$ ex.s. c $14 \S 3 ; 1961$ c $297 \S 1$; 1955 c 274 § 6; 1947 c 80 § 20; Rem. Supp. 1947 § 4995-39. Prior: 1941 c 97 § 6, part; 1939 c 86 § 6, part; 1937 c 221 § 7, part; 1923 c 187 § 14; Rem. Supp. 1941 § 4995-7, part.] Repealed by 1973 lst ex.s. c 103 § 17 .
41.32.205 Investment of funds in farm, soil, water conservation loans. [1959 c 91 § 1.] Repealed by 1961 c 297 § 5.
41.32.210 Triennial examination by insurance commissioner. [1947 c 80 § 21; Rem. Supp. 1947 § 4995-40.] Repealed by 1963 c 9 § 1.
41.32.370 Transfer from pension reserve fund to teachers' retirement fund. [1947 c 80 § 37; Rem. Supp. 1947 § 4995-56.] Repealed by 1963 ex.s. c 14 § 22, effective July 1, 1964.
41.32.400 Estimate of disbursements and needed appropriation. [1947 c 80 § 40; Rem. Supp. 1947 § 4995-59.] Repealed by 1963 ex.s.
c 14 § 22, effective July 1, 1964.
41.32.450 Segregation of receipts to proper funds. [1947 c 80 § 45; Rem. Supp. 1947 § 4995-64.] Repealed by 1963 ex.s. c 14 § 22, effective July 1, 1964.
41.32.490 Pension rights of existing annuitant. [1955 c 274 § 22; 1947 c 80 § 49; Rem. Supp. 1947 § 4995-68. Prior: 1941 c 97 § 7, part; 1939 c 86 § 7, part; 1937 c 221 § 8, part; Rem. Supp. 1941 § 4995-8, part.] Repealed by 1959 c 7 § 4.
41.32.4941 Funds required for payment under RCW 41.32.493 and 41.32.494 are separate appropriation transfers from general fund to teachers' retirement fund. [1961 ex.s. c 22 § 4.] Repealed by 1975 lst ex.s. c 148 § 2.
41.32.4942 Funds required for payment under RCW 28.81.170, 41.32.480, 41.32.493, 41.32.4931, 41.32 .561 and 41.32 .570 are separate appropriation transfers from general fund to teachers' retirement fund. [1967 c 151 § 7.] Repealed by 1975 1st ex.s. c 148 § 2.
41.32.495 Certain members may transfer to state employees' retirement system. [1955 c 234 § $1 ; 1953$ c 202 § 1.] Repealed by 1961 c 291 § 16.
41.32.496 Certain members may transfer to state employees' retirement system——Employees of state school or institution. [1959 c 253 § 1.] Repealed by 1961 c $291 \S 17$.

## Chapter 41.40 <br> WASHINGTON PUBLIC EMPLOYEES' RETIREMENT SYSTEM (FORMERLY: STATE EMPLOYEES RETIREMENT)

41.40.070 Investment of funds——Deposit for current use. [1963 c 174 § 5; 1961 c 281 § $9 ; 1955$ c 220 § $1 ; 1953$ c 200 § $2 ; 1949$ c 240 § 4; 1947 c 274 § 8; Rem. Supp. 1949 § 11072-8.] Repealed by 1965 c 155 § 9. Later enactment, see RCW 41.40.071.
41.40.071 Investment of funds-—Deposit for current use—— Validation. [1969 c 128 § 3; 1965 c 155 § 8.] Repealed by 1973 1st ex.s. c $103 \S 17$
41.40.085 Seattle office building-—Powers conferred on board and department of public institutions. [1953 c 284 § 1.] Repealed by 1961 c 291 § 14.
41.40.087 Retirement board building fund. [1953 c 284 § 2.] Repealed by 1961 c 291 § 15.
41.40.128 Uniformed personnel of cities may transfer to state-wide city employees' retirement system. [1961 c 223 § 1.] Repealed by 1971 ex.s. c 271 § 16.
41.40.140 Prior service certificate. [1949 c 240 § 9; 1947 c 274 § $15 ;$ Rem. Supp. 1949 § 11072-15.] Repealed by 1953 c 200 § 6.
41.40.240 Nonduty disability retirement allowance for disability after age sixty. [1947 c 274 § 25; Rem. Supp. 1947 § 11072-25.] Repealed by 1972 ex.s. c 151 § 15.
41.40.290 Optional allowances. [1965 c 155 § 6; 1961 c 291 § 10 ; 1955 c 277 § 6; 1953 c 201 § 2; 1953 c $200 \S 15 ; 1951$ 2nd ex.s. c $10 \S$ $1 ; 1951$ c 141 § 2 ; 1951 c 50 § $8 ; 1949$ c 240 § 20 ; 1947 c 274 § 30 ; Rem. Supp. 1949 § 11072-30.] Repealed by 1969 c 128 § 17.
41.40.360 Employer's contribution. [1953 c 200 § 18; 1951 c 50 § 12; 1949 c 240 § 25 ; 1947 c 274 § 37; Rem. Supp. 1949 § 11072-37.] Repealed by 1957 c 231 § 3. Later enactment, see RCW 41.40.361.
41.40.416 Employer's contribution-—Presentment of evi-dence-Continuances. [1953 c 200 § 25.] Repealed by 1969 c 128 § 17.
41.40.418 Final decision and order of board. [1953 c 200 § 26.] Repealed by 1969 c 128 § 17.
41.40.419 Acts punishable as contempt. [1953 c 200 § 24.] Repealed by 1969 c 128 § 17.
41.40.430 Appeal——Burden of proof——Action of court. [1951 c 50 § 15.] Repealed by 1969 c 128 § 17.

## Chapter 41.44 <br> STATE-WIDE CITY EMPLOYEES' RETIREMENT

41.44.115 Transfer of uniformed personnel from state employees' retirement system. Cross-reference section referring to RCW 41.40.128 which was repealed by 1971 ex.s. c 271 § 16 , subsequently has been decodified.

## Title 42 <br> PUBLIC OFFICERS AND AGENCIES

## Chapter 42.04 <br> GENERAL PROVISIONS

42.04.010 Public officer defined. [(i) Code 1881 § 755; 1854 p 221 § 501; RRS § 147. (ii) 1909 c 249 § 51, part; RRS § 2303, part.] [SLC-RO-38] Now codified as RCW 1.16.065 and 9.01.010(24).
42.04.030 Oath of office. [1909 c 97 p 288 § 11; RRS § 4786. Prior: 1897 c 118 § 61; 1890 p 380 § 70.] Decodified.
Reviser's note: 1909 c 97 p 288 § 11 (formerly codified as RCW 42.04.030) relates to oaths of officers of school districts. The word "article" used in that section refers to article II, chapter 4, Title 3, of chapter 97 of the 1909 school code. 1909 c 97 p 288 § 11 reads as follows:
"Every person elected or appointed to any office mentioned in this article shall, before entering upon the discharge of the duties thereof, take an oath or affirmation to support the Constitution of the United States and the state of Washington, and to promote the interest of education, and to faithfully discharge the duties of his office according to the best of his ability. In case any officer has a written appointment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officers are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office as herein provided shall, when properly made, be filed with the county superintendent of schools." [1909 c 97 p 288 § 11.]
42.04.050 Official fees payable in advance. [Code 1881 § 2099; 1869 p 374 § 21; RRS § 505.] Now codified as RCW 42.16.040.

## Chapter 42.18

EXECUTIVE CONFLICT OF INTEREST ACT
42.18.340 General penalty. [1969 ex.s. c 234 § 39.] Repealed by 1973 c 137 § 4.

## Chapter 42.24 <br> PAYMENT OF CLAIMS FOR EXPENSES, MATERIAL, PURCHASES——ADVANCEMENTS (FORMERLY: VOUCHERS

 ON PUBLIC FUNDS)42.24.010 Itemized vouchers required. [1891 c 126 § 1 ; RRS § 5512.] Repealed by 1965 c 116 § 5.
42.24.020 Penalty. [1891 c 126 § 3; RRS § 5515.] Repealed by 1965 c 116 § 5.
42.24.030 Requirements of certificate-Penalty for false certificate. [1961 c 205 § 1 ; 1957 c 77 § 1; 1955 c 339 § 1 . Prior: (i) 1891 c 126 § 2; RRS § 5513. (ii) 1945 c 77 § 1; Rem. Supp. 1945 § 10322-30.] Repealed by 1965 c 116 § 5.
42.24.040 Affidavit of claim for services, supplies, etc., re-quired-—Exceptions. [1939 c 185 § 1; 1909 ex.s. c 18 § 1; 1909 c 76 § 9; RRS § 9959.] Repealed by 1965 c 116 § 5.
42.24.050 Vouchers for expenses--Penalty. [1929 c 104 § 1 ; 1919 c 106 § $1 ; 1899$ c 65 § 1 ; RRS § 9947.] Repealed by 1965 c 116 § 5.
42.24.060 Form of verification. [1929 c 104 § 2; 1899 c 65 § 2; RRS § 9948.] Repealed by 1965 c 116 § 5.

Chapter 42.28
NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS
42.28.080 Deposit of records with county clerk. [1890 p 475 § 7; RRS § 9906. Prior: Code 1881 § 2621; 1877 p 254 § 8; 1873 p 469 § 9; 1854 p 444 § 3.] Repealed by 1973 1st ex.s. c 84 § 1.

## Chapter 42.32 <br> MEETINGS

42.32.010 Rules, ordinances, etc., to be adopted at public meet-ings--Notice. [1953 c 216 § 1.] Repealed by 1971 ex.s. c 250 § 15. Later enactment, see RCW 42.30.060.
42.32.020 Meetings declared public-_Executive sessions. [1953 c 216 § 2.] Repealed by 1971 ex.s. c 250 § 15 . Later enactment, see RCW 42.30.030, 42.30.110.

## Title 43 <br> STATE GOVERNMENT——EXECUTIVE

## Chapter 43.01 <br> STATE OFFICERS--GENERAL PROVISIONS

43.01.080 Employment of attorneys restricted. [(i) 1941 c 50 § 2; Rem. Supp. 1941 § 11034-4. (ii) 1941 c 50 § 4; Rem. Supp. 1941 § 11034-6. Now codified as RCW 43.10.067.]

## Chapter 43.03 <br> SALARIES AND EXPENSES

43.03.070 Requirements of claims for expenses. [(i) 1943 c 86 § 3; Rem. Supp. 1943 § 10981-3. (ii) 1943 c 86 § 4; Rem. Supp. 1943 § 10981-4.] Repealed by 1965 c 8 § 43.198.040.

## Chapter 43.08 <br> STATE TREASURER

43.08.170 Counties to be credited with delinquent state tax. [1886 p 135 § 7; RRS § 11029.] Repealed by 1965 c 8 § 43.198.040.

## Chapter 43.09

## STATE AUDITOR

43.09.060 Reports to legislature. [1890 p 635 § 4; RRS § 11000. Prior: Code 1881 § 2569 ; 1854 p 409 §4.] Repealed by 1965 c 8 § 43.198.040.
43.09.070 Warrants——Restrictions on issuance. [1890 p 640 § 20; RRS § 11015. Prior: Code 1881 § 2581; 1854 p 412 § 11.] Repealed by 1965 c 8 § 43.198.040.
43.09.080 Warrants——Penalty for wrongful issuance. [1890 p 637 § 6; RRS § 11002. Prior: Code 1881 § 2572; 1871 p 97 § 3.] Repealed by 1965 c 8 § 43.198.040.
43.09.090 Advances. [1965 c 8 § 43.09.090. Prior: 1957 c 20 § 1 ; 1915 c 73 § 1 ; 1895 c 98 § 1 ; RRS § 5514.] Repealed by 1969 ex.s. c 60 § 10. Later enactment, see chapter 42.26 RCW
43.09.100 Warrants--Presentation--Cancellation. [1890 p 638 § 13; RRS § 11008. Prior: 1883 p 61 § 1.] Now codified as RCW 43.08.062.
43.09.110 Duplicate warrants. [1890 p 639 § 15 ; RRS § 11010. Prior: 1888 p 236 § 1.] Now codified as RCW 43.08.064.
43.09.120 Duplicate warrants--Conditions on issuance. [1890 p 639 § 16; RRS § 11011. Prior: 1888 p 236 § 2.] Now codified as RCW 43.08.066.
43.09.130 Record of lost or destroyed warrants. [1890 p 640 § 17 ; RRS § 11012. Prior: 1888 p 236 § 3.] Now codified as RCW 43.08.068.
43.09.140 Settlement of accounts--Examination. [1890 p 640 § 18; RRS § 11013. Prior: Code 1881 § 2579; 1854 p 411 § 9.] Repealed by 1965 c 8 § 43.198.040.
43.09.150 Vouchers and accounts preserved. [1890 p 640 § 19 ; RRS § 11014. Prior: Code 1881 § 2580 ; 1854 p 411 § 10.] Repealed by 1965 c 8 § 43.198.040.
43.09.350 Record of state property. [1965 c 8 § 43.09.350. Prior: 1921 c 7 § 121 ; RRS § 10879.] Repealed by 1969 ex.s. c 53 § 5.
43.09.360-43.09.400 Chapter 275, Laws of 1961 (RCW 43.09.260 and 43.09.360-43.09.400) relating to independent audits by cities and towns failed to become law by reason of referendum measure No. 33 submitted to the people on November 6, 1962.

## Chapter 43.11 <br> SUPERINTENDENT OF PUBLIC INSTRUCTION

43.11.010 through 43.11.030 Now codified as RCW 28A.03.010 through 28A.03.030.

## Chapter 43.12 <br> COMMISSIONER OF PUBLIC LANDS

43.12.020 Deputy——Appointment——Powers——Oath. [1927 c 255 § 14; RRS § 7797-14. Prior: 1903 c 33 § 1; RRS § 7815.] Now codified as RCW 79.01.056.
43.12.030 Auditors and cashiers--Inspectors--Other assistants. [1927 c 255 § 15 ; RRS § 7797-15.] Now codified as RCW 79.01.060.
43.12.040 Official bonds. [1927 c 255 § 16; RRS § 7797-16. Prior: 1907 c 119 §§ 1,2 ; RRS §§ 7816, 7817.] Now codified as RCW 79.01.064.
43.12.050 Land inspectors--Compensation-OAaths. [1927 c 255 § 17; RRS § 7797-17. Prior: (i) 1907 c 256 § 2; RRS § 7836. (ii) 1897 c 89 §§ 6, 8; RRS § 7838.] Now codified as RCW 79.01.068.
43.12.060 False statements-—Penalty. [1927 c 255 § 18; RRS § 7797-18.] Now codified as RCW 79.01.072.
43.12.070 Appearance before United States land offices. [1927 c 255 § 193; RRS § 7797-193.] Now codified as RCW 79.01.732.
43.12.080 Abstracts of state lands. [1927 c 255 § 76; RRS § 7797-76. Prior: (i) 1897 c 89 § 32; RRS § 7823. (ii) 1911 c 59 § 9; RRS § 7899.] Now codified as RCW 79.01.304.
43.12.090 To locate line between tide and shore land in tidal rivers. [1927 c 255 § 141 ; RRS § 7797-141.] Now codified as RCW 79.01.564.
43.12.100 Management of acquired lands——Rental——Repairs. [1927 c 255 § 154 ; RRS § 7797-154.] Now codified as RCW 79.01.612.
43.12.110 Maps and plats--Record and index——Public inspection. [1927 c 255 § 187 ; RRS § 7797-187.] Now codified as RCW 79.01.708.
43.12.120 Fees. [1959 c 153 § 1 ; 1927 c 255 § 190; RRS § 7797-190.] Now codified as RCW 79.01.720.
43.12.130 Fee book--Verification. [1927 c 255 § 191; RRS § 7797-191.] Now' codified as RCW 79.01.724.
43.12.140 Record of forest board proceedings. [1923 c 154 § 9; RRS § 5812-9.] Now codified as RCW 76.12.155.
43.12.150 Biennial report. [1927 c 255 § 196; RRS § 7797-196. Prior: 1907 c 114 § 1; RRS § 7801.] Now codified as RCW 79.01.744.

Chapter 43.13
INSURANCE COMMISSIONER
43.13.010 Office created. [1947 c 79 § .02.01; Rem. Supp. 1947 § 45.02.01.] Now codified as RCW 48.02.010.
43.13.020 Cross-reference section. Decodified.

## Chapter 43.17 <br> ADMINISTRATIVE DEPARTMENTS AND AGENCIES-GENERAL PROVISIONS

43.17.080 Administrative board——How constituted. [1965 c 8 § 43.17.080. Prior: 1921 c 7 § 14 ; RRS § 10772.] Repealed by 1975 c 40 § 14.
43.17.090 Administrative board——Powers and duties. [1965 c 8 § 43.17.090. Prior: 1961 c 1 § 31 (Initiative Measure No. 207); 1929 c 68 § $1 ; 1921$ c 7 § 15 ; RRS § 10773.] Repealed by 1975 c 40 § 14.

## Chapter 43.18 <br> DEPARTMENT OF PUBLIC ASSISTANCE

43.18.010 Director's authority-—Personnel. [1953 c 174 § 3. Prior: (i) 1937 c 111 § 3; RRS § 10785-2. (ii) 1937 c 111 § 5; RRS § 10785-4.] Repealed by 1959 c 26 § 74.98.050. Later enactment, see RCW 74.04.011
43.18.020 Divisions of department. [1937 c 111 § 2 ; RRS § 10785-1.] Repealed by 1953 c 174 § 52.
43.18.025 Transfer of rights and functions to department of public assistance. [1953 c 174 § 48.] Repealed by 1959 c 26 § 74.98.050. Later enactment, see RCW 74.04.013.
43.18.030 Supervisors to be appointed. [1937 c 111 § 4; RRS § 10785-3.] Repealed by 1953 c 174 § 52.
43.18.040 Director responsible officer to administer federal funds. [1953 c 174 § 49; 1937 c 111 § 12; RRS § 10785-11.] Repealed by 1959 c 26 § 74.98.050. Later enactment, see RCW 74.04.015.
43.18.050 Powers and duties of division of public assistance. [1937 c 111 § 6; RRS § 10785-5.] Repealed by 1953 c 174 § 52.
43.18.060 Powers and duties of division of old age pensions. [1937 c 111 § 7; RRS § 10785-6.] Repealed by 1953 c 174 § 52.
43.18.070 Powers and duties of division for children. [1937 c 111 § 10; RRS § 10785-9.] Repealed by 1953 c 174 § 52.
43.18.080 Aid to the blind program——Personnel. [1953 c 174 § 4. Prior: (i) 1949 c 166 § 13 ; 1937. c 132 § 2; Rem. Supp. 1949 § 10785-16. (ii) 1937 c 132 § 1 ; RRS § 10785-15. (iii) 1937 c 111 § 11 ; RRS § 10785-10.] Repealed by 1959 c 26 § 74.98.050. Later enactment, see RCW 74.04.017.

## Chapter 43.19

DEPARTMENT OF GENERAL ADMINISTRATION
43.19.126 Lease of state lands adjacent to general administration building. [1957 c 210 § 1.] Repealed by 1961 c 184 § 8.
43.19.127 Lease of state lands adjacent to general administration building--Form and terms of lease. [1957 c 210 § 2.] Repealed by 1961 c 184 § 8.
43.19.128 Lease of state lands adjacent to general administration building——Procedure for leasing. [1957 c 210 § 3.] Repealed by 1961 c 184 § 8 .
43.19.129 Director's powers and duties as to housing of state agencies. Cross-reference section. Decodified.
43.19.130 Supervisor of public institutions--AppointmentPersonnel. [1935 c 176 § 15 ; RRS § 10786-14.] Repealed by 1955 c 195 § 3.
43.19.140 Powers and duties. [(i) 1915 c 107 § 1, part; 1907 c 166 § 2, part; 1901 c 119 § 3, part; RRS § 10899, part. (ii) 1919 c 50 § 2 ; RRS § 10952. (iii) 1921 c 7 § 44; RRS § 10802. (iv) 1921 c 7 § 36, part; RRS § 10794, part. (v) 1923 c 101 § $1 ; 1921$ c 7 § 40 ; RRS § 10798. (vi) 1921 c 7 § 39; RRS § 10797.) Repealed by 1955 c 195 § 3. Later enactment, see RCW 43.19.125 and chapter 72.01 RCW.
-43.19.150 Dietitian-—Duties——Expenses. [1921 c 7 § 32; RRS § 10790.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.180.
43.19.160 Accounting systems. [1921 c 7 § 43; RRS § 10801.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.01.300.
43.19.170 Institutional revolving fund. [1921 c 7 § 41; RRS § 10799.] Repealed by 1959 c 273 § 10.
43.19.1929 Contracts, agreements, leases of space-—Lease of realty by colleges and universities for research, experiments. [1959 c 178 § 15.] Repealed by 1961 c 184 § 8.
43.19.1931 Contracts, agreements, leases of space-_Form, ap-proval-Colleges and universities. [1959 c 178 § 16.] Repealed by 1961 c 184 § 8.
43.19.1933 Contracts, agreements, leases of space-DDistribution of copies. [1959 c 178 § 17.] Repealed by 1961 c 184 § 8.
43.19.210 Estimates——Approval of director of budget. [1965 c 8 §43.19.210. Prior: 1941 c 196 § 12; Rem. Supp. 1941 § 10795-1.] Repealed by 1967 ex.s. c 104 § 7.
43.19.220 Supervisor of veterans' loan insurance——Appointment——Personnel. [1955 c 285 § 14; 1945 c 217 § 2; Rem. Supp. 1945 § 10758-81.] Repealed by 1959 c 301 § 6.
43.19.230 Powers and duties-—Division of veterans' loan insurance. [1955 c 285 § 16. Prior: 1945 c 217 § 3, part; Rem. Supp. 1945 § 10758-82, part.] Repealed by 1959 c 301 § 6.
43.19.250 Biennial report and estimate of needed funds. [(i) 1901 c 119 § 14; RRS § 10915 . (ii) 1915 c 107 §1, part; 1907 c 166 § 2, part; 1901 c 119 § 3, part; RRS § 10899, part. (iii) 1921 c 7 § 36, part; RRS § 10794 , part.] Repealed by 1955 c 195 § 3. Later enactment, see RCW 72.01.320.
43.19.255 Hours of labor for full time employees-Compensatory time——Premium pay.[1953 c 169 § 1.] Redesignated as RCW 72.01.042.
43.19.256 Hours of labor for full time employees- Certain personnel excepted. [1953 c 169 § 2.] Redesignated as RCW 72.01.043.
43.19.260 through $\mathbf{4 3} 19.440$ Division of children and youth serv-ices--State council for children and youth. [1957 c 272 § 7; 1955 c 240 § 1 ; 1951 c 234.] Repealed by 1959 c 28 § 72.98 .040 and reenacted as part of chapter 72.05 RCW. RCW 43.19.290-43.19.360 were reenacted as 1959 c $28 \$ \S 72.05 .050-72.05 .120$ and were subsequently repealed by 1959 c 293 § 8; this later act, 1959 c 293, enacted new provisions by virtue of sections $1,2,4-7$ which are codified as RCW 72.01.061-72.01.067. Section 33 of Initiative Measure No. 207 which became section 33, chapter 1, Laws of 1961 again repealed 1951 c 234 §§ 5-12 and RCW 43.19.290-43.19.360, no mention being made of 1959 c 293 §§ $1,2,4-7$ and RCW 72.01.061-72.01.067. The initiative measure, the state civil service law, is codified as chapter 41.06 RCW .
43.19.451 Supervisor of engineering and architecture——Transfer of personnel, supplies, records, etc., from department of institutions. [1959 c 301 § 5.] Decodified.

## Chapter 43.20 <br> DEPARTMENT OF HEALTH——STATE BOARD OF HEALTH

43.20.020 Qualifications. [1965 c 8 § 43.20.020. Prior: 1921 c 7 § 56, part; RRS § 10814, part.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.

## Chapter 43.20A

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
43.20A.230 Institutional industries commission to assist department and secretary--Secretary or designee to act for commission. [1970 ex.s. c 18 § 30.] Repealed by 1971 ex.s. c 189 § 17.

## Chapter 43.21

DEPARTMENT OF CONSERVATION
43.21.020 Supervisor of forestry--Appointment——Personnel. [(i) 1923 c 143 § 4; 1921 c 67 § 6; RRS § 5823. (ii) 1921 c 7 § 62; RRS § 10820.] Now codified as RCW 76.04.485.
43.21.030 Powers and duties. [(i) 1921 c 64 § 3; RRS § 5811. (ii) 1921 c 7 § 67; RRS § 10825.] Decodified as division of forestry abolished by RCW 43.30.070.
43.21.145 Water flow and levels--Rules and regulations to establish minimums——Requests for——Evidence of need. [1967 c 81 §
1.) Repealed by 1969 ex.s. c 284 § 23. Later enactment, see chapter 90.22 RCW.
43.21.170 Supervisor of progress and industry development-Appointment--Personnel. [1945 c 173 § 3; Rem. Supp. 1945 § 10964-8c.] Repealed by 1957 c 215 § 24.
43.21.180 Powers and duties. [(i) 1945 c 173 § 2; Rem. Supp. 1945 § 10964-8b. (ii) 1933 ex.s. c 54 § 2; RRS § 10930-2. (iii) 1937 c 134 § 3; RRS § 10964-3.] Decodified. RCW 43.21 .180 was both amended and repealed by the 1957 legislature: (1) Amendment1957 c 157 § 4 (HB 73), passed house February 6th, 1957, passed senate March 12th, 1957, approved by governor March 21st, did not carry emergency clause: (2) Repeal-1957 c 215 § 24 (SB 282), passed senate March 13th, 1957, passed house March 12th, 1957, approved by governor March 22nd, carried emergency clause.
43.21.181 Coordination of local and state planning. [1957 c 157 § 1.] Repealed by 1963 c 161 § 5. Later enactment, see RCW 43.31.210.
43.21.183 Aid from federal and local government-RRules and regulations. [1957 c 157 § 2.] Repealed by 1963 c 161 § 5. Later enactment, see RCW 43.31.220.
43.21.185 Powers conferred by RCW 43.21.180-43.21.185 are supplemental. [1957 c 157 § 3.] Decodified. Later enactment, see RCW 43.31.230.

## Chapter 43.21A <br> DEPARTMENT OF ECOLOGY

43.21A.065 Determination as to whether item of property forming part of industrial, etc. building is a pollution control facility. [ 1972 ex.s. c 54 § 2.] Repealed by 1973 c 132 § 15.

## Chapter 43.21B

## POLLUTION CONTROL HEARINGS BOARD OF THE STATE

43.21B.210 Hearings only upon written demand-—Procedure—— Continuances and adjournments only upon written motion, limitation. [1970 ex.s. c 62 § 51.] Repealed by 1974 ex.s. c 69 § 6.

## Chapter 43.21D <br> ELECTRIC POWER USE--EMERGENCY CURTAILMENT, ALLOCATION

43.21D.010 Legislative finding, declaration and intent. [1973 2nd ex.s. c 29 § 1.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.020 Definitions. [1973 2nd ex.s. c 29 § 2.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.030 Electric emergency curtailment and/or allocation com-mittee-Created-Members-Compensation-Dxpenses. [1973 2nd ex.s. c 29 § 3.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.040 Powers and duties of committee. [1973 2nd ex.s. c 29 § 4.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.050 Powers and duties of governor-COrders-Compliance required-Coordination with programs of other states. [1973 2nd ex.s. c 29 § 5.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.060 Petition for exception or modification of orderAppeals. [1973 2nd ex.s. c 29 § 6.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.070 Violations--Penalty--Termination of electric services. [1973 2nd ex.s. c 29 § 7.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.080 Chapter to control in event of conflict-Excep-tions-Compliance with other laws. [1973 2nd ex.s. c 29 § 8.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.900 Expiration of chapter. [1973 2nd ex.s. c 29 § 9.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.905 Liberal construction. [1973 2nd ex.s. c 29 § 10.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.
43.21D.910 Severability-— 1973 2nd ex.s. c 29. [1973 2nd ex.s. c 29 § 12.] Expired June 30, 1974, see 1973 2nd ex.s. c 29 § 9.

## Chapter 43.22 <br> DEPARTMENT OF LABOR AND INDUSTRIES

43.22.060 Frequency of hotel inspection--Record. [1965 c 8 § 43.22.060. Prior: 1953 c 105 § 1; prior: 1909 c 29 § 14; RRS § 6883.] Repealed by 1971 ex.s. c 239 § 13 . Later enactment, see chapter 70.62 RCW.
43.22.070 Certificate of inspection. [1965 c 8 § 43.22.070. Prior: 1909 c 29 § 15 ; RRS § 6884.] Repealed by 1971 ex.s. c 239 § 13.
43.22.080 Penalty for false certificate. [1965 c 8 § 43.22.080. Prior: 1909 c 29 § 16; RRS § 6885.] Repealed by 1971 ex.s. c 239 § 13.
43.22.090 Penalty for obstructing inspection. [1965 c 8 § 43.22.090. Prior: 1927 c 77 § 1 ; 1909 c 29 § 17; RRS § 6886.] Repealed by 1971 ex.s. c 239 § 13.
43.22.100 Prosecution for violations. [1965 c 8 § 43.22.100. Prior: 1909 c 29 § 18; RRS § 6887.] Repealed by 1971 ex.s. c 239 § 13. Later enactment, see chapter 70.62 RCW.
43.22.110 Fees-Collection and disposition. [1965 c 8 § 43.22.110. Prior: 1953 c 105 § 2; prior: 1915 c 169 § 7; 1909 c 29 § 19 ; RRS § 6888.] Repealed by 1971 ex.s. c 239 § 13. Later enactment, see chapter 70.62 RCW.
43.22.120 Division of mining safety-Composition-Chief mine inspector in charge. [1965 c 8 § 43.22.120. Prior: 1927 c 306 § 1 , part; 1917 c 36 § 2, part; RRS § 8637, part.] Repealed by 1973 1st ex.s. c 52 § 11 .
43.22.130 Appointment of mining board--Qualifications--Oath--Compensation. [1965 c 8 § 43.22.130. Prior: 1927 c 306 § 2 ; 1917 c 36 § 3; RRS § 8638.] Repealed by 1973 1st ex.s. c 52 § 11.
43.22.140 Examinations for mine inspectors. [1965 c 8 § 43.22.140. Prior: 1927 c 306 § 3; 1917 c 36 § 4; RRS § 8639.] Repealed by 1973 lst ex.s. c 52 § 11 .
43.22.150 Exception for those passing first class certificate examination. [1965 c 8 § 43.22 .150 . Prior: 1945 c 262 § 1; Rem. Supp. 1945 § 8661-1.] Repealed by 1973 1st ex.s. c 52 § 11.
43.22.160 Applications for examination-Affidavit. [1965 c 8 § 43.22.160. Prior: 1917 c 36 § 5; RRS § 8640.] Repealed by 1973 1st ex.s. c 52 § 11 .

Reviser's note: This section was also amended by 1973 1st ex.s. c 154 $\S 80$ without cognizance of the repeal thereof.
43.22.170 Examinations at state capital--Appointment of chief and deputy inspectors. [1965 c 8 § 43.22.170. Prior: 1927 c 306 § 4, part; 1917 c 36 § 6, part; RRS § 8641, part. Formerly RCW 43.22.170 and 43.22.180.] Repealed by 1973 1st ex.s. c 52 § 11.

Reviser's note: This section was also amended by 1973 1st ex.s. c 154 § 1 without cognizance of the repeal thereof.
43.22.180 Appointment of chief and deputy inspectors. [1927 c 306 § 4, part; 1917 c 36 § 6, part; RRS § 8641 , part.] Now codified in RCW 43.22.170.
43.22.190 Salaries and expenses of inspectors--Oath-Duties. [1965 c 8 § 43.22.190. Prior: 1947 c 166 § 1 ; 1927 c 306 § 5; 1919 c 201 § 1 ; 1917 c 36 § 7; 1897 c 45 § 7; RRS § 8642. FORMER PART OF SECTION: 1917 c 36 § 9, part; RRS § 8644, part, now codified in RCW 43.22.210.] Repealed by 1973 1st ex.s. c 52 § 11.
43.22.220 Working unsafe mine--Injunction. [1917 c 36 § 9, part; RRS § 8644, part.] Now codified in RCW 43.22.210.
43.22.230 Investigation of mine disasters. [1917 c 36 § 9, part; RRS § 8644, part.] Now codified in RCW 43.22.210.
43.22.240 Removal of offending inspector. [1917 c 36 § 9, part; RRS § 8644, part.] Now codified in RCW 43.22.210.
43.22.250 Annual reports. [1965 c 8 § 43.22.250. Prior: 1927 c 306 § 6; 1917 c 36 § 10 ; RRS § 8645.] Repealed by 1973 1st ex.s. c 52 § 11.
43.22.320 Joint hearings——Appeals. [1965 c 8 § 43.22.320. Prior: 1921 c 7 § 79; RRS § 10837.] Repealed by 1973 1st ex.s. c 52 § 11 .

## Chapter 43.23 <br> DEPARTMENT OF AGRICULTURE

43.23.140 Official misconduct-—Penalty. [1965 c 8 § 43.23.140. Prior: 1913 c 60 § 10; RRS § 2728.] Repealed by 1969 ex.s. c $234 \S$ 38.

## Chapter 43.24 <br> DEPARTMENT OF MOTOR VEHICLES (FORMERLY: DEPARTMENT OF LICENSES)

43.24.050 Applications for licenses. [1965 c 8 § 43.24.050. Prior: 1921 c 7 § 105; RRS § 10863.] Repealed by 1965 c 100 § 7.
43.24.070 Procedure as to fees. [1965 c 8 § 43.24.070. Prior: 1921 c 7 § 100; RRS § 10858.] Repealed by 1965 c 100 § 7.
43.24.100 Notice to renew licenses. [1965 c 8 § 43.24.100. Prior: 1921 c 7 § 102; RRS § 10860.] Repealed by 1965 c 100 § 7.

Chapter 43.25

## DEPARTMENT OF FISHERIES

43.25.010 Authority of director-—Qualifications. [1953 c 207 § 10. Prior: (i) 1933 c 3 § 5; 1921 c 7 § 116; RRS § 10874. (ii) 1949 c 112 § 3, part; Rem. Supp. 1949 § 5780-201, part. (iii) 1949 c 112 § 5; Rem. Supp. 1949 § 5780-204.] Redesignated as RCW 75.08.014.
43.25.020 Duties of department. [1949 c 112 § 3, part; Rem. Supp. 1949 § 5780-201, part.] Redesignated as RCW 75.08.012.
43.25.030 Director may employ assistants-MMerit basis. [1949 c 112 § 4; Rem. Supp. 1949 § 5780-203.] Redesignated as RCW 75.08.022.
43.25.040 Employees may be bonded. [1949 c 112 § 11; Rem. Supp. 1949 § 5780-210.] Redesignated as RCW 75.08.023.
43.25.045 Insurance against actions for false arrest. [1953 c 207 § 13.] Redesignated as RCW 75.08.203.
43.25.047 Peace officer compensation insurance--Medical aid. [1953 c 207 § 14.] Redesignated as RCW 75.08.206.
43.25.048 Fisheries patrol officers--Relieved from active duty when injured——Compensation. [1957 c 216 § 1.] Redesignated as RCW 75.08.024.
43.25.050 Disabled employees--Compensation. [1949 c 112 § 2; Rem. Supp. 1949 § 5780-211.] Repealed by 1953 c 207 § 12.
43.25.060 May administer oaths. [1949 c 112 § 9; Rem. Supp. 1949 § 5780-208.] Redesignated as RCW 75.08.021.
43.25.070 Duty of attorney general when prosecuting attorney defaults. [1949 c 112 § 24; Rem. Supp. 1949 § 5780-222.] Redesignated as RCW 75.08.275.

## Chapter 43.26 <br> DEPARTMENT OF GAME

43.26.010 Composition of department-—Qualification of director. [1947 c 275 § 2, part; Rem. Supp. 1947 § 5992-12. Repealed by 1955 c 36 § 77.98.040. See chapter 77.04 RCW.

## Chapter 43.27 <br> HIGHWAY COMMISSION

43.27.020 Powers and duties. [1937 c 53 § 9; RRS § 6400-3.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.160.
43.27.030 Right of entry for examination, survey, appraisal, etc. [1945 c 176 § 1; Rem. Supp. 1945 § 6400-3f.] Repealed by 1961 c 13 $\S 47.98 .050$. Later enactment, see RCW 47.01.170.
43.27.040 Roads and bridges in state parks. [1943 c 253 § 1; Rem. Supp. 1943 § 6402-35.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.180.
43.27.050 Assistant director of highways for state aid. [1949 c 220 § 2; Rem. Supp. 1949 § 6400-3g.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.190
43.27.060 Personnel merit system required for department. [1955 c 383 § 44; 1949 c 220 § 3; Rem. Supp. 1949 § 6400-3h.] Repealed by

Initiative Measure No. 207 § 33 (1961 c 1 § 33). Later enactment, see RCW 41.06.060, 41.06.080(4) and 41.06.090.
43.27.070 State highway commission--Appointment of mem-bers--Terms. [1951 c 247 § 2.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.020.
43.27.080 Members——Qualifications——Removal. [1951 c 247 § 3.] Repealed by 1961 c 13 § 47.98 .050 . Later enactment, see RCW 47.01.030.
43.27.090 Members--Compensation and expenses. [1951 c 247 § 13.] Repealed by 1961 c 13 § 47.98 .050 . Later enactment, see RCW 47.01.040.
43.27.100 Powers of commission. [1951 c 247 § 4.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.050.
43.27.105 Contracts with public utilities and municipal corporations. [1955 c 84 § 1; 1953 c 100 § 1.] Repealed by 1961 c 13 § $47-$ 98.050. Later enactment, see RCW 47.01.210.
43.27.110 Exercise of powers--Rules and regulations. [1951 c 247 § 7.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.060.
43.27.120 Designation of representative to serve on other boards, committees, etc. [1951 c 247 § 5.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.070.
43.27.130 Meetings of commission--Rules and regulations. [1951 c 247 § 6.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.080.
43.27.140 Meetings——Notice——Quorum. [1951 c 247 § 8.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.090.
43.27.150 Director of highways--Appointment-—General duties. [1951 c 247 § 9.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.100.
43.27.160 Director of highways-—Qualifications. [1951 c 247 § 10.] Repealed by 1961 c 13 § 47.98 .050 . Later enactment, see RCW 47.01.110.
43.27.170 Director of highways--Term——Removal. [1951 c 247 § 11.] Repealed by 1961 c $13 \S 47.98 .050$. Later enactment, see RCW 47.01.120.
43.27.180 Director of highways——Salary. [1957 c 172 § 31; 1951 c 247 § 12.] Repealed by 1961 c 13 § 47.98 .050 . Later enactment, see RCW 47.01.130.
43.27.190 Commission's report to the legislature. [1951 c 247 § 14.] Repealed by 1961 c 13 § 47.98 .050 . Later enactment, see RCW 47.01.140.
43.27.192 Commission to report through joint fact-finding commit-tee--New federal highway policy. [1957 c 172 § 30.] Repealed by 1961 c 13 § 47.98.050. Later enactment, see RCW 47.01.220.
43.27.200 Budget——Plan for highway development. [1955 c 383 § 45; 1953 c 254 § $1 ; 1951$ c 247 § 15.] Repealed by 1961 c 13 § 47.98.050 and 1963 c 173 § 9. Later enactment, see chapter 47.05 RCW.
RCW 43.27.020-43.27.200: See RCW 47.98.050.
Chapter 43.27A

## DEPARTMENT OF WATER RESOURCES

43.27A.010 Purpose. [1967 c 242 § 1.] Repealed by 1970 ex.s. c 62 § 30.
43.27A.030 Department established. [1967 c 242 § 3.] Repealed by 1970 ex.s. c 62 § 30.
43.27A. 040 Director--Appointment——Powers and dutiesSalary. [1967 c 242 § 4.] Repealed by 1970 ex.s. c 62 § 30.
43.27A.050 Water resources advisory council-Created-Composition--Terms——Vacancies——Chairman. [1967 c 242 § 5.] Repealed by 1970 ex.s. c 62 § 30.
43.27A.060 Water resources advisory council- MeetingsCompensation, mileage and per diem. [1969 ex.s. c 103 § 2; 1967 c 242 § 6.] Repealed by 1970 ex.s. c 62 § 30.
43.27A. 070 Divisions of department. [1967 c 242 § 7.] Repealed by 1970 ex.s. c 62 § 30.
43.27A.100 Advisory council members to advise director-—Subjects. [1969 ex.s. c 103 § $1 ; 1967$ c $242 \S 10$.] Repealed by 1970 ex.s. c 62 § 30.
43.27A.110 Advisory council members to advise director- - Views to be submitted in writing--Hearings and investigations--Advice of members to be included in annual report. [1967 c 242 § 11.] Repealed by 1970 ex.s. c $62 \S 30$.
43.27A.140 Disposition of property, records, etc. of department of conservation--Transfer of personnel. [1967 c 242 § 16.] Repealed by 1970 ex.s. c 62 § 30.
43.27A. 150 Transfer of appropriations. [1967 c 242 § 17.] Repealed by 1970 ex.s. c $62 \S 30$.
43.27A.160 Transfer of equipment, funds, appropriations from agencies not abolished--Apportionment by director of budget. [1967 c 242 § 18.] Repealed by 1970 ex.s. c 62 § 30.
43.27A.170 Continuation of rules and regulations, pending busi-ness-—Validation of acts of other agencies. [1967 c 242 § 19.] Repealed by 1970 ex.s. c 62 § 30.

## Chapter 43.28 <br> DEPARTMENT OF INSTITUTIONS

43.28.010 Department established-DDirector, qualifications, appointment, term. [1957 c 272 § 1; 1955 c 195 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.020.
43.28.020 Director's powers and duties. [1959 c 301 § 3; 1955 c 195 § 4. Prior: (i) 1915 c 107 § 1, part; 1907 c 166 § 2, part; 1901 c 119 § 3, part; RRS § 10899, part. (ii) 1919 c 50 § 2; RRS § 10952. (iii) 1921 c 7 § 44; RRS § 10802. (iv) 1921 c 7 § 36, part; RRS § 10794, part. (v) 1923 c 101 § 1 ; 1921 c 7 § 40; RRS § 10798. (vi) 1921 c 7 § 39; RRS § 10797.] Decodified.

Reviser's note: RCW 43.28 .020 (1955 c 195 § 4) was the subject matter of two different acts of the 1959 legislature:
(1) The public institutions code, chapter 28, Laws of 1959 repealed it, see 1959 c $28 \S 72.98 .040(62)$, and reenacted subdivisions (1) through (17) as sections 72.01.040, 72.01.050, 72.01.100, 72.01.140, 72.01.150, and 72.01.170. Subdivision (18) was also reenacted as various sections in Title 72 RCW. Chapter 28 (HB No. 2) passed house January 20th, passed senate January 27th, was approved by the governor February 4th, 1959, carried an emergency clause.
(2) Chapter 301, Laws of 1959 created a division of engineering and architecture in the department of general administration. Without reference to chapter 28 aforesaid, section 3 of chapter 301 amended RCW 43.28 .020 by deleting subdivisions (3), (4), (5) and (6) thereof which set out the powers and duties of the director of institutions relating to building plans and programs, and which subdivisions were reenacted by 1959 c $28 \S 72.01 .100$ as RCW 72.01.100. Chapter 301, Laws of 1959 (SB No. 495) passed senate March 2nd, passed house March 9th, was approved by the governor March 24th, 1959, carried an emergency clause.
43.28.030 Biennial reports to legislature and governor-Contents. [1955 c 195 § 5. Prior: (i) 1901 c 119 § 14; RRS § 10915. (ii) 1915 c 107 § 1 , part; 1907 c 166 § 2, part; 1901 c 119 § 3, part; RRS § 10899, part. (iii) 1921 c 7 § 36, part; RRS § 10794, part.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.320.
43.28.040 Division of mental health——Established. [1957 c 272 § 9.] Repealed by 1959 c 28 § 72.98 .040 . Later enactment, see RCW 72.06.010.
43.28.050 Supervisor of mental health. [1957 c 272 § 10.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.06.020.
43.28.060 Supervisor of mental health--Qualifications. [1957 c 272 § 11.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.06.030.
43.28.070 Supervisor of mental health---Powers and duties. [1957 c 272 § 12.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.06.040.
43.28.080 Division of adult correction-—Established. [1947 c 272 § 13.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.02.010.
43.28.090 Supervisor of adult correction. [1957 c 272 § 14.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.02.020.
43.28.100 Supervisor of adult correction-—Qualifications. [1957 c 272 § 15.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.02.030.
43.28.110 Supervisor of adult correction--Powers and duties. [1957 c 272 § 16.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.02.040.
43.28.120 Commission established. [1957 c 272 § 3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.330.
43.28.130 Appointment, term, of commission members. [1957 c 272 § 4.] Repealed by 1959 c 28 § 72.98 .040 . Later enactment, see RCW 72.01 .340 .
43.28.140 Meetings, per diem, expenses of commission. [1957 c 272 § 5.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.350.
43.28.150 Commission is advisory body. [1957 c 272 § 6.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.360.
43.28.160 Parental schools-_Leases, purchases--Powers of school district. [1957 c 297 § 2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.05.300.
43.28.170 Parental schools--Personnel. [1957 c 297 § 3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.05.310.
43.28.500 Labor by prisoners--Authorized--Camps. [1955 c 128 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.64.060.
43.28.510 Labor by prisoners--Eligibility for employment - -Procedure--Return. [1955 c 128 § 2.] Repealed by 1959 c 28 § 7298.040. Later enactment, see RCW 72.64.070.
43.28.520 Labor by prisoners-—Duties of employing agency - -Costs--Supervision. [1955 c 128 § 3.] Repealed by 1959 c 28 § 7298.040. Later enactment, see RCW 72.64.080.
43.28.530 Labor by prisoners-—Department's jurisdictions. [1955 c 128 § 4.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.64.090.
43.28.600 Mental health——Dissemination of information and advice by department. [1955 c 136 § 2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.06.050.
43.28.610 Mental health——Psychiatric outpatient clinics. [1955 c 136 § 3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.06.060.
43.28.620 Mental health-Cooperation of department and state hospitals with local programs. [1955 c 136 § 4.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.06.070.
43.28.630 Mental health——Duties of local agencies--Local committees authorized. [1955 c 136 § 5.] Repealed by 1959 c 28 § 7298.040. Later enactment, see RCW 72.06.080.
43.28.640 Mental health——Local health department's staffState financial assistance. [1955 c 136 § 6.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.06.090.

## Chapter 43.29

## STATE BUREAU OF CRIMINAL IDENTIFICATION

43.29.010 through 43.29.110 [1955 c 318.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see chapter 72.50 RCW.

Chapter 43.30
DEPARTMENT OF NATURAL RESOURCES
43.30.900 Severability. [1957 c 38 § 28.] Repealed by 1965 c 8 § 43.198.040. See RCW 43.198.030.

## Chapter 43.31 <br> DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

43.31.650 Severahility. [1957 c 174 § 16.] Repealed by 1965 c 8 § 43.198.040. See 43.198.030.
43.31.780 Century 21 commemorative coins-—Disposition of proceeds. [1961 c 127 § 1.] Decodified.

Chapter 43.34
CAPITOL COMMITTEE
43.34.020 Award of contracts——Notice of call for bids. [1911 c 59 § 10, part; 1909 c 69 § 5, part; RRS § 7901, part.] Decodified. Later enactment, see RCW 79.24.060.
43.34.030 Amendment of plans. [1917 c 167 § 5; RRS § 7915.] Decodified.
43.34.050 Stone for buildings. [1915 c 191 § 5; RRS § 7918.] Decodified.
43.34.060 Capitol grant revenue to capitol building construction fund. [1923 c 12 § 1 ; RRS § 7921-1.] Now codified as RCW 79.24.087.
43.34.070 Powers and duties. Cross-reference section. Decodified.

Chapter 43.35
VOTING MACHINE COMMITTEE
43.35.010 Composition of committee. [1921 c 7 § 11, part; RRS § 10769, part.] Now codified as RCW 29.33.030.
43.35.020 Powers and duties. Cross-reference section. Decodified.

## Chapter 43.36

LAW LIBRARY COMMITTEE
43.36.010 Composition of committee. [1921 c 7 § 12, part; RRS § 10770, part.] Repealed by 1959 c 188 § 6.
43.36.020 Powers and duties. [1921 c 7 § 12, part; RRS § 10770, part.] Repealed by 1959 c 188.§ 6.

Chapter 43.37
WEATHER MODIFICATION (FORMERLY: WEATHER MODIFICATION BOARD)
43.37.020 Board established-Composition, appointment, qualifications, compensation, quorum. [1965 c 8 § 43.37.020. Prior: 1961 c 154 § 1; 1957 c 245 § 2.] Repealed by 1973 c 64 § 19.
43.37.070 Staff services, materials, office space--Expenses. [1965 c 8 § 43.37.070. Prior: 1957 c 245 § 7.] Repealed by 1973 c 64 § 19.

## \section*{Chapter 43.39} <br> COORDINATOR OF ATOMIC DEVELOPMENT ACTIVITIES

43.39.010 through 43.39 .120 [1957 c 92 §§ 1-12.] Repealed by 1961 c 207 § 22.

Chapter 43.41
DIRECTOR OF PROGRAM PLANNING AND FISCAL MANAGEMENT (FORMERLY: DIRECTOR OF BUDGET)
43.41.010 Office created-—Salary——Personnel. [1965 c 8 § 43.41.010. Prior: 1961 c 307 § 3; 1955 c 340 § 3; prior: (i) 1947 c 114 § 3; RRS § 10786-10a. (ii) 1935 c 176 § 14 ; RRS § 10786-13. (iii) 1941 c 196 § 7; RRS § 11018-17.] Repealed by 1969 ex.s. c 239 § 22.
43.41.020 Powers and duties. [1965 c 8 § 43.41.020. Prior: 1961 c 1 § 32 (Initiative Measure No. 207); prior: (i) 1947 c 114 § 4; RRS § 10786-10b. (ii) 1935 c 176 § 19; RRS § 10786-18. (iii) 1921 c 7 § 47; RRS § 10805.] Repealed by 1969 ex.s. c 239 § 22.

## Chapter 43.43

WASHINGTON STATE PATROL
43.43.210 Notice of commissioning and withdrawals. [1965 c 8 § 43.43.210. Prior: 1947 c 250 § 10 ; Rem. Supp. 1947 § 6362-90.] Repealed by 1969 c 12 § 10.
43.43.520 Crime information center--Advisory committee-Composition-—Rules and regulations. [1967 ex.s. c 27 § 3.] Repealed by 1972 ex.s. c $152 \S 24$.
43.43.660 Drug control assistance unit-—Advisory committee on administration. [1970 ex.s. c 63 § 8.] Repealed by 1972 ex.s. c 152 § 24.

## Chapter 43.48 <br> ATHLETIC COMMISSION

43.48.010 Commission created-Composition--TermsVacancies. [1933 c 184 § 1 ; RRS § 8276-1.] Now codified as RCW 67.08.001.
43.48.020 Official bonds-—Expenses. [1959 c 305 § 1; 1933 c 184 § 2; RRS § 8276-2.] Now codified as RCW 67.08.003.
43.48.030 Officers——Quorum——Office——Meetings. [1933 c 184 § 3; RRS § 8276-3.] Now codified as RCW 67.08.005.
43.48.040 Officers, employees, inspectors. [1959 c 305 § 2; 1933 c 184 § 4; RRS §8276-3.] Now codified as RCW 67.08.007.
43.48.050 General powers of commission. [1933 c 184 §5; RRS § 8276-5.] Now codified as RCW 67.08.009.

## Chapter 43.50 <br> HORSE RACING COMMISSION

43.50.010 Commission created- Terms of members--Vacan-cies--Removal——Bond and oath--Salary. [1933 c 55 § 2; RRS § 8212-2.] Now codified as RCW 67.16.012.
43.50.020 Organization-—Secretary——Records to be kept—— Biennial reports. [1933 c 55 § 3; RRS § 8312-3.] Now codified as RCW 67.16.015.

## Chapter 43.51 PARKS AND RECREATION COMMISSION

43.51.690 Accreted lands-—Sanitary facilities——Spur roads. [ 1967 c 120 § 9.] Repealed by 1969 ex.s. c 55 § 7.
43.51.695 Line of high tide boundary monuments or markersLocation of--Notice——Objections. [1967 c 120 § 11.] Repealed by 1969 ex.s. c 55 § 7.
43.51.700 Line of high tide boundary monuments or markersObjection proceedings subject to administrative procedure act. [1967 c 120 § 12.] Repealed by 1969 ex.s. c 55 § 7.
43.51.705 Line of high tide boundary monuments or markersFailure to file objections--Bar to contesting line of high tide as monumented or marked. [1967 c 120 § 13.] Repealed by 1969 ex.s. c 55 § 7.

Chapter 43.52
OPERATING AGENCIES (POWER COMMISSION)
43.52.001 through 43.52.240. [1949 c 227 §§ 3-16; Rem. Supp. 1949 §§ 11617-1—11617-12.] Repealed by 1953 c 281 § 22.
43.52.270 Power commission created. [1953 c 281 § 2.] Repealed by 1957 c 295 § 9 .
43.52.280 Commission members--Appointment--Terms-Removal--Vacancy——Chairman. [1953 c 281 § 3.] Repealed by 1957 c 295 § 9.
43.52.310 Limitation as to facilities owned or condemned by city or district. [1953 c 281 § 6.] Repealed by 1957 c 295 § 9.
43.52.320 Construction, acquisition, of hydroelectric facility—— Notice--Hearing-Orders--Prior rights. [1955 c 258 § 2; 1953 c 281 § 7.] Repealed by 1957 c 295 § 9.
43.52.330 Eminent domain. [1953 c 281 § 8.] Repealed by 1957 c 295 § 9.
43.52.341 Revenue bonds——Adoption of system or plan. [1955 c 258 § 6.] Repealed by 1957 c 295 § 9.
43.52.3415 Revenue bonds_-Special funds_-Payment of bonds--Interest. [1955 c 258 § 7.] Repealed by 1957 c 295 § 9.
43.52.342 Revenue bonds-—Special funds--Amounts to be set aside--Payments of bonds limited to fund. [1955 c 258 § 8.] Repealed by 1957 c 295 § 9.
43.52.3425 Revenue bonds--Resolution creating fund and authorizing bonds-—Covenants. [1955 c 258 § 9.] Repealed by 1957 c 295 § 9.
43.52.344 Revenue bonds--Registration--Effect. [1955 c 258 § 11.] Repealed by 1957 c 295 § 9.
43.52.345 Revenue bonds——Rates and charges. [1955 c 258 § 12.] Repealed by 1957 c 295 § 9.
43.52.346 Revenue bonds——Refunding bonds. [1955 c 258 § 13.] Repealed by 1957 c 295 § 9.
43.52.347 Revenue bonds——Signatures, seal. [1955 c 258 § 14.] Repealed by 1957 c 295 § 9.
43.52.348 Revenue bonds-—Bonds constitute contract——Remedies of holders. [1955 c 258 § 15.] Repealed by 1957 c 295 § 9.
43.52.349 Revenue bonds-_Use as security for deposit-—Legal investments--Negotiability. [1955 c 258 § 16.] Repealed by 1957 c 295 § 9.
43.52.390 Powers and duties of operating agency. [1955 c 258 §4; 1953 c 281 § 15.] Repealed by 1957 c 295 § 9.
43.52.400 Commission member as ex officio board memberLimitation on acquisition, etc., of facilities by agency. [1953 c 281 § 16.] Repealed by 1955 c 258 § 17.
43.52.420 Hearings by commission--Oaths, subpoenas, depositions, etc.--Rules and regulations. [1953 c 281 § 18.] Repealed by 1957 c 295 § 9.
43.52.900 Severability - - 1955 Act. [1955 c 258 § 20.] Cross reference section. Decodified.

## Chapter 43.53 <br> WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

43.53.010 Commission created--Appointment of members-Terms-Removal. [1955 c 340 § 7; 1951 c 260 § 1; 1949 c 117 § 1 ; Rem. Supp. 1949 § 10964-115-1.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.010.
43.53.020 Qualifications of commissioners and employees-- Pe cuniary interest in persons subject to regulation prohibited. [1949 c 117 § 2, part; Rem. Supp. 1949 § 10964-115-2, part.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.020.
43.53.030 Commissioner's oath of office-Bonds. [1949 c 117 § 2, part; Rem. Supp. 1949 § 10964 -115-2, part.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.020.
43.53.040 Commission to employ secretary and other assistants——Secretary's duties——Deputies. [(i) 1949 c 117 § 4; Rem. Supp. 1949 § 10964-115-4. (ii) 1945 c 267 §§ 2-6, part; Rem. Supp. 1945 §§ 2-10459-6, part.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.030.
43.53.050 General powers and duties of the commission. [(i) 1949 c 117 § 3; Rem. Supp. 1949 § 10964-115-3. (ii) 1945 c 267 §§ 4-6, part; Rem. Supp. 1945 §§ 10459-4--10459-6.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.040.
43.53.055 Powers and duties relative to safety of railroads. [1955 c 165 § 1.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 81.44.065.
43.53.060 Quorum--Hearings--Actions deemed those of commission, when. [1949 c 117 § 6; Rem. Supp. 1949 § 10964-115-6.] Repealed by 1961 c $14 \S 80.98 .040$. Later enactment, see RCW 80.01.050.
43.53.070 Examiners——Powers. [1925 ex.s. c 164 § 1 ; RRS § 10779-1.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.060.
43.53.080 Joint investigations, hearings, orders. [1949 c 117 § 7 ; Rem. Supp. 1949 § 10964-115-7.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.070.
43.53.090 Public service revolving fund created-—Purpose. [1949 c 117 § 11 ; Rem. Supp. 1949 § $10964-115-11$.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.080.
43.53.100 Proceedings public records-_Seal——Biennial report. [1949 c 117 § 5; Rem. Supp. 1949 § 10964-115-5.] Repealed by 1961 c 14 § 80.98.040. Later enactment, see RCW 80.01.090.

## Chapter 43.54 <br> POLLUTION CONTROL COMMISSION

43.54.010 Commission created-Composition. [1945 c 216 § 3; Rem. Supp. 1945 § 10964c.] Now codified as RCW 90.48.021.
43.54.020 Expenses. [1945 c 216 § 4; Rem. Supp. 1945 § 10964d.] Now codified as RCW 90.48.022.
43.54.030 Chairman-DDirector. [1945 c 216 § 5; Rem. Supp. 1945 § 10964e.] Now codified as RCW 90.48.023.
43.54.040 Meetings-—Records——Rules and regulations. [1945 c $216 \S 6$; Rem. Supp. 1945 § 10964f.] Now codified as RCW 90.48.024.
43.54.050 Technical secretary——Duties of director. [1945 c 216 § 7; Rem. Supp. 1945 § 10964g.] Now codified as RCW 90.48.025.
43.54.060 Technical advisers. [1945 c 216 § 8; Rem. Supp. 1945 § 10964h.] Now codified as RCW 90.48.026.
43.54.070 Special meetings——Quorum. [1945 c 216 § 9; Rem. Supp. 1945 § 10964i.] Now codified as RCW 90.48.027.

## Chapter 43.55 <br> TAX COMMISSION

43.55.010 Commission created--Terms--Vacancies-OOffice location. [1957 c 127 § 1; 1927 c 280 § 1; RRS § 11087. Prior: 1925 c 18 § 1.] Repealed by 1961 c 15 § 82.98.040. Later enactment, see RCW 82.01.010.
43.55.020 Qualifications——Bond——Oath. [1927 c 280 § 2; RRS § 11088. Prior: 1925 c 18 § 2.] Repealed by 1961 c 15 § 82.98.040. Later enactment, see RCW 82.01.020.
43.55.030 Meetings-_Quorum——Minutes_-Seal——Records. [1927 c 280 § 3; RRS § 11089. Prior: 1925 c 18 § 3.] Repealed by 1961 c $15 § 82.98 .040$. Later enactment, see RCW 82.01.030.
43.55.040 Employees--Expenses. [1927 c 280 § 4; RRS § 11090. Prior: 1925 c 18 § 4.] Repealed by 1961 c 15 § 82.98.040. Later enactment, see RCW 82.01.040.

## Chapter 43.58 <br> WASHINGTON-OREGON BOUNDARY COMMISSION

43.58.010 Washington-Oregon boundary commission estab-lished--Purpose. The true location of the boundary line between the states of Oregon and Washington in the Columbia River and particularly at points on said river where dams and bridges have been and are being constructed, has been and is in doubt. Said boundary line being fixed by Article XXIV of the state Constitution with reference in the middle channel and widest channel of the Columbia River, the location of which frequently changes by reason of the action of the winds, tides and currents, is extremely difficult to fix and determine at any given time. The definite and final establishment of the location of such boundary line with relation to fixed monuments located on the adjacent upland is therefore of great economic and political importance to both interested states and their citizens.

There is therefore hereby created and established a state commission to be known and designated as the "Washington-Oregon Boundary Commission," and in this chapter referred to as the "commission." Said commission shall be composed of five members, one of which shall be appointed by the governor, two by the house of representatives, and two by the senate. The commission shall select from its membership a chairman and a secretary. [1955 ex.s. c 6 § 1 ; 1937 c 27 § 1 ; RRS § 10939-5.]

Repeal-1965 c 8: See RCW 43.58.090.
43.58.020 Powers and duties. Said commission when so directed by the governor shall have the power and it shall be its duty forthwith to make a complete and thorough study of all available data bearing upon the present locations of those portions of the boundary line between the states of Oregon and Washington which bisect the site of each dam or
bridge heretofore or hereafter constructed in or over the Columbia River, and for such purpose shall have access to all the files and records of the state and its governmental agencies, and shall have the power and authority to employ such surveyors, engineers and other assistants, and to incur such incidental expenses as it shall deem necessary. [1955 ex.s. c 6 § 2; 1937 c 27 § 2, RRS § 10939-6.]

Repeal-1965 c 8: See RCW 43.58.090.
43.58.030 Compact and treaty establishing boundary between Oregon and Washington. Upon completing such investigation it shall be the duty of said commission acting for and on behalf of the state of Washington, to make and enter into a compact and treaty with the state of Oregon, acting by and through such officer or commission as shall have power and authority so to act, fixing and establishing for the distance set forth in RCW 43.58 .020 the boundary line between the states of Oregon and Washington by metes and bounds made with reference to permanent monuments fixed and established on the upland banks of the Columbia River. [1937 c 27 § 3; RRS § 10939-7.]

Repeal-1965 c 8: See RCW 43.58.090.
43.58.040 Compact and treaty establishing boundary between Oregon and Washington-—Ratification by state legislatures and by congress. Upon the compact and treaty referred to in RCW 43.58.030 being approved and ratified by the legislatures of the states of Oregon and Washington, and by the congress of the United States, the boundary line as so fixed and established by said compact and treaty shall thereupon be and constitute the permanent and fixed boundary line between the said states of Oregon and Washington. [1937 c 27 § 4; RRS § 10939-8.

Repeal-1965 c 8: See RCW 43.58.090.
43.58.080 Compact and treaty establishing boundary between Oregon and Washington- Commission abolished when Oregon and United States ratify and approve. Upon ratification by the state of Oregon and approval by the Congress of the United States of the compact set forth in RCW 43.58.060, the Washington-Oregon boundary commission shall be abolished and its authority and duties terminated. [1957 c 90 § 4.] Decodified.

## Chapter 43.60

## SAFETY COUNCIL

43.60.010 Safety council established. [1965 c 8 § 43.60.010. Prior: 1959 c 313 § 1 ; 1951 c 247 § 16.] Repealed by 1967 ex.s. c 147 § 15.
43.60.020 Functions of council. [1965 c 8 § 43.60.020. Prior: 1951 c 247 § 17.] Repealed by 1967 ex.s. c 147 § 15.
43.60.030 Functions- Chapter exclusive. [1965 c 8 § 43.60.030. Prior: 1951 c 247 § 37.] Repealed by 1967 ex.s. c 147 § 15.
43.60.040 Organization of council. [1965 c 8 § 43.60.040. Prior: 1951 c 247 § 18.] Repealed by 1967 ex.s. c 147 § 15.
43.60.050 Executive board-Composition. [1965 c 8 § 43.60.050. Prior: 1951 c 247 § 19.] Repealed by 1967 ex.s. c 147 § 15.
43.60.060 Executive board- -Appointment of members-Terms-—Officers. [1965 c 8 § 43.60.060. Prior: 1951 c 247 § 20.] Repealed by 1967 ex.s. c 147 § 15.
43.60.070 Executive board is governing body. [1965 c 8 § 43.60.070. Prior: 1951 c 247 § 24.] Repealed by 1967 ex.s. c 147 § 15.
43.60.080 Bylaws——Scope. [1965 c 8 § 43.60.080. Prior: 1951 c 247 § 27.] Repealed by 1967 ex.s. c 147 § 15
43.60.090 Advisory committee——Composition. [1965 c 8 § 43.60.090. Prior: 1951 c 247 § 21.] Repealed by 1967 ex.s. c 147 § 15.
43.60.100 Advisory committee-—Appointment of members-Terms-Officers. [1965 c 8 § 43.60.100. Prior: 1951 c 247 § 22.] Repealed by 1967 ex.s. c 147 § 15
43.60.110 Advisory committee-—Functions. [1965 c 8 § 43.60.110. Prior: 1951 c 247 § 35.] Repealed by 1967 ex.s. c 147 § 15.
43.60.120 Compensation of members of board, committee. [1965 c 8 § 43.60.120. Prior: 1951 c 247 § 34.] Repealed by 1967 ex.s. c 147 § 15.
43.60.130 Coordinating committee-Composition. [1965 c 8 § 43.60.130. Prior: 1951 c 247 § 23.] Repealed by 1967 ex.s. c 147 § 15.
43.60.140 Coordinating committee-—Functions--Meetings. [1965 c 8 § 43.60.140. Prior: 1951 c 247 § 36.] Repealed by 1967 ex.s. c 147 § 15.
43.60.150 Managing director, director of public information-Appointment-—Compensation. [1965 c 8 § 43.60.150. Prior: 1951 c 247 § 28.] Repealed by 1967 ex.s. c 147 § 15
43.60.160 Managing director——Duties——Employment. [1965 c 8 § 43.60.160. Prior: 1951 c 247 § 29.] Repealed by 1967 ex.s. c 147 § 15.
43.60.170 Control of employees-—Provision of compensation. [1965 c 8 § 43.60.170. Prior: 1951 c 247 § 30.] Repealed by 1967 ex.s. c 147 § 15 .
43.60.180 Cooperation of other departments. [1965 c 8 § 43.60.180. Prior: 1951 c 247 § 31.] Repealed by 1967 ex.s. c 147 § 15.
43.60.190 Annual report. [1965 c 8 § 43.60.190. Prior: 1951 c 247 § 25.] Repealed by 1967 ex.s. c 147 § 15.
43.60.200 Budget. [1965 c 8 § 43.60.200. Prior: 1951 c 247 § 26.] Repealed by 1967 ex.s. c 147 § 15.
43.60.210 Funds——Control——Disbursements. [1965 c 8 § 43.60.210. Prior: 1951 c 247 § 32.] Repealed by 1967 ex.s. c 147 § 15.
43.60.220 Contributed funds. [1965 c 8 § 43.60.220. Prior: 1951 c 247 § 33.] Repealed by 1967 ex.s. c 147 § 15

## Chapter 43.6 <br> VETERANS' REHABILITATION COUNCIL

43.61.010 Council created--Composition--Per diem and expenses. [1970 ex.s. c 18 § 31 ; 1965 c 8 § 43.61.010. Prior: 1947 c 110 § 1; RRS § 10758-100.] Repealed by 1971 ex.s. c 189 § 17.
43.61.020 Chairman-—Office under jurisdiction of depart-ment-—Quorum. [1970 ex.s. c 18 § 32; 1965 c 8 § 43.61.020. Prior: 1961 c 307 § 13 ; 1947 c 110 § 2 ; RRS § 10758-101.] Repealed by 1971 ex.s. c 189 § 17.

## Chapter 43.63 <br> BOARD OF EDUCATION

43.63.010 Composition of board. [1955 c 218 § 1; 1947 c 258 § 1 ; 1925 ex.s. c 65 § 1; 1909 c 97 p 234 § 1; RRS § 4525 . Prior: 1907 c 240 § 2; 1901 c 177 § 6; 1897 c 118 § 24; 1890 p 352 § 6; Code 1881 § 3163.] Now codified as RCW 28A.04.010.
43.63.020 Call and notice of election. [1955 c 218 § 2; 1947 c 258
§ 2; Rem. Supp. 1947 § 4525-1.] Now codified as RCW 28A.04.020.
43.63.021 Elections in new congressional districts. [1955 c 218 § 3.] Now codified as RCW 28A.04.030.
43.63.023 Declarations of candidacy- - Qualifications of candidates. [1955 c 218 § 5.] Now codified as RCW 28A.04.040.
43.63.025 Qualifications of voters--Ballots--Candidates' biographical data. [1955 c 218 § 6.] Now codified as RCW 28A.04.050.
43.63.030 Election procedure-—Certificate. [1955 c 218 § 4; 1947 c 258 § 3; Rem. Supp. 1947 § 4525-2.] Now codified as RCW 28A.04.060.
43.63.040 Terms of first board members. [1947 c 258 §4; Rem. Supp. 1947 § 4525-3.] Repealed by 1955 c 218 § 9.
43.63.050 Terms of succeeding members- - First and fourth congressional districts. [1947 c 258 § 5; Rem. Supp. 1947 § 4525-4.] Repealed by 1955 c 218 § 9.
43.63.060 Terms of succeeding members - - Second and fifth congressional districts. [1947 c 258 § 6; Rem. Supp. 1947 § 4525-5.] Repealed by 1955 c 218 § 9.
43.63.070 Terms of succeeding members- - Third and sixth congressional districts. [1947 c 258 § 7; Rem. Supp. 1947 § 4525-6.] Repealed by 1955 c 218 § 9.
43.63.080 Rules to be published. [1947 c 258 § 8; Rem. Supp. 1947 § 4525-7.] Repealed by 1955 c 218 § 9.
43.63.090 Terms of office. [1955 c 218 § 7; 1947 c 258 § 9; Rem. Supp. 1947 § 4525-8.] Now codified as RCW 28A.04.070.
43.63.100 Vacancies. [1955 c 218 § 8; 1947 c 258 § 10; Rem. Supp. 1947 § 4525-9.] Now codified as RCW 28A.04.080.
43.63.110 President of board. [1909 p 235 § 2; RRS § 4526.] Now codified as RCW 28A.04.090.
43.63.120 Secretary. [1909 p 235 § 3; RRS § 4527.] Now codified as RCW 28A.04.100.
43.63.130 Meetings. [1909 p 235 § 4; RRS § 4528.] Now codified as RCW 28A.04.110.
43.63.140 Powers and duties. [1961 c 47 § 1. Prior: (i) 1933 c 80 § $1 ; 1915$ c 161 § $1 ; 1909$ c 97 p 236 § $5 ; 1907$ c 240 § 3; 1903 c 104 § 12; 1897 c 118 § 27 ; 1895 c 150 § 1; 1890 p 352 § 8; Code 1881 § 3165; RRS § 4529. (ii) 1919 c 89 §3; RRS § 4684. (iii) 1909 c 97 p 238 § 6; 1897 c 118 § 29; RRS § 4530.] Now codified as RCW 28A.04.120.
43.63.150 Board to classify school districts. [1917 c 21 § 2, part; RRS § 4711, part.] Now codified as RCW 28A.04.130.
43.63.160 Seal. [1909 p 238 § 7; RRS § 4531.] Now codified as RCW 28A.04.140.

## Chapter 43.64 <br> FOREST BOARD

43.64.010 Board created——Composition. [1933 c 118 § 1; 1923 c 154 § 1; RRS § 5812-1.] Repealed by 1965 c 8 § 43.198.040.
43.64.020 Meetings——Rules and regulations. [1927 c 288 § 2; 1923 c 154 § 2 ; RRS § 5812-2.] Repealed by 1965 c 8 § 43.198.040.

## Chapter 43.65 <br> BOARD OF STATE LAND COMMISSIONERS

43.65.010 Composition of board. [1941 c 217 § 1; 1927 c 255 § 10; Rem. Supp. 1941 § 7797-10.] Now codified as RCW 79.01.040.
43.65.020 Office——Records——Rules and regulations. [1927 c 255 § 13; RRS § 7797-13.] Now codified as RCW 79.01.052.
43.65.030 Board of appraisers. [1927 c 255 § 12; RRS § 7797-12.] Now codified as RCW 79.01.048.
43.65.040 Harbor line commission. [(i) 1927 c 255 § 11 ; RRS § 7797-11. (ii) 1927 c 255 § 105; RRS § 7797-105.] Now codified as RCW 79.01.044 and 79.01.420.
43.65.050 Relocation of inner harbor line. [1927 c 255 § 106; RRS § 7797-106.] Now codified as RCW 79.01.424.
43.65.052 Relocation of certain harbor lines to conform to pierhead lines. [1953 c 173 § 1.] Decodified. See footnote following RCW 79.01.424.
43.65.053 Relocation of certain harbor lines to conform to pierhead lines-Additional shore or tide lands to be platted. [1953 c 173 § 2.] Decodified. See footnote following RCW 79.01.424.
43.65.060 Power over sales or leases of school lands and materials. [1941 c 217 § 3; Rem. Supp. 1941 § 7797-23A.] Now codified as RCW 79.01.094.
43.65.070 Seal. [1927 c 255 § 188; RRS § 7797-188.] Now codified as RCW 79.01.712.
43.65.080 Reconsideration of official acts. [1927 c 255 § 195; RRS § 7797-195.] Now codified as RCW 79.01.740.

## Chapter 43.66 <br> LIQUOR CONTROL BOARD

43.66.010 Creation of board--Salary of members. [1949 c 5 § 8, last am'ds 1933 ex.s. c 62 § 63; Rem. Supp. 1949 § 7306-63.] Now codified as RCW 66.08.012.
43.66.020 Terms of members——Removal——Oath——Bond. [1949 c 5 § 9, last am'ds 1933 ex.s. c 62 § 64; Rem. Supp. 1949 § 7306-64.] Now codified as RCW 66.08.014.
43.66.030 Employees of the board. [1961 c 1 § 30; 1947 c 113 § 2; 1933 ex.s. c 62 § 65 ; Rem. Supp. 1947 § 7306-65.] Now codified as RCW 66.08.016.
43.66.040 Representations of manufacturers or wholesalers forbidden. [1937 c 217 § 5; RRS § 7306-42A.] Now codified as RCW 66.08.075.
43.66.050 Oaths may be administered. [1933 ex.s. c 62 § 80; RRS § 7306-80.] Now codified as RCW 66.08.055.
43.66.060 Liquor revolving fund-—Creation-—Composition-— State treasurer as custodian--Daily deposits, exceptions--Budget and accounting act applicable. [1961 ex.s. c $6 \S 1 ; 1933$ ex.s. c 62 § 73; RRS § 7306-73.] Now codified as RCW 66.08.170.
43.66.070 Depositaries-_Security——Deposit of funds. [1933 ex.s. c 62 § 75; RRS § 7306-75.] Repealed by 1961 ex.s. c 6 § 6.
43.66.080 Distribution of excess funds. [1949 c 5 § 10 , last am'ds 1933 ex.s. c 62 § 77; Rem. Supp. 1949 § 7306-77.] Now codified as RCW 66.08.180.
43.66.090 Basis of distribution. [1957 c 175 § 6. Prior: 1955 c 109 § 2; 1949 c 187 § 1 , part; 1939 c 173 § 1, part; 1937 c 62 § 2, part; 1935 c 80 § 1 , part; 1933 ex.s. c 62 § 78, part; Rem. Supp. 1949 § 7306-78, part.] Now codified as RCW 66.08.190.
43.66.100 Determination of distribution to counties. [1957 c 175 § 7. Prior: 1955 c 109 § 3; 1949 c 187 § 1, part; 1939 c 173 § 1, part; 1937 c 62 § 2, part; 1935 c 80 § 1, part; 1933 ex.s. c 62 § 78 , part; Rem. Supp. 1949 § 7306-78, part.] Now codified as RCW 66.08.200.
43.66.110 Determination of distribution to cities and towns. [1957 c 175 § 8. Prior: 1949 c 187 § 1 , part; 1939 c 173 § 1 , part; 1937 c 62 § 2, part; 1935 c 80 § 1, part; 1933 ex.s. c 62 § 78, part; Rem. Supp. 1949 § 7306-78, part.] Now codified as RCW 66.08.210.
43.66.120 Certified list of proportions by state auditor. [1949 c 187 § 1, part; 1939 c 173 § 1, part; 1937 c 62 § 2, part; 1935 c 80 § 1 , part; 1933 ex.s. c 62 § 78, part; Rem. Supp. 1949 § 7306-78, part.] Deleted by 1957 c 175 § 9 .
43.66.130 Separate account of part of gross sales to class $H$ licensees. [1949 c 5 § 11 ; Rem. Supp. 1949 § 7306-78A.] Now codified as RCW 66.08.220.
43.66.140 Attorney general is general counsel of board-D Du-ties-Assistants. [1961 ex.s. c 6 § 2; 1933 ex.s. c 62 § 66; RRS § 7306-66.] Now codified as RCW 66.08.022.
43.66.150 Annual audit-—State auditor's duties——Additional audits-—Costs——Public records. [1961 ex.s. c 6 § 3; 1937 c 138 § $1 ; 1935$ c 174 § 12 ; 1933 ex.s. c 62 § 71 ; RRS § 7306-71.] Now codified as RCW 66.08.024.
43.66.160 Payment of expenses from revolving fund. [1933 ex.s. c 62 § 74; RRS § 7306-74.] Repealed by 1961 ex.s. c 6 § 6.
43.66.161 Payment of administrative expenses from general fund--Reimbursement from liquor revolving fund- "Administrative expenses" defined. [1961 ex.s. c 6 § 4.] Now codified as RCW 66.08.026.
43.66.170 Annual report of board. [1955 c 182 § 1 ; 1935 c 174 § 13; 1933 ex.s. c 62 § 72; RRS § 7306-72.] Now codified as RCW 66.08.028.

## Chapter 43.67 <br> BOARD OF PRISON TERMS AND PAROLES

43.67.010 Board created. [(i) 1935 c 114 § 1 ; RRS § 10249-1. (ii) 1947 c 47 § 1 ; Rem. Supp. 1947 § 10249-la.] Now codified as RCW 9.95.001.
43.67.020 Appointment of members--Qualifications--Sala-ries--Employees. [1959 c 32 § 1; 1955 c 340 § 9. Prior: 1945 c 155 § 1 , part; 1935 c 114 § 8, part; Rem. Supp. 1945 § 10249-8, part.] Now codified as RCW 9.95.003.
43.67.030 Meetings--Quarters at institutions. [1959 c 32 § 2; 1955 c 340 § 10. Prior: 1945 c 155 § 1, part; 1935 c 114 § 8, part; Rem. Supp. 1945 § 10249-8, part.] Now codified as RCW 9.95.005.
43.67.035 May transact business in panels--Action by full board. [1959 c 32 § 3.] Now codified as RCW 9.95.007.
43.67.040 Reports. [1955 c 340 § 11. Prior: 1945 c 155 § 1, part; 1935 c 114 § 8, part; Rem. Supp. 1945 § 10249-8, part.] Now codified as RCW 9.95.265.

## Chapter 43.68 <br> BOARD OF DENTAL EXAMINERS

43.68.010 Board created--Appointment of members-—Eligibility. [1953 c 93 § 2; 1941 c 92 § 1; 1935 c 112 § 2; Rem. Supp. 1941 § 10031-2.] Now codified as RCW 18.32.035.
43.68.020 Officers——Meetings. [1935 c 112 § 3; RRS § 10031-3.] Now codified as RCW 18.32.037.

## Chapter 43.69 BOARD OF PHARMACY

43.69.010 Board created——Members--Qualifications--Terms-Oath——Removal. [1963 c 38 § 16; 1935 c 98 § 1 ; RRS § 10132.] Now codified as RCW 18.64.001.
43.69.020 Meetings——Chairman-—Remuneration. [1963 c 38 § 17; 1935 c 98 § 2; RRS § 10132-1.] Now codified as RCW 18.64.003.
43.69.030 Powers and duties. [1963 c 38 § 18; 1935 c 98 § 3; RRS § 10132-2.] Now codified as RCW 18.64.005.
43.69.040 Executive officer. [1963 c 38 § 19.] Now codified as RCW 18.64.007.

Chapter 43.75
STATE BUILDING AUTHORter 43.75 - INDEBTEDNESS--REFUNDING--BOND ISSUE (FORMERLY: STATE BUILDING AUTHORITY)
43.75.010 Authority created--Composition. [1967 c 162 § 1.] Repealed by 1973 c 9 § 8.
43.75.020 Definitions. [1970 ex.s. c 103 § 1; 1969 ex.s. c 261 § 1 ; 1967 c 162 § 2.] Repealed by 1973 c 9 § 8.
43.75.030 Lease or acquisition of land to erect approved build-ings--Lease to institutions of higher learning subsequent to commencement of construction thereof. [1971 ex.s. c $23 \S 1 ; 1971$ c 31 § 1 ; 1970 ex.s. c 103 § 2 ; 1967 c 162 § 3.] Repealed by 1973 c 9 § 8.

Projects approved- - 1970 act: "Chapter 162, Laws of 1967, requires that buildings to be constructed by the state building authority for lease to the appropriate institution of higher learning shall be specifically approved by the legislature. Accordingly, legislative approval is hereby granted for the buildings listed below for each institution of higher learning. In order to expedite the construction of the buildings authorized by this section, the state treasurer, with the consent of the finance committee, may make temporary loans to the construction fund of the building authority from funds in the state treasury in the manner prescribed for interfund loans, generally.
FOR THE UNIVERSITY OF WASHINGTON

University Hospital expansion . . . . . . . . . . . . . . . . . . \$ 4,076,000
FOR WASHINGTON STATE UNIVERSITY
Construct Humanities Building_—Phase I . . . . . . . . \$ 4,492,800
Construct Agricultural Sciences Building_—Phase II \$ 2,399,119
Construct Physical Sciences Building_—Phase II .. \$ 3,626,350
FOR EASTERN WASHINGTON STATE COLLEGE
Construct Health and Physical Education Building . . \$ 2,825,000
Construct Classroom building . . . . . . . . . . . . . . . . . . \$ \$ 1,732,000
Construct Plant Services building . . . . . . . . . . . . . . . . \$ \$ 337,160
FOR CENTRAL WASHINGTON STATE COLLEGE
Construct Library-Instructional Complex . . . . . . . . . \$ 1,000,000
Construct Psychology laboratory and office building $\$$ 2,685,997
Construct Physical Plant building . . . . . . . . . . . . . . . . \$ \$ 912,000
FOR THE EVERGREEN STATE COLLEGE
Construct Library, Classroom, Heating Plant and other buildings
FOR WESTERN WASHINGTON STATE COLLEGE
Construct Library Addition-Phase III . . . . . . . . . \$ \$ 1,224,400
Construct Northwest Environmental Studies Center \$ 3,966,300
Construct Heating Plant addition . . . . . . . . . . . . . . . . \$ 772,700"
[1970 ex.s. c 104 § 1. Prior: 1969 ex.s. c 280 § 2.]
Projects approved--1969 act: "Chapter 162, Laws of 1967, requires that all land acquired for the purpose of erecting a building thereon and buildings to be constructed by the state building authority
for lease to the appropriate institution of higher learning shall be specifically approved by the Legislature. Accordingly, legislative approval is hereby granted for the capital projects listed below for each institution of higher learning. In order to expedite the construction of the projects authorized by this section, the State Treasurer, with the consent of the Finance Committee, may make temporary loans to the construction fund of the building authority from funds in the State Treasury in the manner prescribed for interfund loans, generally.
FOR THE UNIVERSITY OF WASHINGTON
Construct and equip Health Sciences expansion . . . . . . \$ 2,000,000
Construct and equip Undergraduate Library . . . . . . . . \$ 3,389,288
Construct and equip Zoology Research building ..... \$ \$ 3,700,000
University Hospital expansion . . . . . . . . . . . . . . . . . . . \$ 4,076,000
FOR WASHINGTON STATE UNIVERSITY
Construct and equip Humanities Building_—Phase I \$ 4,492,800
Construct and equip Agricultural Sciences Building Phase II
\$ 2,399,119
Construct and equip Physical Sciences Building -
Phase II . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . $\$$ 3,626,350
FOR EASTERN WASHINGTON STATE COLLEGE
Construct and equip Health and Physical Education Building
\$ 2,825,000
Construct and equip Classroom building . . . . . . . . . . . . \$ 1,732,000
Construct and equip Plan Services building . . . . . . . . \$ 337,160
FOR CENTRAL WASHINGTON STATE COLLEGE
Construct and equip Library-Instructional Complex .. \$ 1,000,000 Construct and equip Psychology laboratory and office building . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . \$ 2,685,997
Construct and equip Physical Plant building . . . . . . . . \$ $\$ 912,000$
FOR THE EVERGREEN STATE COLLEGE
Construction of Library, Classroom, Heating Plant and other buildings
\$22,260,937
FOR WESTERN WASHINGTON STATE COLLEGE
Construct and equip Library Addition_Phase III .. \$ 1,224,400
Construct and equip Northwest Environmental Studies
Center ................................................ .
3,966,300
Construct Heating Plant addition . . . . . . . . . . . . . . . . . \$ \$ 772,700
Provided, however, That if the Higher Education Facilities Commission recommends to the U.S. Office of Education on or before July 1, 1969, a grant of funds under Title I, section 104, Higher Education Facilities Act of 1963, for construction of the library building of The Evergreen State College in an amount greater than $\$ 555,813$, which increase over and above the aforesaid $\$ 555,813$ shall for the purpose of this proviso be known as the "addition to grant" then:
(1) the sum of $\$ 3,389,288$ hereinabove approved for the construction and equipping of the Undergraduate Library at the University of Washington shall be increased by the amount of such "addition to grant," except that in no event shall legislative approval for such project exceed the sum of $\$ 5,084,000$; and
(2) the sum of $\$ 22,260,937$ hereinabove approved for the construction and equipping of the Library, Classroom, Heating Plant and other buildings at The Evergreen State College shall be reduced by the amount of such "addition to grant," except that in no event shall legislative approval for such projects be less than $\$ 20,416,350 .{ }^{\text {n }}$ [1969 ex.s. c 280 § 2.]
Projects approved—— 1967 act: ${ }^{\text {n }}$ Upon the effective date of a constitutional amendment specifically authorizing the establishment of a state building authority (SJR 17) and pursuant to the provisions of chapter 162, Laws of 1967, the following several projects and the funding thereof in the following several amounts, or so much thereof as shall be sufficient to accomplish the purposes herein specified, are hereby specifically approved:
FOR THE UNIVERSITY OF WASHINGTON

| Law school center | \$ 5,100,000 |
| :---: | :---: |
| Psychology building | \$ 3,500,000 |
| Performing arts building | \$ 3,700,000 |
| Computer center addition | \$ 1,300,000 |
| Electrical engineering addition | \$ 650,000 |
| FOR WASHINGTON STATE UNIVERSITY |  |
| Agricultural sciences building | \$ 3,934,775 |
| Physical sciences building | \$ 3,148,630 |
| FOR WESTERN WASHINGTON STATE COLLEGE |  |
| Additional instructional facilities | \$ 1,883,500 |
| Physical education building | \$ 490,000 |
| Administration building | \$ 1,650,000 |


| FOR CENTRAL WASHINGTON STATE COLLEGE |  |
| :---: | :---: |
| Instructional center | \$ 3,009,500 |
| Library addition | \$ 2,070,000 |
| FOR EASTERN WASHINGTON STATE COLLEGE |  |
| Health and physical education building | \$ 1,125,000 |
| Classroom building | \$ 1,500,000 |
| Radio-television building | \$ 500,000 |
| Drama building | \$ 800,000 |
| Art building | \$ 1,090,000 |
| FOR THE FOURTH STATE COLLEGE |  |
| Construction Phase I | \$15,000,000 |

Provided, That this section shall have no force and effect and shall become null and void unless the constitutional amendment proposed in Senate Joint Resolution No. 17 shall be approved and ratified by the electors at a general election held in November, 1967." [1967 ex.s. c 142 § 2.]
Project planning appropriations-- 1967 act: "For the purpose of providing funds for the payment of the cost of planning the capital improvements and capital projects of certain state institutions of higher education included in chapter 148, Laws of 1967, extraordinary session, (Senate Bill No. 532) pending the availability of funds therein appropriated for such purposes from the state building and higher education construction account or the availability of such funds from the state building authority, there is hereby appsopriated to each of such institutions of higher education of the state of Washington the following designated amounts, or so much thereof as shall be sufficient to accomplish such purpose:

For Washington State University, from the Washington State University Building Account, the sum of $\$ 364,000$; for the University of Washington, from the University of Washington Building Account, the sum of $\$ 141,668$; for Eastern Washington State College, from the Eastern Washington State College Capital Projects Account, the sum of $\$ 100,300$; for Central Washington State College, from the Central Washington State College Capital Projects Account, the sum of $\$ 101,590$; for Western Washington State College, from the Western Washington State College Capital Projects Account, the sum of \$99,997.

Any expenditures from the above appropriations are to be considered as loans from the Washington State University Building Account, the University of Washington Building Account, the Eastern Washington State College Capital Projects Account, the Central Washington State College Capital Projects Account, and the Western Washington State College Capital Projects Account, respectively, and each of said accounts shall be reimbursed for such expenditures as follows:
(1) If the constitutional amendment specifically authorizing the establishment of a state building authority (SJR 17) pursuant to chapter 162, Laws of 1967 is approved and ratified by the electors at an election held in November, 1967, such reimbursements shall be made from any funds of the state building authority which may be available for such purpose;
(2) If the constitutional amendment specifically authorizing the establishment of a state building authority (SJR 17) pursuant to chapter 162, Laws of 1967, is not approved and ratified by the electors at an election held in November, 1967, or if the funds of the state building authority are not for any reason available for such purposes, then such reimbursements to such accounts shall be made from the state building and higher education construction account at such time as funds become available in such account for the appropriations made under said chapter 148, Laws of 1967 extraordinary session (Senate Bill No. 532). ${ }^{n}$ [1967 ex.s. c 142 § 3.]

Senate Joint Resolution No. 17: "Be It Resolved By The Senate And House Of Representatives Of The State Of Washington In Legislative Session Assembled:

THAT, At the next general election to be held in this state, there shall be submitted to the qualified voters of this state for their approval and ratification, or rejection, a proposal to amend Article VIII of the Constitution of the state of Washington by adding thereto a new section to be designated section 8 which shall read as follows:

NEW SECTION. Article VIII, section 8. The legislature is empowered notwithstanding any other provision in this Constitution, to provide for a state building authority in corporate and politic form which may contract with agencies or departments of the state government to construct upon land owned by the state or its agencies, or to be acquired by the state building authority, buildings and appurtenant improvements which such state agencies or departments are hereby empowered to lease at reasonable rental rates from the Washington
state building authority for terms up to seventy-five years with provisions for eventual vesting of title in the state or its agencies. This section shall not be construed as authority to provide buildings through lease or otherwise to nongovernmental entities. The legislature may authorize the state building authority to borrow funds solely upon its own credit and to issue bonds or other evidences of indebtedness therefor to be repaid from its revenues and to secure the same by pledging its income or mortgaging its leaseholds. The provisions of sections 1 and 3 of this article shall not apply to indebtedness incurred pursuant to this section

Be It Further Resolved, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state. ${ }^{\text {n }}$
Reviser's note: For provisions of 1967-1969 capital improvements bond issue enacted as chapter 148, Laws of 1967, extraordinary session, (Senate Bill No. 532) and referred to in above annotations, see RCW 43.83.090-43.83.104, as amended by chapter 187, Laws of 1969 extraordinary session.
43.75.040 Lease by institutions of higher learning authorizedOwnership of buildings and land on lease termination. [1971 c 31 § 2; 1967 c 162 § 4.] Repealed by 1973 c 9 § 8.
43.75.050 Delegation of design and construction responsibility — Approval of design. [1969 ex.s. c 27 § 1; 1967 c 162 § 5.] Repealed by 1973 c 9 § 8.
43.75.060 Rental rates. [1970 ex.s. c 103 § 3; 1969 ex.s. c 27 § 2; 1967 c 162 § 6.] Repealed by 1973 c 9 § 8.
43.75.070 Determination of cost and amount to be reimbursedRight of institution to purchase interest of authority and terminate lease. [1970 ex.s. c 103 § 4; 1967 c 162 § 7.] Repealed by 1973 c 9 § 8.
43.75.080 Disposition of excess funds derived from any lease- Overhead expenditures. [1970 ex.s. c 103 § 5; 1967 c 162 § 8.] Repealed by 1973 c 9 § 8.
43.75.090 General powers of authority. [1970 ex.s. c 103 § 6; 1967 c 162 § 9.] Repealed by 1973 c 9 § 8.
43.75.100 Deposit of funds--Funds not subject to legislative ap-propriation--Investment, limitation. [1970 ex.s. c 103 § 7; 1967 c 162 § 10.] Repealed by 1973 c 9 § 8.
43.75.105 Transfer of funds. [1972 ex.s. c 64 § 1.] Repealed by 1973 c 9 § 8 .
43.75.110 Bonds-—Obligation of authority only. [1967 c 162 § 11.] Repealed by 1973 c 9 § 8.
43.75.120 Bonds——Form, conditions, covenants, interest, maturity, etc.--Special powers incident thereto--Temporary or interim bonds, etc. [1970 ex.s. c 103 § 8; 1969 ex.s. c 27 § 3; 1967 c 162 § 12.] Repealed by 1973 c 9 § 8.
43.75.130 Bonds--Other obligations--Proceeds. [1970 ex.s. c 103 § 9; 1967 c 162 § 13.] Repealed by 1973 c 9 § 8.
43.75.140 Bonds--Agreement with purchaser as to application of funds. [1970 ex.s. c 103 § $10 ; 1967$ c 162 § 14.] Repealed by 1973 c 9 § 8.
43.75.150 Bonds--Legal investment for state funds, banks, savings and loan associations and insurance companies--Legal security for state, county and municipal deposits. [1967 c 162 § 15.] Repealed by 1973 c 9 § 8 .
43.75.160 Pledge of rental and other revenues or mortgage of leaseholds as security for bonds or borrowed funds-—DefaultForeclosure. [1970 ex.s. c 103 § 11; 1967 c $162 \S 16$.$] Repealed by$ 1973 c 9 § 8.
43.75.170 Legislature may provide additional means for paying bonds or cost of projects. [1967 c 162 § 17.] Repealed by 1973 c 9 § 8.
43.75.180 Pledge of state not to limit or restrict provisions for security of lenders or bondholders. [1967 c 162 § 18.] Repealed by 1973 c 9 § 8 .
43.75.190 Chapter to become effective upon effective date of constitutional amendment authorizing establishment of a state building authority. [1967 c 162 § 20.] Repealed by 1973 c 9 § 8.
43.75.210 RCW 43.75.200 to become effective upon effective date of constitutional amendment. [1971 ex.s. c 154 § 2.] Repealed by 1973 c 9 § 8 .

## Chapter 43.76

## STATE BUILDING FINANCING AUTHORITY

43.76.010 through 43.76.930. [1965 c 8 §§ 43.76 .010 through 43.76.930. Prior: 1955 ex.s. c 12 §§ 1 through 23; 1955 ex.s. c 13 §§ 1 through 3.] Repealed by 1967 c 162 § 19.

## Chapter 43.78

PUBLIC PRINTER——PUBLIC PRINTING
43.78.060 Registry of printing cost——Allowance. [1917 c 129 § 2; 1905 c 168 § 5, part; RRS § 10328.] Repealed by 1965 c 8 § 43.198.040.
43.78.120 Material bills to be filed. [1917 c 129 § 6; 1905 c 168 § 10; RRS § 10334.] Repealed by 1965 c 8 § 43.198.040.

## Chapter 43.79 <br> STATE FUNDS

43.79.030 "State institutions of higher education" defined. [1911 c 69 § 1; RRS § 5528.] Decodified.
43.79.040 School funds created. [(i) 1911 c 69 § 2; RRS § 5529. (ii) 1911 c 69 § 3 ; RRS § 5530 . (iii) 1947 c 18 § $1 ;$ RRS § $5532-1$. (iv) 1947 c 19 § 1 ; RRS § 5532-10. (v) 1947 c 20 § 1 ; RRS § 5532-20.] Decodified
43.79.050 Use of funds limited. [1911 c 69 § 5; RRS § 5532.] Decodified.
43.79.070 University of Washington fund--Sources of income other than taxes. [Added by reviser.] Repealed by 1965 c 8 § 43.198.040.
43.79.141 Washington State College fund-Moneys transferred to general fund. [1955 c 328 § 1.] Decodified.
43.79.142 Washington State College fund--Appropriations to be paid from general fund. [1955 c 328 § 2.] Decodified
43.79.143 Washington State College fund——Abolished. [1955 c 328 § 3.] Decodified.
43.79.144 Washington State College fund- Warrants to be paid from general fund. [1955 c 328 § 4.] Decodified.
43.79.145 Washington State College fund-—Other revenue for support of state college. [1955 c 328 § 5.] Decodified.
43.79.170 Normal school current fund created. [1905 c 43 § 3; RRS § 5522.] Repealed by 1965 c 8 § 43.198.040.
43.79.171 Normal school current fund-Moneys transferred to general fund. [1955 c 331 § 1.] Decodified.
43.79.172 Normal school current fund--Appropriations to be paid from general fund. [1955 c 331 § 2.] Decodified.
43.79.173 Normal school current fund——Abolished. [1955 c 331 § 3.] Decodified.
43.79.174 Normal school current fund--Warrants to be paid from general fund. [1955 c 331 § 4.] Decodified.
43.79.175 Normal school current fund - Other revenue for support of colleges of education. [1955 c 331 § 5.] Decodified.
43.79.190 C. E. P. \& R. I. grant to state institutions. [Added by reviser.] Repealed by 1965 c 8 § 43.198.040.
43.79.200 C. E. P. \& R. I. permanent fund. [Added by reviser.] Repealed by 1965 c 8 § 43.198.040.
43.79.220 Federal experiment station fund. [1935 c 71 § 1 ; RRS § 5536-12.] Repealed by 1965 c 8 § 43.198.040.
43.79.221 Federal experiment station fund- Moneys transferred to general fund. [1955 c 329 § 1.] Decodified.
43.79.222 Federal experiment station fund--Appropriations to be paid from general fund. [1955 c 329 § 2.] Decodified.
43.79.223 Federal experiment station fund--Abolished. [1955 c 329 § 3.] Decodified.
43.79.224 Federal experiment station fund-- Warrants to be paid from general fund. [1955 c 329 § 4.] Decodified.
43.79.230 Transfers from general fund to educational funds. [1945 c 242 § l; Rem. Supp. 1945 § 5517-1.] Repealed by 1959 c 276 § 5.
43.79.240 Duty of state treasurer. [1945 c 242 § 2; Rem. Supp. 1945 § 5517-2.] Repealed by 1959 c 276 § 5.
43.79.250 Contingent receipts fund. [1965 c 8 § 43.79.250. Prior: 1945 c 243 § 2; Rem. Supp. 1945 § 5517-11.] Repealed by 1973 c 144 § 5.
43.79.360 Suspense fund--Transfer of moneys and records. [1965 c 8 § 43.79.360. Prior: 1955 c 226 § 2.] Repealed by 1973 c 95 § 12.
43.79.380 Penitentiary revolving account-Moneys transferred to the state institutional revolving account. [1957 c 115 § 1.] Repealed by 1959 c 273 § 10.
43.79.382 Penitentiary revolving account--Appropriations to be paid from state institutional revolving account. [1957 c 115 § 3.] Repealed by 1959 c 273 § 10.
43.79.383 Penitentiary revolving account-Warrants to be paid from state institutional revolving account. [1957 c 115 § 4.] Repealed by 1959 c 273 § 10.
RCW 43.79.070, 43.79.190, and 43.79.200: See RCW 43.198.040.

## Chapter 43.80 <br> FISCAL AGENCIES

43.80.010 Agency created. [1965 c 8 § 43.80.010. Prior: 1895 c 141 § 1 ; RRS § 5488.] Repealed by 1969 ex.s. c 80 § 10.
43.80.020 Designation by governor. [1965 c 8 § 43.80.020. Prior: 1895 c 141 § 2 ; RRS § 5489.] Repealed by 1969 ex.s. c 80 § 10.
43.80.030 Duty of agency-Cremating procedure. [1969 c 120 § $1 ; 1965$ c 8 § 43.80.030. Prior: 1961 c 164 § $1 ; 1895$ c 141 § 3; RRS § 5490.] Repealed by 1971 ex.s. c 163 § 1.
43.80.040 Agency not to be compensated-Compensation for additional duties. [1965 c 8 § 43.80.040. Prior: 1961 c 164 § 2; 1895 c 141 § 4; RRS §5491.] Repealed by 1969 ex.s. c 80 § 10.
43.80.050 Bonds payable at fiscal agency. [1965 c 8 § 43.80.050. Prior: 1895 c 141 §5; RRS § 5492.] Repealed by 1969 ex.s. c 80 § 10.
43.80.060 Duty of treasurers. [1965 c 8 § 43.80.060. Prior: 1895 c 141 § 6; RRS §5493.] Repealed by 1969 ex.s. c 80 § 10.

## Chapter 43.82 <br> STATE AGENCY HOUSING

43.82.100 Appropriation. [1959 c 255 § 10.] Decodified.
43.82.900 Severability. [1959 c 255 § 14.] Repealed by 1965 c 8 § 43.198.040. See RCW 43.198.030.

## Chapter 43.83E

PUBLIC TRANSPORTATION IMPROVEMENTS BOND ISSUE
Reviser's note: Chapter 132, Laws of 1972 ex. sess. (Chapter 43.83E RCW) failed to become law by reason of Referendum Bill No. 30 submitted to and rejected by the people at the November 7, 1972 general election.

## Chapter 43.83G

## SOCIAL AND HEALTH SERVICES——1975 BOND ISSUE

43.83G.010 General obligation bonds--Authorized--Issuance, sale, terms, etc. [1975 1st ex.s. c 258 § 1.] Repealed by 1975-'76 2nd ex.s. c 125 § 7 .
43.83G.020 Definitions. [1975 1st ex.s. c 258 § 2.] Repealed by 1975-'76 2nd ex.s. c 125 § 7.
43.83G.030 Anticipation notes--Proceeds of bonds and notes. [1975 1st ex.s. c 258 § 3.] Repealed by 1975-'76 2nd ex.s. c 125 § 7.
43.83G.040 Administration of proceeds. [1975 1st ex.s. c 258 § 4.] Repealed by 1975-'76 2nd ex.s. c 125 § 7.
43.83G.050 Retirement of bonds from social and bealtb services construction bond redemption fund--Source--Remedies of bond holders. [1975 1st ex.s. c 258 §5.] Repealed by 1975-'76 2nd ex.s. c 125 § 7.
43.83G.060 Legal investment for public funds. [1975 1st ex.s. c 258 § 6.] Repealed by 1975-'76 2nd ex.s. c 125 § 7.
43.83G.900 Severability-—1975 1st ex.s. c 258. [1975 1st ex.s. c 258 § 7.] Repealed by 1975-'76 2nd ex.s. c 125 § 7.

## Chapter 43.84 <br> INVESTMENTS AND INTERFUND LOANS

43.84.010 Investment of permanent funds. [1965 c 8 § 43.84.010. Prior: 1935 c 76 § 1; 1907 c 12 § 4; 1903 c 95 § 1 ; 1897 c 89 § 69 ; 1895 c 178 § 44; 1893 c 125 § 25 ; 1890 p 399 § 17; RRS 5539.] Repealed by 1965 ex.s. c 104 § 7.
43.84.011 Investment of permanent funds. [1967 ex.s. c 2 § $1 ; 1965$ ex.s.c 104 § l.] Repealed by 1973 lst ex.s. c 103 § 17.
43.84.020 Investment of permanent school fund in state bonds. [1965 c 8 § 43.84.020. Prior: 1899 c 44 § 1; RRS § 5540.] Repealed by 1965 ex.s. c 104 § 7.
43.84.021 Investment of permanent common school fund. [1965 ex.s.c 104 § 2.] Repealed by 1967 ex.s. c 2 § 2.
43.84.030 Description of bonds-—Payment. [1965 c 8 § 43.84.030. Prior: 1901 c 179 § 1 ; 1899 c 44 § 2 ; RRS § 5541 .] Repealed by 1965 ex.s. c 104 § 7.
43.84.040 Printing of bonds-—Signatures. [1965 c 8 § 43.84.040. Prior: 1899 c 44 § 3; RRS § 5542.] Repealed by 1965 ex.s. c 104 § 7.
43.84.050 Redemption of general fund warrants. [1965 c 8 § 43.84.050. Prior: 1899 c 44 § 4; RRS § 5543.] Repealed by 1965 ex.s. c 104 § 7.
43.84.060 Interest to current school fund. [1965 c 8 § 43.84.060. Prior: 1899 c 44 § 5; RRS § 5544.] Repealed by 1965 ex.s. c 104 § 7.
43.84.070 Redemption of bonds. [1965 c 8 § 43.84.070. Prior: 1899 c 44 § 6; RRS § 5545.] Repealed by 1965 ex.s. c 104 § 7.

## Chapter 43.85

## STATE DEPOSITARIES

43.85.040 Approval of finance committee. [1969 ex.s. c 193 § 16 ; 1965 c 8 § 43.85.040. Prior: 1909 c 151 § $2 ; 1907$ c 37 § 5; RRS § 5552.] Repealed by 1973 c 126 § 18.
43.85.050 Rate of interest. [1965 c 8 § 43.85.050. Prior: 1907 c 37 § 3; RRS §5550.] Repealed by 1969 ex.s. c 193 § 30. Later enactment, see RCW 39.58.120.
43.85.060 Monthly and quarterly statements. [1971 ex.s. c 72 § 1 ; 1969 ex.s. c 193 § 17 ; 1965 c 8 § 43.85.060. Prior: 1907 c 37 § 6; RRS § 5553.] Repealed by 1973 c 126 § 18.
43.85.080 Safekeeping of collateral. [1965 c 8 § 43.85.080. Prior: 1945 c 71 § 1 ; Rem. Supp. 1945 § 5549-1.] Repealed by 1969 ex.s. c 193 § 30.
43.85.090 Receipts to be issued by trustee. [1965 c 8 § 43.85.090. Prior: 1945 c 71 § 2; Rem. Supp. 1945 § 5549-2.] Repealed by 1969 ex.s. c 193 § 30.
43.85.100 Interest coupons to depositary. [1965 c 8 § 43.85.100. Prior: 1945 c 71 § 3; Rem. Supp. 1945 § 5549-3.] Repealed by 1969 ex.s. c 193 § 30 .
43.85.110 Trustee's compensation payable by depositary. [1965 c 8 § 43.85.110. Prior: 1945 c 71 §4; Rem. Supp. 1945 § 5549-4.] Repealed by 1969 ex.s. c 193 § 30 .
43.85.120 Bank cannot act as trustee of its own securities. [1965 c 8 § 43.85.120. Prior: 1945 c 71 § 5; Rem. Supp. 1945 § 5549-5.] Repealed by 1969 ex.s. c $193 \S 30$.
43.85.150 Collateral. [1969 ex.s. c 193 § 19; 1967 c 132 § 2; 1965 c 8 § 43.85 .150 . Prior: 1911 c 51 § 3; RRS § 5557.] Repealed by 1973 c 126 § 18 .
43.85.170 Quarterly statement. [1969 ex.s. c 193 § 20; 1965 c 8 § 43.85.170. Prior: 1911 c 51 § 5; RRS § 5559.] Repealed by 1973 c 126 § 18.
43.85.240 Deposits and rate of interest-—Disposition of interest paid by depositaries. [1965 c 8 § 43.85.240. Prior: 1955 c 198 § 6.] Repealed by 1971 ex.s. c 72 § 3.

## Chapter 43.86 <br> STATE BUDGET

43.86.010 through $\mathbf{4 3 . 8 6 . 0 8 0}$ Estimates, auditor's statements, hearings, revisions, etc. [1929 c 162 §§ $1-5 ; 1925$ c 9 §§ $2-7$; RRS §§ 10927-2-10927-8.] Repealed by 1959 c 328 § 25.
43.86.090 Deficiencies prohibited. [1965 c 8 § 43.86.090. Prior: 1925 c 9 § 9; RRS § 10927-9.] Repealed by 1975-'76 2nd ex.s. c 83 § 5. Later enactment, see RCW 43.88.260.
43.86.100 Emergencies. [1965 c 8 § 43.86.100. Prior: 1933 c 126 § $1 ; 1929$ c 162 § $6 ; 1925$ c 9 § 10 ; RRS § 10927-10.] Repealed by 1975-76 2nd ex.s. c 83 §5. Later enactment, see RCW 43.88.250.
43.86.110 through $\mathbf{4 3 . 8 6 . 1 2 0}$ State budget-—Unlawful authorizations, budget data to be preserved. [1925 c 9 §§ 11, 12; RRS §§ 10927-11-10927-12.] Repealed by 1959 c 328 § 25.
43.86.130 Penalty. [1965 c 8 § 43.86.130. Prior: 1925 c 9 § 13 ; RRS § 10927-13.] Repealed by 1975-'76 2nd ex.s. c 83 § 5.
43.86.140 Terms defined. [1965 c 8 § 43.86.140. Prior: 1953 c 184 § $1 ; 1925$ c 9 § 1 ; RRS § 10927-1.] Repealed by 1975-'76 2nd ex.s. c 83 §5. Later enactment, see RCW 43.88.020(12).

Chapter 43.87
PRE-AUDIT
43.87.010 through 43.87.050 Pre-audit-—Governor's duties, estimates, accounts, records. [1947 c 114 §§ 8, 11; 1941 c 196 §§ 8-11, 13; RRS §§ 11018-8-11018-12.] Repealed by 1959 c 328 § 25.

## Chapter 43.88

BUDGET AND ACCOUNTING SYSTEM
43.88.900 Severability. [1959 c 328 § 26.] Repealed by 1965 c 8 § 43.198.040. See RCW 43.198.030.

## Chapter 43.89 <br> TELETYPEWRITER COMMUNICATIONS NETWORK

43.89.020 State communications advisory committee-Cre-ated--Members--Pay_-Terms--Powers and duties. [1965 ex.s. c 60 § 3; 1965 c 8 § 43.89.020. Prior: 1963 c 160 § 2.] Repealed by 1972 ex.s. c $152 \S 24$.

## Chapter 43.90 CENTRAL STORES

43.90.010 through 43.90.100. [1943 c 160 ; Rem. Supp. $1943 \S \S$ 10898-1-10898-11.] Repealed by 1959 c 178 § 21 ; see also RCW 43.19.015.

## Chapter 43.91 <br> AUTOMOBILE POOL

43.91.010 Pool may be established. [1965 c 8 § 43.91.010. Prior: 1943 c 225 § 1; Rem. Supp. 1943 § 10964-40.] Repealed by 1975 1st ex.s. c $167 \S 18$.
43.91.020 Purchase of cars, storage, upkeep, repair, etc. [1965 c 8 § 43.91.020. Prior: 1943 c 225 § 2; Rem. Supp. 1943 § 10964-41.] Repealed by 19751 st ex.s. c $167 \$ 18$.
43.91.030 Request for vehicles. [1965 c 8 § 43.91.030. Prior: 1943 c 225 § 3; Rem. Supp. 1943 § 10964-42.] Repealed by 1975 ist ex.s. c 167 § 18.
43.91.040 Check on mileage--Cost to be billed. [1965 c 8 § 43.91.040. Prior: 1943 c 225 § 4; Rem. Supp. 1943 § 10964-43.] Repealed by 1975 1st ex.s. c 167 § 18.
43.91.050 Use by other departments. [1965 c 8 § 43.91.050. Prior: 1943 c 225 § 5; Rem. Supp. 1943 § 10964-44.] Repealed by 1975 1st ex.s. c $167 \S 18$.
43.91.060 Highway equipment fund to finance pool. [1965 c 8 § 43.91.060. Prior: 1943 c 225 § 6; Rem. Supp. 1943 § 10964-45.] Repealed by 1975 1st ex.s. c 167 § 18.
43.91.070 Rules and regulations. [1965 c 8 § 43.91.070. Prior: 1943 c 225 § 7; Rem. Supp. 1943 § 10964-46.] Repealed by 1975 1st ex.s. c $167 \S 18$.
43.91.080 Private vehicles may be used. [1965 c 8 § 43.91.080. Prior: 1943 c 225 § 8; Rem. Supp. 1943 § 10964-47.] Repealed by 1975 lst ex.s. c 167 § 18

Reviser's note: For later enactment, see RCW 43.19.560 through 43.19.635, 43.41 .130 and 43.41.140.

Chapter 43.93
PROCESSING PLANTS
43.93.010 through 43.93.080. [1939 c 120; RRS § 10964-11-18.] Repealed by 1965 c 8 § 43.198.040.

## Chapter 43.95

## INSTITUTIONAL INDUSTRIES COMMISSION

43.95.010 through 43.95.220. [1955 c 314.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see chapter 72.60 RCW.

## Chapter 43.96

WORLD FAIR COMMISSION——CENTURY 21 EXPOSITION
43.96.010 Declaration of purpose. [1955 c 207 § 1.] Decodified as temporary.
43.96.020 World fair commission created-Composition, term, compensation meetings. [1961 c 152 § 5; 1959 c 109 § $1 ; 1957$ c 15 § 1; 1955 c 307 § 2.] Decodified as temporary.
43.96.030 Studies authorized——Report——Personnel. [1957 c 15 § 2; 1955 c 307 § 3.] Decodified as temporary.
43.96.040 Commission may organize as nonprofit corporation. [1957 c 15 § 3.] Decodified as temporary.
43.96.050 Commission to stage world fair-—Exhibits. [1957 c 15 § 4.) Decodified as temporary.
43.96.060 World fair designated as Century 21 Exposition. [1959 c 109 § 2.] Decodified as temporary.
43.96.070 Display space for department of institutions to be fur-
 Decodified as temporary.
Liquidation of Century 21 Exposition, inc.: See 1963 c 247.
Chapter 43.96A
WORLD FAIR COMMISSION——OSAKA EXPOSITION
43.96A.010 through 43.96A.100. [1969 c 43 §§ 1-10.] Repealed by 1975 c 45 § 1.
43.96A.900 Severability-—1969 c 43. [1969 c 43 § 12.] Repealed by 1975 c 45 § 1 .

## Chapter 43.97

## COLUMBIA RIVER GORGE COMMISSION

43.97.050 Columbia River Gorge commission account——Disposition. [1965 c 8 § 43.97.050. Prior: 1959 c 74 § 5.] Repealed by 1975 lst ex.s. c 48 § 9 .

## Chapter 43.98 OUTDOOR RECREATIONAL FACILITIES

43.98.100 Referral to electorate. [1963 ex.s. c 12 § 11.] 1963 ex.s. c 12 became referendum bill No. 11 which was approved by the electorate Nov. 3, 1964. Section 11 thereof is decodified as temporary.

## Chapter 43.99 <br> MARINE RECREATION LAND——INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

43.99.090 Outdoor recreation account-—Limitation on use of moneys transferred. [1971 ex.s. c 140 § 2; 1965 c 5 § 9.] Repealed by 1975-'76 2nd ex.s. c 50 § 2.
43.99.140 Appropriation--Purposes——Allocations. [1965 c 5 § 14.] Repealed by 1971 ex.s. c $140 \S 3$.
43.99.160 Appropriation to director of motor vehicles-—Repayment. [1965 c 5 § 16.] Repealed by 1971 ex.s. c 140 § 3.

## Chapter 43.100 <br> WASHINGTON LAW ENFORCEMENT OFFICERS' TRAINING COMMISSION

43.100.010 Definitions. [1965 c 158 § 1.] Repealed by 1974 ex.s. c 94 § 23.
43.100.020 Commission created. [1965 c 158 § 2.] Repealed by 1974 ex.s. c 94 § 23.
43.100.030 Membership. [1969 ex.s. c 220 § 1; 1965 c 158 § 3.] Repealed by 1974 ex.s. c 94 § 23.
43.100.040 Terms of members. [1965 c 158 § 4.] Repealed by 1974 ex.s. c 94 § 23.
43.100.050 Cessation of membership upon termination of office or employment. [1965 c 158 §5.] Repealed by 1974 ex.s. c 94 § 23.
43.100.060 Chairman and vice-chairman--Quorum-Meetings. [1965 c 158 § 6.] Repealed by 1974 ex.s. c 94 § 23.
43.100.070 Compensation. [1965 c 158 § 7.) Repealed by 1974 ex.s. c 94 § 23.
43.100.080 Powers and duties. [1969 ex.s. c 220 § 2; 1965 c 158 § 8.] Repealed by 1974 ex.s. c 94 § 23.
43.100.085 Powers and duties——Additional. [1969 ex.s. c 220 § 3.] Repealed by 1974 ex.s. c $94 \S 23$.
43.100.090 Exemptions. [1965 c 158 § 9.] Repealed by 1974 ex.s. c 94 § 23.
43.100.100 Biennial report. [1965 c 158 § 10.] Repealed by 1974 ex.s. c 94 § 23.
43.100.110 Standards——Recruitment——Training. [1965 c 158 § 11.] Repealed by 1974 ex.s. c 94 § 23.
43.100.120 Standards-—Training at existing institutions. [1965 c 158 § 12.] Repealed by 1974 ex.s. c 94 § 23.
43.100.130 Standards——Adherence to standards. [1965 c 158 § 13.] Repealed by 1974 ex.s. c 94 § 23.
 Repealed by 1974 ex.s. c $94 \S 23$.
43.100.150 Law enforcement officers' training fund. [1965 c 158 § 15.] Repealed by 1974 ex.s. c 94 § 23.
43.100.155 State treasurer's duty to credit certain revenues from fines, penalties and forfeitures to the law enforcement officers' training fund. Decodified.
43.100.160 Applications for state aid. [1965 c 158 § 17.] Repealed by 1974 ex.s. c $94 \S 23$.
43.100.170 Reimbursement of municipalities--Amounts——Reduction in allocations. [1965 c 158 § 18.] Repealed by 1974 ex.s. c 94 § 23.
43.100.900 Severability. [1965 c 158 § 20.] Repealed by 1974 ex.s. c 94 § 23.
43.100.910 Section beadings. [1965 c 158 § 21.] Repealed by 1974 ex.s. c 94 § 23.

## Chapter 43.105

DATA PROCESSING AND COMMUNICATIONS SYSTEMS
43.105.015 Intention. [1969 ex.s. c 212 § 3.] Repealed by 1973 lst ex.s. c 219 § 12 .
43.105.030 Advisory committee——Composition-—Expenses. [1967 ex.s. c 115 § 3.] Repealed by 1969 ex.s. c 212 § 6.
43.105.031 Data processing advisory committee-Composi-tion--Expenses. [1969 ex.s. c 212 § 1.] Repealed by 1973 1st ex.s. c 219 § 12.
43.105.040 Powers of governor and budget director. [1969 ex.s. c 212 § 2; 1967 ex.s. c 115 §4.] Repealed by 1973 1st ex.s. c 219 § 12.

Chapter 43.120
STATE LAND PLANNING COMMISSION
43.120.010 Legislative declaration. [1971 ex.s. c 287 § 1.] Decodified, see RCW 43.120.920.
43.120.020 Commission created-Membership-Chair-man-Dacancies-—Expenses. [1972 ex.s. c 110 § 1; 1971 ex.s. c 287 § 2.] Decodified, see RCW 43.120.920.
43.120.030 Subcommittees——Rules——Hearings——Data. [1971 ex.s. c 287 § 3.] Decodified, see RCW 43.120.920.
43.120.040 Executive director-—Employees——Advisory groups--Payment of expenses. [1971 ex.s. c 287 § 4.] Decodified, see RCW 43.120.920.
43.120.050 State-wide land use data bank or information pool-Authorized--Development--Contents--Use--Computeriza-tion--Contracts to gather and assemble data-_Pilot project. [1971 ex.s. c 287 § 5.] Decodified, see RCW 43.120.920.
43.120.060 Authorized studies. [1971 ex.s. c 287 § 6.] Decodified, see RCW 43.120.920.
43.120.900 Report to legislature convening in 1972. [1971 ex.s. c 287 § 7.] Decodified, see RCW 43.120.920.
43.120.910 Reports to forty-third session of legislature. [1971 ex.s. c 287 § 8.] Decodified, see RCW 43.120.920.
43.120.920 Termination of commission. The commission shall be dissolved on May 15, 1973. [1973 1st ex.s. c 72 § 1 ; 1971 ex.s. c $287 \S$ 9.] Decodified.

## Title 44 <br> STATE GOVERNMENT —— LEGISLATIVE <br> Chapter 44.04 <br> GENERAL PROVISIONS

44.04.020 Commencement of legislators' terms. [1931 c 2 § 6; RRS § 8137-6.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.540.
44.04.030 Vacancies. [1933 c 122 § 1; RRS § 8154-1.] Repealed by 1957 c 135 § 1 .
44.04.110 Legislative districts-—Precinct changes. [1931 c 2 § 7; RRS § 8137-7.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.570.

## Chapter 44.06

DISTRICTS AND APPORTIONMENT
44.06.010 through 44.06 .900 [1957 c 289; 1957 c 5.] Repealed by 1965 c 6 § 57 .

Chapter 44.07
DISTRICTS AND APPORTIONMENT——1965 ACT
44.07.005 through 44.07.530 [1965 c 6 §§ 1-54.] Decodified, superseded by chapter 44.07A RCW.
44.07.550 through 44.07.910 [1965 c 6 §§ 56-58.] Decodified, superseded by chapter 44.07A RCW.

## Chapter 44.08 SENATE

44.08.010 Election and terms of senators. [1931 c 2 § 4; RRS § 8137-4.] Repealed by 1957 c 289 § 58 . Later enactment, see RCW 44.06.010.
44.08.020 Senatorial districts. [(i) 1931 c 2 § 2; RRS § 8137-2. (ii) 1933 c 20 § 1 , part; RRS § 8137-2a, part. (iii) 1933 c 74 § 1 , part; RRS § 8137-3a, part.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.020 through 44.06.510.
44.08.060 Forty-first district boundaries. [1951 c 221 § 1.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.430.
44.08.061 Forty-second district boundaries. [1951 c 221 § 2.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.440.

## Chapter 44.12 <br> HOUSE OF REPRESENTATIVES

44.12.010 Election and terms of office. [1931 c 2 § 5; RRS § 8137-5.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.550.
44.12.020 Representative districts. [(i) 1931 c 2 § 3, part; RRS § 8137-3, part. (ii) 1933 c 20 § 1, part; RRS § 8137-2a, part. (iii) 1933 c 74 § 1, part; RRS § 8137-3a, part.] Repealed by 1957 c 289 § 58. Later enactment, see RCW 44.06.520 and 44.06.530.

## Chapter 44.16 LEGISLATIVE INQUIRY

44.16.180 Claims against state--Requirements. [1903 c 46 § 1 ; RRS § 8195.] Now codified as RCW 44.18.010.

## Chapter 44.20

SESSION LAWS
44.20.070 Payment of expense. [1890 p 632 § 7; RRS § 8202.] Repealed by 1969 c 6 § 9.

## Chapter 44.28 <br> LEGISLATIVE BUDGET COMMITTEE

44.28.070 Powers--Study, recommendations as to state government. [1951 c 43 § 3.] Repealed by 1955 c 206 § 11.
44.28.090 Powers——Interim sessions of legislature. [1951 c 43 § 5.] Repealed by 1975 1st ex.s. c 293 § 21.
44.28.160 Attendance records of school districts may be audited. [1959 c 148 § 2.] Repealed by 1975 lst ex.s. c 293 § 21.

Chapter 44.32
JOINT COMMITTEE ON EDUCATION
44.32.010 through 44.32 .170 [1961 c 296; 1959 c 299.] Repealed by 1963 ex.s. c $19 \S 18$. Later enactment, see chapter 44.33 RCW.

## Chapter 44.33

JOINT COMMITTEE ON EDUCATION
44.33.010 through $\mathbf{4 4 . 3 3 . 1 8 0}$ [1963 ex.s. c 19. Prior: 1961 c 296; 1959 c 299.] Repealed by 1965 ex.s. c 130 § 16.

## Chapter 44.38 <br> JOINT COMMITTEE ON NUCLEAR ENERGY

44.38.010 through 44.38 .900 [1967 ex.s. c 113 §§ 1-10.] Expired January 1, 1969. Decodified.

## Chapter 44.40 <br> LEGISLATIVE TRANSPORTATION COMMITTEE——SENATE AND HOUSE TRANSPORTATION AND UTILITIES COMMITTEES

44.40.026 Study of alternative methods of financing cross-sound transportation facilities. [1971 ex.s. c 195 § $18 ; 1970$ ex.s. c 85 § 8.] Repealed by 1975 1st ex.s. c 268 § 9.
44.40.060 Participation in development of data bank. [1971 ex.s. c 195 § 19.] Repealed by 1975 1st ex.s. c 268 § 9.

Chapter 44.64
Chapter 44.64 1972)
44.64.010 through $\mathbf{4 4 . 6 4 . 1 2 0}$ and $\mathbf{4 4 . 6 4 . 9 0 0}$ through $\mathbf{4 4 . 6 4 . 9 3 0}$ [ 1972 ex.s. c $82 \S \S 1-10,13-17$ (Referendum Bill No. 24); 1967 ex.s. c 131 §§ 1-6.] Repealed by 1973 c 1 § 50 (Initiative Measure No. 276 § 50).

# 45 <br> TOWNSHIPS <br> Chapter 45.08 <br> DIVISION OF COUNTY INTO TOWNSHIPS 

45.08.030 Division of townships. [1895 c 175 § 5, part; RRS § 11364, part.] Now codified in RCW 45.08.020.
45.08.040 Notice of board's action. [1895 c 175 § 5, part; RRS § 11364, part.] Now codified in RCW 45.08.020.
45.08.050 Property separated liable for outstanding taxes and indebtedness. [1895 c 175 § 5, part; RRS § 11364, part.] Now codified in RCW 45.08.020.

## Chapter 45.16 QUALIFICATIONS OF TOWN OFFICERS

45.16.050 Overseer's bond. [1913 c 142 § 2, part; 1895 c 175 § 37, part; RRS § 11396, part.] Now codified in RCW 45.16.040.

Chapter 45.24

## DUTIES OF TOWN SUPERVISORS

45.24.020 Powers relative to flood prevention. [1919 c 108 § 2, part; 1911 c 34 § 1, part; 1909 c 47 § 4, part; 1895 c 175 § 48, part; RRS § 11407, part.] Now codified in RCW 45.24.010.

Chapter 45.32
DUTIES OF TOWN TREASURER
45.32.040 Town depository——Bond. [1913 c 142 § 9; RRS § 11434.] Now codified as RCW 45.32.090.

Chapter 45.40
DUTIES OF TOWN OFFICERS AT ELECTIONS
45.40.020 Procedure when precinct is divided. [1895 c 175 § 77, part; RRS § 11439, part.] Now codified in RCW 45.40.010.

Chapter 45.52
CLAIMS AGAINST TOWNS
45.52.100 Orders may be tendered for taxes. [1895 c 175 § 69, part; RRS § 11430, part.] Now codified in RCW 45.52.090.

## Chapter 45.56

TOWN TAXES AND CHARGES
45.56.020 Money, how levied. [1895 c 175 § 85; RRS § 11447.] Repealed by 1969 ex.s. c 243 § 7.

Severability - 1969 ex.s. c 243: See note following RCW 45.82.010.
45.56.030 Limits of tax levy. [1959 c 16 § 4; 1953 c 166 § 1. Prior: (i) 1895 c 175 § 84, part; RRS § 11446, part. (ii) 1945 c 148 § 3, part; 1941 c 226 § 1, part; Rem. Supp. 1945 § 11449-1, part.] Repealed by 1969 ex.s. c 243 § 7.
45.56.060 Payment of town taxes. [1895 c 175 § 91; RRS § 11454.] Repealed by 1969 ex.s. c 243 § 7.

## Chapter 45.60 <br> TOWN BONDS

45.60.010 Authorized to issue bonds. [1895 c 175 § 87; RRS § 11450. Formerly RCW 45.60 .010 and 45.60 .020 .] Repealed by 1969 ex.s. c 243 § 7.
Severability——1969 ex.s. c 243: See note following RCW 45.82.010.
45.60.020 Limit of town indebtedness. [1895 c 175 § 87, part; RRS § 11450, part.] Now codified in RCW 45.60.010.
45.60.030 Conditions as to bonds and their proceeds. [1895 c 175 § 88; RRS § 11451 .] Repealed by 1969 ex.s. c 243 § 7.
45.60.040 Taxes for interest and sinking fund. [1895 c 175 § 89; RRS § 11452.] Repealed by 1969 ex.s. c 243 § 7.

## Chapter 45.76 DISORGANIZATION OF TOWNSHIPS

45.76.010 Scope of chapter. [1951 c 173 § 10.] Repealed by 1957 c 73 § 1 .

## Title 46 <br> MOTOR VEHICLES

## Chapter 46.01 <br> DEPARTMENT OF MOTOR VEHICLES

46.01.300 Mobile homes-Owner identification tag——Rules and regulations. [1971 ex.s. c 231 § 12.] Repealed by 1973 c 103 § 8.

## Chapter 46.04 <br> DEFINITIONS

46.04.070 Bicycle. [1961 c 12 § 46.04.070. Prior: 1959 c 49 § 8; prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.04.071.
46.04.230 Intersection center marker. [1961 c 12 § 46.04.230. Prior: 1959 c 49 § 24; prior: 1937 c 189 § 1, part; RRS § 6360-1, part.] Repealed by 1975 c 62 § 51.
46.04.250 Intersection entrance marker. [1961 c 12 § 46.04.250. Prior: 1959 c 49 § 26; prior: 1937 c 189 § 1, part; RRS § 6360-1, part.] Repealed by 1975 c 62 § 51.
46.04.390 Peace officer. [1961 c 12 § 46.04.390. Prior: 1959 c 49 § 40; prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1 , part; RRS § 6360-1, part; 1929 c 180 § 1 , part; 1927 c 309 § 2, part; RRS § 6362-2, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.04.391.
46.04.430 Public highway. [1961 c 12 § 46.04.430. Prior: 1959 c 49 § 46; prior: (i) 1943 c 153 § 1, part; 1937 c 188 § l, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1 , part; 1917 c 155 § 1 , part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1 , part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.04.431.
46.04.520 School bus. [1961 c 12 § 46.04.520. Prior: 1959 c 49 § 56; prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.04.521.
46.04.610 Traffic devices. [1961 c 12 § 46.04.610. Prior: 1959 c 49 § 66; prior: 1937 c 189 § 1, part; RRS § 6360-1, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.04.611.

## Chapter 46.08 GENERAL PROVISIONS

46.08.040 Application to bicycle riding, animal drawn vehicle, etc. [1961 c 12 § 46.08.040. Prior: 1937 c 189 § 4; RRS § 6360-4.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.025 and 46.61.755.
46.08.050 Exemption from vehicle operation provisions-EEmergency vehicles, highway work, other. [1961 c 12 § 46.08.050. Prior: 1955 c 384 § 5 ; 1947 c 200 § 1 ; 1937 c 189 § 5; Rem. Supp. 1947 § 6360-5.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.61.030 and 46.61.035.
46.08.080 Liability of host for injury to guest in motor vehicle. [1961 c 12 § 46.08.080. Prior: 1957 c 132 § 1; 1937 c 189 § 121 ; RRS § 6360-121.] Repealed by 1974 ex.s. c 3 § 1.
46.08.085 Liability of host for injury to guest in motor vehicle- 1933 act. [1933 c 18 § 1 ; RRS § 6297-1.] Repealed by 1974 ex.s c 3 § 1.
46.08.086 Liability of host for injury to guest in motor vehicle—— Liability when demonstrating to prospective purchaser. [1933 c 18 § 2; RRS § 6297-2.] Repealed by 1974 ex.s c 3 § 1.
46.08.090 Powers of director of licenses. [1965 c 156 § 13 ; 1961 c 12 § 46.08.090. Prior: 1937 c 188 § 26; RRS § 6312-26; prior: 1921 c 96 § 3, part; 1917 c 155 § 2, part; 1915 c 142 § 3, part.] Now codified as RCW 46.01.130.
46.08.100 County auditors, others, as agents of director-Application fee. [1965 c 156 § 14; 1963 c 85 § 1 ; 1961 c 12 § 46.08.100. Prior: 1955 c 89 § 3; 1937 c 188 § 27; RRS § 6312-27.] Now codified as RCW 46.01.140.
46.08.110 Certified copies of records——Fee. [1967 c 32 § 3; 1961 c 12 § 46.08.110. Prior: 1937 c 188 § 80; RRS § 6312-80.] Now codified as RCW 46.01.250.
46.08.120 Destruction of records by director. [ 1965 ex.s. c $170 \S$ 45; 1961 c 12 § 46.08.120. Prior: 1955 c 76 § 1 ; 1951 c 241 § 1 ; 1937 c 188 § 77; RRS §6312-77.] Now codified as RCW 46.01.260.
46.08.130 Destruction of records by county auditor. [1967 c 32 § 4; 1961 c 12 § 46.08.130. Prior: 1937 c 188 § 78; RRS § 6312-78.] Now codified as RCW 46.01.270.
46.08.140 Rules and regulations. [1965 c 156 § 11 ; 1961 c 12 § 46.08.140. Prior: 1937 c 188 § 79; RRS § 6212-79.] Now codified as RCW 46.01.110.
46.08.180 Control of traffic on ocean beach highways. [1961 c 12 § 46.08.180. Prior: 1951 c 271 § 46.] Redesignated as part of chapter 43.51 RCW by 1967 c 120 § 7. Now codified as RCW 43.51.680.
46.08.200 Director to make annual reports to governor-Contents. [1967 c 32 § 5; 1965 c 28 § $1 ; 1961$ ex.s. c 21 § 29.] Now codified as RCW 46.01.290.

## Chapter 46.09 <br> ALL-TERRAIN VEHICLES

46.09.100 ATV registration number and tag to be affixed, displayed, upon vehicle. [1971 ex.s. c 47 § 15.] Repealed by 1972 ex.s. c 153 § 27.
46.09.160 Determination of moneys paid as excise taxes on fuel for all-terrain vehicles- Cost offset——Report. [1974 ex.s. c 144 § 2; 1972 ex.s. c 153 § $14 ; 1971$ ex.s. c 47 § 21.] Repealed by 1975 lst ex.s. c 34 § 3 .

## Chapter 46.12

## CERTIFICATES OF OWNERSHIP A ND REGISTRATION

46.12.100 Sale or transfer of vehicle- Assignment of certificate of ownership--Penalty. [1967 c 32 § 10; 1961 c 12 § 46.12.100. Prior: 1959 c 166 § 8; prior: 1953 c 252 § 1; 1947 c 164 § 4(a); 1937 c 188 § 6(a); Rem. Supp. 1947 § 6312-6(a).] Repealed by 1967 c 140 § 10.
46.12.110 Duty of purchaser or transferee other than dealerPenalty. [1961 c 12 § 46.12.110. Prior: 1959 c 166 § 9; prior: 1953 c 252 § 2; 1947 c 164 § 4(b); 1937 c 188 § 6(b); Rem. Supp. 1947 § 6312-6(b).] Repealed by 1967 c 140 § 10.
46.12.150 Procedure when new owner cannot present prior certificate. [1961 c 12 § 46.12.150. Prior: 1959 c 166 § 13; prior: 1947 c 164 § 4(f); 1937 c 188 § 6(f); Rem. Supp. 1947 § 6312-6(f).] Repealed by 1967 c 140 § 10 .
46.12.180 Duplicate for lost or mutilated certificate. [1961 c 12 § 46.12.180. Prior: 1951 c 269 § 5; 1947 c 164 § 6; 1937 c 188 § 9; Rem. Supp. 1947 § 6312-9.] Repealed by 1967 c 140 § 10.

## Chapter 46.16 <br> VEHICLE LICENSES

46.16.005 Rules and regulations. [1961 c 12 § 46.16.005. Prior: 1959 c 66 § 3; 1957 c 145 § 6. Formerly RCW 46.16.360.] Repealed by 1967 c 32 § 119.
46.16.067 House trailer license fee. [1961 c 12 § 46.16.067. Prior: 1957 c 269 § 16.] Repealed by 1961 ex.s. c 7 § 24.
46.16.072 Gross weight fees on trailers. [1961 ex.s. c $21 \S 33 ; 1961$ ex.s. c 7 § $12 ; 1961$ c $12 \S 46.16 .072$. Prior: 1957 c 273 § 2 ; 1955 c 363 § 3; prior: 1951 c 269 § 10; 1950 ex.s. c 15 § 1 , part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15 , part; 1919 c 46 § 1, part; 1917 c 155 §

10, part; 1915 c 142 § 15, part; RRS § 6326, part.] Repealed by 1967 ex.s.c 83 § 61 .
46.16.074 Increased fees on trucks propelled other than by gasoline. [1961 c 12 § 46.16.074. Prior: 1955 c 363 § 4; prior: 1951 c 269 § 11; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15 , part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.] Repealed by 1961 ex.s. c 7 § 24. Later enactment, see RCW 46.16.075.
46.16.075 Gross weight fees on trucks propelled by diesel oil, steam, electricity or natural gas. [1965 c 137 § 3; 1961 ex.s. c 7 § 13. Prior: 1961 c 12 § 46.16.074; 1955 c 363 § 4; 1951 c 269 § 11; prior: 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1 , part; 1921 c 96 § 15 , part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15 , part; RRS § 6326, part.] Repealed by 1967 ex.s. c 83 § 61. Later enactment see RCW 46.16.070.
46.16.082 Increased fees for converter gears. [1961 c 12 § 46.16.082. Prior: 1959 c 319 § 21 ; 1955 c 384 § 7.] Repealed by 1969 ex.s. c 170 § 17.
46.16.100 Special permits for single movement--Fee. [1975 c 25 § 18 ; 1971 ex.s. c $231 \S 10 ; 1969$ ex.s. c $170 \S 5 ; 1961$ c $12 \S 46.16-$ .100. Prior: 1955 c 363 § 7; prior: 1955 c 139 § 23; 1950 ex.s. c 15 § 1 , part; 1949 c 220 § 10, part; 1947 c 200 § 15 , part; 1941 c 224 § 1 , part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1947 § 6312-17, part; 1931 c 140 §1, part; 1921 c 96 § 15 , part; 1919 c 146 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.] Repealed by 1975-'76 2nd ex.s. c 64 § 24.
46.16.110 Gross weight, bow computed. [1961 c 12 § 46.16.110. Prior: 1955 c 363 § 8; prior: 1955 c 139 § 24; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1 , part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15 , part; 1919 c 46 § 1, part; 1917 c 155 § 10 , part; 1915 c 142 § 15 , part; RRS § 6326, part.] Repealed by 1967 ex.s. c 83 § 61. Later enactment, see RCW 46.16.111.
46.16.120 Seating capacity fees on stages, for hire vehicles. [1961 ex.s. c 7 § $14 ; 1961$ c 12 § 46.16.120. Prior: 1951 c 269 § 13; 1949 c 200 § 9; 1937 c 188 § 18; Rem. Supp. 1949 § 6312-18.] Repealed by 1967 ex.s. c 83 § 61. Later enactment, see RCW 46.16.121.
46.16.190 County auditor's fee for licensing. [1949 c 234 § 3; 1947 c 164 § 9 ; 1937 c 188 § 32 ; Rem. Supp. 1949 § 6312-32.] Repealed by 1955 c 89 § 5 and by 1961 c 12 § 46.98.050. Enactment on this subject matter, see RCW 46.08.100.
46.16.245 Display of truck or trailer license or tax receipt—— Exception--Penalty. [1953 c 252 § 5.] Repealed by 1955 c 139 § 26 and by 1961 c 12 § 46.98.050.
46.16.300 Apportionment of registration of fleets operating interstate. [1949 c 130 § 1 ; Rem. Supp. 1949 § 6312-23a.] Repealed by 1955 c 381 § 11 and by 1961 c 12 § 46.98.050. Enactment on this subject matter, see chapter 46.85 RCW.
46.16.355 Personalized license plates--Fees, disposition. [1971 ex.s. c 114 § 4.] Repealed by 1973 lst ex.s. c 200 § 13.

Reviser's note: The repeal of this section by 1973 1st ex.s. c 200 was subject to a referendum. The referendum (Referendum Bill No. 33) was adopted and ratified by the people at the November 6, 1973 general election.
46.16.360 Rules and regulations. [1959 c 66 § 3; 1957 c 145 § 6.] Now codified as RCW 46.16.005.
46.16.400 Staggered registration-—Vehicles subject to--Registration periods established. [1961 c 163 § $1 ; 1961$ c 12 § 46.16.400. Prior: 1957 c 261 § 1.] Repealed by 1963 c 199 § 10, effective January 1, 1964.
46.16.410 Staggered registration--Vehicles operated for first time on and after January 1, 1964. [1961 c 163 § 2; 1961 c 12 § 46.16.410. Prior: 1957 c 261 § 2.] Repealed by 1963 c 199 § 10, effective January 1, 1964.
46.16.420 Staggered registration--Fractional registration peri-ods-—Fees——Rules. [1961 c 163 § 3; 1961 c 12 § 46.16.420. Prior: 1957 c 261 § 3.] Repealed by 1963 c 199 § 10, effective January 1, 1964
46.16.430 Staggered registration-—Vehicles not previously registered and operated first after January 1, 1964. [1961 c 163 § 4; 1961 c 12 § 46.16.430. Prior: 1957 c 261 § 4.] Repealed by 1963 c 199 § 10 , effective January 1, 1964.
46.16.440 Staggered registration-Director may execute regulations. [1961 c 163 § 5; 1961 c 12 § 46.16.440. Prior: 1957 c 261 §5.] Repealed by 1963 c 199 § 10, effective January 1, 1964.
46.16.510 Mobile home identification tags-DIssuance——Dis-play--Use of tabs or emblems--Unlawful acts relating to. [1971 ex.s. c 231 § 15.] Repealed by 1973 c 103 § 8.
46.16.520 Mobile home identification tags--Application forFee, disposition--Provision for payment of property taxes due with issuance of tag. [1971 ex.s. c 231 § 16.] Repealed by 1973 c 103 § 8.
46.16.530 Mobile home identification tags-_Forwarding of applications, fees and taxes by agents. [1971 ex.s. c 231 § 17.] Repealed by 1973 c 103 § 8.
46.16.540 Mobile home identification tags-—Procedure upon receipt of application--Renewal, application, fee, preissue. [1971 ex.s. c 231 § 18.] Repealed by 1973 c 103 § 8.
46.16.550 Mobile home identification tags--Taxes transmitted to county treasurer. [1971 ex.s. c 231 § 19.] Repealed by 1973 c 103 § 8.

## Chapter 46.20 <br> DRIVERS' LICENSES——IDENTICARDS (FORMERLY: OPERATORS' LICENSES)

46.20.010 Authority of director. [1961 c 12 § 46.20.010. Prior: 1937 c 188 § 49; RRS § 6312-49.] Repealed by 1965 ex.s. c 121 § 46.
46.20.020 Operator's license required- Exceptions- - Surrender of license held from another jurisdiction. [1961 c 134 § 1 ; 1961 c 12 § 46.20.020. Prior: 1937 c 188 §43; RRS § 6312-43; prior: 1921 c 108 § 5, part; RRS § 6367, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.021 and 46.20.025.
46.20.030 Persons ineligible, generally--Procedure as to dis-abled-Restricted licenses. [1963 c 39 § 12; 1961 c 12 § 46.20.030. Prior: 1947 c 158 § 1, part; 1937 c 188 § 45, part; Rem. Supp. 1947 § 6312-45, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.031.
46.20.040 Procedure as to disabled--Restricted licenses. [1947 c 158 § 1, part; 1937 c 188 § 45, part; Rem. Supp. 1947 § 6312-45, part.] Now codified as originally enacted in RCW 46.20.030.
46.20.050 Procedure as to visually defective persons. [1961 c 12 § 46.20.050. Prior: 1939 c 182 § 6, part; RRS § 6312-46, part.] Repealed by 1961 c 119 § 1.
46.20.060 Procedure as to legless or armless persons. [1961 c 12 § 46.20.060. Prior: 1939 c 182 § 6, part; 1937 c 188 § 46, part; RRS § 6312-46, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.041.
46.20.080 Nonresident licensing. [1961 c 12 § 46.20.080. Prior: 1937 c 188 § 44; RRS § 6312-44; 1921 c 108 § 5, part; RRS § 6367, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.025.
46.20.090 Application for license--Contents--Fee. [1961 c 12 § 46.20.090. Prior: 1957 c 294 § 1 ; 1953 c 221 § 1 ; 1947 c 164 § 16 ; 1937 c 188 § 50; Rem. Supp. 1947 § 6312-50; 1921 c 108 §§ 6, part, 7, part; RRS §§ 6368, part, 6369, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.091.
46.20.110 Temporary instruction permits--Fee. [1963 c 39 § 10; 1961 c 214 § 1; 1961 c 12 § 46.20 .110 . Prior: 1939 c 182 § 7; 1937 c 188 § 47; RRS § 6312-47.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.055.
46.20.140 Time and place of examinations--Examination as evidence. [1961 c 12 § 46.20.140. Prior: 1937 c 188 § 58; RRS § 6312-58.] Repealed by 1965 ex.s. c 121 § 46.
46.20.150 Reexamination may be required in certain casesDelegation of reexamination authority--Appeal. [1961 c 12 § 46.20.150. Prior: 1959 c 284 § 3; 1953 c 23 § 1 ; 1943 c 26 § 1 ; Rem. Supp. 1943 § 6312-56a.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.305.
46.20.160 Issuance of license. [1961 c 12 § 46.20.160. Prior: 1955 c 259 § $2 ; 1949$ c 52 § 1 ; 1937 c 188 § 53; Rem. Supp. 1949 § 6312-53; 1921 c 108 § 7, part; RRS § 6369, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.161.
46.20.170 Filing of applications. [1961 c 12 § 46.20.170. Prior: 1947 c 164 § 17 ; 1939 c 182 § 8; 1937 c 188 § 52; Rem. Supp. 1947 § 6312-52.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.171.
46.20.180 Duration of license——Renewal——Fee. [1961 c 12 § 46.20.180. Prior: 1953 c 221 § 3; 1949 c 208 § 1 ; 1937 c 188 § 54 ; Rem. Supp. 1949 § 6312-54; 1921 c 108 § 7, part; RRS § 6369, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.181
46.20.210 Prohibited practices. [1961 c 12 § 46.20.210. Prior: 1937 c 188 § 61; RRS § 6312-61; 1921 c 108 § 15 , part; RRS § 6377, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.336.
46.20.230 Unlawful to allow unlicensed person to operate vehicle. [1961 c 12 § 46.20.230. Prior: 1937 c 188 § 62; RRS § 6312-62.] Repealed by 1965 ex.s. c 121 §46. Later enactment, see RCW 46.20.343 and 46.20.344.
46.20.240 Age limit for school bus drivers and drivers of for hire vehicles. [1961 c 12 § 46.20.240. Prior: 1937 c 188 § 48; RRS § 6312-48; 1921 c 108 §§ 3, 4; RRS §§ 6365, 6366.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.045.
46.20.250 Mandatory revocation of license by court. [1961 c 12 § 46.20.250. Prior: 1959 c 239 § 1 ; 1955 c 393 § 1 ; 1937 c 188 § 65; RRS § 6312-65; 1923 c 122 § 1 , part; 1921 c 108 § 9, part; RRS § 6371, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.285.
46.20.260 Suspension for reckless driving. [1961 c 12 § 46.20.260. Prior: 1937 c 188 § 64; RRS § 6312-64; prior: 1923 c 122 § 2, part; RRS § 6371, part.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.500(1).
46.20.280 Courts to forward records of convictions. [1961 c 12 § 46.20.280. Prior: 1939 c 182 § 10 ; 1937 c 188 § 67; RRS § 6312-67.] Repealed by 1965 ex.s. c 121 § 46.
46.20.290 Suspension of license by director--Causes. [1961 c 12 § 46.20.290. Prior: 1957 c 273 § 7; prior: 1937 c 188 § 66, part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371 , part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.291.
46.20.310 Limit of suspension--License to be restored. [1961 c 12 § 46.20.310. Prior: 1957 c 273 § 9; prior: 1937 c 188 § 66, part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371 , part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.311 and 46.20.315.
46.20.330 Revocation bars application for new license for one year. [1961 c 12 § 46.20.330. Prior: 1957 c 273 § 11 ; prior: 1937 c 188 § 66 , part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.311
46.20.340 Appeals to superior court from suspension, revocation, cancellation or refusal of license or certificate under chapters $\mathbf{4 6 . 1 2}$ and 46.16 RCW. [1965 ex.s. c 121 § 42; 1961 c 12 § 46.20 .340 . Prior: 1953 c $23 \quad \S \quad 2$; 1937 c 188 § 74 ; RRS § 6312-74.] Now codified as RCW 46.12.240.
46.20.350 Penalty for driving after suspension, etc. [1961 c 12 § 46.20.350. Prior: 1937 c 188 § 69; RRS § 6312-69.] Repealed by 1965 ex.s. c 121 § 46. Later enactment, see RCW 46.20.342.
46.20.360 Requisites for reinstatement or new license-Perjury. [1961 c 12 § 46.20.360. Prior: 1937 c 188 § 70; RRS § 6312-70.] Repealed by 1965 ex.s. c $121 \S 46$.
46.20.370 Moratorium for licensees in service. [1943 c 184 § 1 ; Rem. Supp. 1943 § 6312-73a.] Repealed by 1957 c 273 § 24 and by 1961 c 12 § 46.98.050.
46.20.390 Occupational operator's license--Petition-—Proce-dure--Issuance——Restrictions——Duration--Revocation. [1967 c 32 § 32 ; 1961 c 12 § 46.20.390. Prior: 1959 c 241 § $1 ; 1957$ c 268 § 2.] Repealed by 1971 ex.s. c $284 \S 16$.

Repeal and savings-- 1965 ex.s. c 121——RCW 46.20.010, 46.20.020, 46.20.030, 46.20.060, 46.20.080, 46.20.090, 46.20.110, 46.20.140, 46.20.150, 46.20.160, 46.20.170, 46.20.180, 46.20.210, 46.20.230, 46.20.240, 46.20.250, 46.20.280, 46.20.290, 46.20.310, 46.20.330, 46.20.350, 46.20.360: See RCW 46.20.900.

## Chapter 46.24 <br> FINANCIAL RESPONSIBILITY - -PROOF AFTER CERTAIN CONVICTIONS AND JUDGMENTS

46.24.010 Definitions. [1961 c 12 § 46.24.010. Prior: (i) 1939 c 158 § 1 ; RRS § 6600-101. (ii) 1939 c 158 § 2 ; RRS § 6600-102. (iii) 1941 c 122 § 1; 1939 c 158 § 3; Rem. Supp. 1941 § 6600-103. (iv) 1939 c 158 § 4 ; RRS § 6600-104. (v) 1939 c 158 § 5; RRS § 6600-105. (vi) 1939 c 158 § 6; RRS § 6600-106.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.020.
46.24.020 Director to administer chapter. [1961 c 12 § 46.24.020. Prior: 1939 c 158 § 7; RRS § 6600-107.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.030.
46.24.030 Operator's license to be suspended on conviction, plea of guilty, forfeiture of bail. [1961 c 12 § 46.24.030. Prior: 1959 c 38 § 2 ; prior: 1941 c 122 § 2, part; 1939 c 158 § 8, part; Rem. Supp. 1941 § 6600-108, part.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.280, 46.29.420 and 46.29.430.
46.24.040 Period of suspension--Proof of ability to respond in damages. [1961 c 12 § 46.24.040. Prior: 1959 c 38 § 3; prior: 1941 c 122 § 2, part; 1939 c 158 § 8, part; Rem. Supp. 1941 § 6600-108, part.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.290 and 46.29.440.
46.24.050 Proof of ability to respond may be given voluntarily before accident. [1961 c 12 § 46.24.050. Prior: 1939 c 158 § 31; RRS § 6600-131.] Repealed by 1963 c 169 § 69.
46.24.060 Owner may give proof for chauffeur or member of family. [1961 c 12 § 46.24.060. Prior: 1939 c 158 § 16; RRS § 6600-116.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.570.
46.24.070 Proof of ability to respond, how established. [1961 c 12 § 46.24.070. Prior: 1941 c 122 § 10; 1939 c 158 § 18; Rem. Supp. 1941 § 6600-118.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.450 through 46.29.480 and 46.29.520 through 46.29.550.
46.24.080 Other proof if original fails. [1961 c 12 § 46.24.080. Prior: 1941 c 122 § 11 ; 1939 c 158 § 19; Rem. Supp. 1941 § 6600-119.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.590.
46.24.090 Custody of bond or collateral. [1961 c 12 § 46.24.090. Prior: 1939 c 158 § 20; RRS § 6600-120.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.560.
46.24.100 Motor vehicle liability or operator's policy——Requirements. [1961 c 12 § 46.24.100. Prior: 1959 c 38 § 4; 1939 c 158 § 23; RRS § 6600-123.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.490.
46.24.110 Operator's policy, what constitutes. [1961 c 12 § 46.24.110. Prior: 1939 c 158 § 26 ; RRS § 6600-126.] Repealed by 1963 c 169 § 69.
46.24.120 Additional requirements of insurance policies. [1961 c 12 § 46.24.120. Prior: 1939 c 158 § 24; RRS § 6600-1 24.] Repealed by 1963 c 169 § 69.
46.24.130 Certificate of insurance coverage. [1961 c 12 § 46.24.130. Prior: 1939 c 158 § 25 ; RRS § 6600-125.] Repealed by 1963 c 169 § 69.
46.24.140 Other policies not affected. [1961 c 12 § 46.24.140. Prior: 1939 c 158 § 27 ; RRS § 6600-127.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.510.
46.24.150 Proof may be surrendered, when. [1961 c 12 § 46.24.150. Prior: 1941 c 122 § 13; 1939 c 158 § 30; Rem. Supp. 1941 § 6600-130.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.600.
46.24.160 Substitution of proof. [1961 c 12 § 46.24.160. Prior: 1939 c 158 § 29; RRS § 6600-129.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.580.
46.24.170 Director to furnish operating record. [1961 c 12 § 46.24.170. Prior: 1939 c 158 § 21 ; RRS § 6600-121.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.050.
46.24.180 Director to furnish information as to ability to respond in damages. [1961 c 12 § 46.24.180. Prior: 1941 c 122 § 12; 1939 c 158 § 22; Rem. Supp. 1941 § 6600-122.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.050.
46.24.190 Operator's license to be suspended on failure to satisfy judgment. [1961 c 12 § 46.24.190. Prior: 1943 c 140 § 1 ; 1941 c 122 § 3; 1939 c 158 § 9; Rem. Supp. 1943 § 6600-109.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.330.
46.24.200 Period of suspension-—Proof of satisfaction. [1961 c 12 § 46.24.200. Prior: 1941 c 122 § 4; 1939 c 158 § 10; Rem. Supp. 1941 § 6600-110.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.370 and 46.29.380.
46.24.210 Judgment deemed satisfied, when. [1961 c 12 § 46.24.210. Prior: 1959 c 38 § 5; 1939 c 158 § 11 ; RRS § 6600-111.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.390.
46.24.220 Payment of judgment installments. [1961 c 12 § 46.24.220. Prior: 1941 c 122 § 5; 1939 c 158 § 12; Rem. Supp. 1941 § 6600-112.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.400 and 46.29.410.
46.24.230 Courts to report convictions and damage judgments. [1961 c 12 § 46.24 .230 . Prior: 1941 c 122 § 6; 1939 c 158 § 13; Rem. Supp. 1941 § 6600-113.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.310.
46.24.240 Suspension on second judgment. [1961 c 12 § 46.24.240. Prior: 1941 c 122 § 7; 1939 c 158 § 14; Rem. Supp. 1941 § 6600-114.] Repealed by 1963 c 169 § 69.
46.24.250 Licensee must surrender license-—Penalty. [1961 c 12 § 46.24.250. Prior: 1941 c 122 § 9 ; 1939 c 158 § 17; Rem. Supp. 1941 § 6600-117.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.610.
46.24.260 Chapter applies to nonresident. [1961 c 12 § 46.24.260. Prior: 1941 c 122 § 8; 1939 c 158 § 15; Rem. Supp. 1941 § 6600-115.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.300 and 46.29.320.
46.24.270 Penalty for operating without giving proof. [1961 c 12 § 46.24.270. Prior: 1959 c 38 § 14 ; 1941 c 122 § 14; 1939 c 158 § 32 ; Rem. Supp. 1941 § 6600-132.] Repealed by 1963 c 169 § 69.
46.24.280 Penalty for forgery or alteration of proof or affidavit. [1961 c 12 § 46.24.280. Prior: 1939 c 158 § 33; RRS § 6600-133.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.620.
46.24.290 General penalty for violations. [1961 c 12 § 46.24.290. Prior: 1939 c 158 § 34; RRS § 6600-134.] Repealed by 1963 c 169 § 69.
46.24.300 Disposition of fines and forfeitures. [1961 c 12 § 46.24.300. Prior: 1939 c 158 § 35 ; RRS § $6600-135$.] Repealed by 1963 c 169 § 69.
46.24.310 Other remedial processes preserved. [1961 c 12 § 46.24.310. Prior: 1939 c 158 § 36 ; RRS § 6600-136.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.640.
46.24.320 Interpretation. [1961 c 12 § 46.24.320. Prior: 1939 c 158 § 38; RRS § 6600-138.] Repealed by 1963 c 169 § 69.
46.24.900 Savings——Chapter supplemental. [1961 c 12 § 46.24.900. Prior: 1939 c 158 § 37; RRS § 6600-137.] Repealed by 1963 c 169 § 69.
46.24.910 Short title. [1961 c 12 § 46.24.910. Prior: 1939 c 158 § 39; RRS § 6600-139.] Repealed by 1963 c 169 § 69.

RCW 46.24.010-46.24.910: See RCW 46.29.920.

## Chapter 46.28

FINANCIAL RESPONSIBILITY——PROOF AFTER ACCIDENT
46.28.010 Report of accident required——Suspension of license. [1961 c 12 § 46.28.010. Prior: 1959 c 38 § 6; 1949 c 211 § l-3la; Rem. Supp. 1949 § 6600-131a.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.070 and 46.29.110.
46.28.020 Security required following accident--Suspension for failure to deposit security. [1961 c 12 § 46.28 .020 . Prior: 1959 c 38 § 7; 1949 c 211 § l-31b; Rem. Supp. 1949 § 6600-131b.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.070 and 46.29.110.
46.28.030 Exceptions as to requirement of security and suspen-sion-CCircumstances of accident. [1961 c 12 § 46.28.030. Prior: 1959 c 38 § 8; 1949 c 211 § 1-31c; Rem. Supp. 1949 § 6600-131c.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.080.
46.28.040 Exceptions as to requirement of security and suspen-sion-—Existing security or settlement. [1961 c 12 § 46.28.040. Prior: 1959 c 38 § 9; 1949 c 211 § 1-31d; Rem. Supp. 1949 § 6600-131d.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.080, 46.29.120 through 46.29.150
46.28.050 Qualifications of insurance policy or bond. [1961 c 12 § 46.28.050. Prior: 1959 c 38 § $10 ; 1949$ c 211 § $1-31$ e; Rem. Supp. 1949 § 6600-13le.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.090.
46.28.060 Duration of suspension. [1961 c 12 § 46.28.060. Prior: 1949 c 211 § l-31f; Rem. Supp. 1949 § 6600-131f.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.160 and 46.29.170.
46.28.070 Suspension upon default. [1961 c 12 § 46.28.070. Prior: 1949 c 211 § l-3lg; Rem. Supp. 1949 § 6600-131g.] Repealed by 1963 c 169 § 69.
46.28.075 Occupational operator's license——Fee. [1961 c 12 § 46.28.075. Prior: 1959 c 38 § 13.] Repealed by 1963 c 169 § 69.
46.28.080 Application to nonresidents and unlicensed operators and to resident operators out-of-state. [1961 c 12 § 46.28.080. Prior: 1959 c 38 § 11 ; 1949 c 211 § 1-31h; Rem. Supp. 1949 § 6600-131h.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.180.
46.28.090 Form and amount of security. [1961 c 12 § 46.28.090. Prior: 1959 c 38 § 12; 1949 c 211 § l-31i; Rem. Supp. 1949 § 6600-131i.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.100.
46.28.100 Reduction of security. [1961 c 12 § 46.28.100. Prior: 1949 c 211 § 1-31j; Rem. Supp. 1949 § 6600-131j.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.190.
46.28.110 Custody, and applicability of security. [1961 c 12 § 46.28.110. Prior: 1949 c 211 § 1-31k; Rem. Supp. 1949 § 6600-131k.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.210 and 46.29.220.
46.28.120 Return of security. [1961 c 12 § 46.28.120. Prior: 1949 c 211 § 1-311; Rem. Supp. 1949 § 6600-1311.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.230.
46.28.130 Self-insurers. [1961 c 12 § 46.28.130. Prior: 1949 c 211 § $1-31 \mathrm{~m}$; Rem. Supp. 1949 § 6600-131m.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.630.
46.28.140 Misrepresentations. [1961 c 12 § 46.28.140. Prior: 1949 c 211 § 1-31n; Rem. Supp. 1949 § 6600-131n.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.620.
46.28.150 Matters not to be evidence. [1961 c 12 § 46.28.150. Prior: 1949 c 211 § l-31o; Rem. Supp. 1949 § 6600-131o.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.240.
46.28.160 Files not public. [1961 c 12 § 46.28.160. Prior: 1949 c 211 § 1-31p; Rem. Supp. 1949 § 6600-131p.] Repealed by 1963 c 169 § 69.
46.28.170 Director shall administer- Rules and regulations. [1961 c 12 § 46.28.170. Prior: 1949 c 211 § 1-31q; Rem. Supp. 1949 § 6600-131q.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.030 and 46.29.040.
46.28.180 Violations and penalties. [1961 c 12 § 46.28.180. Prior: 1949 c 211 § l-31r; Rem. Supp. 1949 § 6600-131r.] Repealed by 1963 c 169 § 69. Later enactment, see RCW 46.29.620.
46.28.190 Supplements other laws. [1961 c 12 § 46.28.190. Prior: 1949 c 211 § l-31s; Rem. Supp. 1949 § 6600-131s.] Repealed by 1963 c 169 § 69.
46.28.200 Other sections applicable. [1961 c 12 § 46.28.200.] Repealed by 1963 c 169 § 69.
RCW 46.28.010-46.28.200: See RCW 46.29.920.
Chapter 46.36 VEHICLE EQUIPMENT
46.36.010 Commission on equipment. [1943 c 133 § 1; 1937 c 189 § 6; Rem. Supp. 1943 § 6360-6; 1927 c 309 § 14, part; RRS § 6362-14, part.] Now codified as RCW 46.37.005.
46.36.020 through 46.36.100 Brakes, horns, windshields, tires, etc. [1951 c 56 § $2 ; 1947$ c 220 § 1 ; 1937 c 189 §§ $34-41$; 1929 c 180 § 6; 1927 c 309 §§ 16,17 ; 1923 c 181 § 5 ; 1921 c 96 §§ 21, 23; 1915 c 142 §§ 20, 22; RRS §§ 6360-34 through 6360-41; RRS §§ 6362-16, 6362-17.] Repealed by 1955 c 269 § 48 and by 1961 c 12 § 46.98.050. Later enactments, see RCW 46.37.340, 46.37.360, 46.37.38046.37.430.
46.36.110 Safety load chains and devices. [1937 c 189 § 43; RRS § 6360-43; 1927 c 309 § 18 ; RRS § 6362-18.] Now codified as RCW 46.37.490.
46.36.120 Spiked or cleated wheels prohibited. [1937 c 189 § 42; RRS § 6360-42; 1929 c 180 § 7; 1927 c 309 § 46 ; RRS § 6362-46.] Repealed by 1955 c 269 § 48 and by 1961 c 12 § 46.98.050. Later enactment, see RCW 46.37.420.
46.36.130 Escape of load materials-—Fenders. [1947 c 200 § 3; 1937 c 189 § 44; Rem. Supp. 1947 § 6360-44.] Now codified as RCW 46.56.135 and 46.37.500.
46.36.140 Marking publicly owned vehicles--Exceptions. [1937 c 189 § 46; RRS § 6360-46.] Now codified as RCW 46.08.065.
46.36.150 Television viewers. [1949 c 196 § 11; Rem. Supp. 1949 § 6360-98d.] Now codified as RCW 46.37.480.

## Chapter 46.37 <br> VEHICLE LIGHTING AND OTHER EQUIPMENT

46.37.192 Red lights on emergency vehicles, school buses, police vehicles--Sirens--Authorized emergency vehicles. [1961 c 12 § 46.37.192. Prior: 1957 c 66 § 2.] Repealed by 1963 c 154 § 31 effective January 1, 1964, see note following RCW 46.37.010. Later enactment, see RCW 46.37.190.
46.37.350 Performance ability of brakes. [1961 c 12 § 46.37.350. Prior: 1955 c 269 § 35; prior: 1951 c 56 § 2, part.] Repealed by 1963 c 154 § 31 effective January 1, 1964, see note following RCW 46.37.010. Later enactment, see RCW 46.37.351.
46.37.580 Odometers--Disconnection for accommodation sales by dealers. [1969 c 112 § 6.] Repealed by 1975 c 24 § 2.

## Chapter 46.40 <br> VEHICLE LIGHTING

46.40.010 through 46.40.060 [1947 c 267 §§ 2, 3; 1937 c 189 §§ 15-19; RRS §§ 6360-15 through 6360-19.] Repealed by 1955 c 269 § 48 and by 1961 c 12 § 46.98.050. Later enactments, see RCW 46.37.010, 46.37.020, 46.37.040-46.37.060, 46.37.080-46.37.150, 46.37.270.
46.40.070 Bicycle lights, reflector, bells, brakes. [1951 c 76 § 8; 1937 c 189 § 20; RRS § 6360-20; 1927 c 309 § 26; RRS § 6362-26.] Now codified as RCW 46.47.080.
46.40.080 through $46.40 .210 \quad[1949$ c 157 §§ 1,$2 ; 1947$ c 267 §§ 4-7; 1937 c 189 §§ 21, 23-25, 27-32; 1927 c 390 § 33 ; Rem. Supp. 1949 §§ 6360-22a, 6360-29; Rem. Supp. 1947 §§ 6360-23, 6360-25a, 6360-32a; RRS §§ 6360-21, 6360-24, 6360-27, 6360-28, 6360-30 through 6360-32.] Repealed by 1955 c 269 § 48 and by 1961 c 12 § 46.98.050. Later enactments, see RCW 46.37.070, 46.37.170, 46.37.180, 46.37.200-46.37.290, 46.37.320, 46.37.330, 46.37.440, 46.37.450.
46.40.220 Red flashing lights on fire department vehicles. [1953 c 161 § 1.] Now codified as RCW 46.37.184.
46.40.230 Blue light on firemen's private cars. [1953 c 161 § 2.] Now codified as RCW 46.37.185.
46.40.240 Fire department sign or plate on private car. [1953 c 161 § 3.] Now codified as RCW 46.37.186.
46.40.250 Blue light, sign or plate——Identification card re-quired--Funeral coach may display blue light. [1953 c 161 § 4.] Now codified as RCW 46.37.187.
46.40.260 Penalty. [1953 c 161 § 5.] Now codified as RCW 46.37.188.

## Chapter 46.44 <br> SIZE, WEIGHT, LOAD

46.44.040 Maximum gross weights——Axle factor. [1974 ex.s. c 86 § $1 ; 1973$ 1st ex.s. c $150 \S 1 ; 1971$ ex.s. c 244 § $1 ; 1961$ c $12 \S 46-$ 44.040. Prior: 1957 c 273 § 17; 1955 c 384 § 4; 1951 c 269 § 26; prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § 6362-8, part.] Repealed by 1975-'76 2nd ex.s. c 64 § 24.
46.44.044 Maximum gross weights- Wheelbase factor. [1961 c 12 § 46.44.044. Prior: 1953 c 72 § 1; 1951 c 269 § 28; prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § $6362-8$, part.] Repealed by 1975-'76 2nd ex.s. c 64 § 24.
46.44.045 Maximum gross weights--Penalties for violations. [1971 c 17 § $1 ; 1969$ ex.s. c $199 \S 22 ; 1967$ c $32 \S 50 ; 1961$ ex.s. c $21 \S$ 34; 1961 c 12 § 46.44.045. Prior: 1959 c 136 § $1 ; 1953$ c 254 § 2; 1951 c 269 § 29; prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § 6362-8, part.) Repealed by 1975 -'76 2nd ex.s. c 64 § 24 .
46.44.046 Excess weight--Discretion of arresting officer. [1961 c 12 § 46.44.046. Prior: 1953 c 254 § 3; 1951 c 269 § 30.] Repealed by 1975-'76 2nd ex.s. c 64 § 24.
46.44.048 Excess weight--Poundage fees-DDeposit. [1953 c 254 § 11 ; 1951 c 269 § 32.] Repealed by 1959 c 136 § 2 and by 1961 c 12 §46.98.050.
46.44.094 Special permits for oversize or overweight movements——Fees. [1965 c 137 § 1 ; 1961 c 12 § 46.44.094. Prior: 1959 c 319 § 30; 1951 c 269 § 38; prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.] Expired July 1, 1967.
46.44.097 Special permits for oversize or overweight move-ments--Misrepresentation and violations--Penalty-DDisplay of special permit--Cancellation--Time limitation on issuance of new permit. [1971 ex.s. c 249 § 1; 1961 c 12 § 46.44.097. Prior: 1957 c 273 § 19; 1953 c 254 § 14; 1951 c 269 § 41 ; prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.] Repealed by 1975-'76 2nd ex.s. c 64 § 24.
46.44.099 Special permits for operation of oversize and overweight vehicles on interstate system and state highways--Violation of permit conditions-Confiscation--Hearing. [1965 c 38 § 2.] Repealed by 1975-'76 2nd ex.s. c 64 § 24.

## BICYCLES——OPRApter 46.47 ORATION AND EQUIPMENT

46.47.010 Scope of chapter--"Bicycle" defined. [1961 c 12 § 46.47.010. Prior: 1951 c $76 \S 1$.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.04.071.
46.47.020 Road rights and duties--In general. [1961 c 12 § 46.47.020. Prior: 1951 c 76 § 2.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.755.
46.47.030 Must ride on a seat. [1961 c 12 § 46.47.030. Prior: 1951 c 76 § 3.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.760(1).
46.47.040 Number of passengers. [1961 c 12 § 46.47.040. Prior: 1951 c 76 § 4.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.760(2).
46.47.050 "Hitching on" prohibited——Bikes and other recreational equipment. [1961 c 12 § 46.47.050. Prior: 1951 c 76 § 5.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.765.
46.47.060 Bicycle rules of the road. [1961 c 12 § 46.47.060. Prior: 1951 c 76 § 6.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.770.
46.47.070 Keep one band on handle bars. [1961 c 12 § 46.47.070. Prior: 1951 c 76 § 7.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.775.
46.47.080 Lights, reflector, bells, brakes. [1961 c 12 § 46.47.080. Prior: 1951 c 76 § 8; 1937 c 189 § 20; RRS § 6360-20; 1927 c 309 § 26; RRS § 6362-26. Formerly RCW 46.40.070.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.780.
46.47.090 Violations--Penalties——Duties, liabilities of parents, guardians--Negligence. [1961 c 12 § 46.47.090. Prior: 1951 c 76 § 9.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.61.700 and 46.61.750(1).

## Chapter 46.48 <br> SAFETY <br> SPEED

46.48.010 General criterion stated. [1961 c 12 § 46.48.010. Prior: 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011.
46.48.011 General criterion stated——Maximum speed limits spec-ified-DDuty to drive at reduced speed. [1965 ex.s. c 155 § 54; 1963 c 16 § 1.] Now codified as RCW 46.61.400.
46.48.012 Alteration of maximum speed limits. Decreases by state bigbway commission. [1963 c 16 § 2.] Now codified as RCW 46.61.405.
46.48.013 Alteration of maximum speed limits-—Increases by state highway commission. [1965 ex.s. c 155 § 55; 1963 c 16 § 3.] Now codified as RCW 46.61.410.
46.48.014 Alteration of maximum speed limits- Increases and decreases by local authorities. [1963 c 16 § 4.] Now codified as RCW 46.61.415.
46.48.015 Impeding traffic by slow speed prohibited-Minimum speed limits. [1963 c 16 § 6.] Now codified as RCW 46.61.425.
46.48.016 1963 act——Saving of existing orders, etc., establishing speed limits. [1963 c 16 § 7.] Now appears as footnote to RCW 46.61.400.
46.48.020 Speed limits--In cities and towns. [1961 c 12 § 46.48.020. Prior: 1951 c 28 § 6; 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011-46.48.016.
46.48.021 Speed limits——Outside cities and towns--Intersections. [1961 c 120 § 1; 1961 c 12 § 46.48.021. Prior: 1951 c 28 § 7; 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24 , part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011-46.48.016.
46.48.022 Speed limits--Outside cities and towns. [1961 c 12 § 46.48.022. Prior: 1955 c 177 § 1; 1951 c 28 § 8; 1949 c 196 § 6, part;

1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27. part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011-46.48.016
46.48.023 Speed limits——School or playground crosswalks. [1963 c 16 § 5; 1961 c 12 § 46.48.023. Prior: 1951 c 28 § $9 ; 1949$ c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Now codified as RCW 46.61.440.
46.48.024 Speed limits--Sixty miles per hour--Heavy trucks and combinations excepted. [1961 c 12 § 46.48.024. Prior: 1955 c 177 § 4; 1951 c 28 § 10; 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011-46.48.016.
46.48.025 Speed limits-—Due care required. [1961 c 12 § 46.48.025. Prior: 1951 c 28 § 11; 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Now codified as RCW 46.61.445.
46.48.026 Speed limits--Exceeding speed limit evidence of reckless driving. [1961 c 12 § 46.48.026. Prior: 1951 c 28 § 12; 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Now codified as RCW 46.61.465.
46.48.027 Speed limits--Violation charges--Speed to be specified. [1961 c 12 § 46.48.027. Prior: 1951 c 28 § 13; 1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. \& Bal. § 2531, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.475.
46.48.030 Maximum speed on state highways may be lowered by highway commission--Posting speed limit. [1961 c 12 § 46.48.030. Prior: 1937 c 189 § 65; RRS § 6360-65.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011-46.48.016.
46.48.040 Local speed regulations. [1961 c 12 § 46.48.040. Prior: 1951 c 28 § 2; prior: 1937 c 189 § 66, part; RRS § 6360-66, part; 1927 c 309 § 5, part; 1921 c 96 § 41, part; 1919 c 59 § 13, part; 1917 c 155 § 20, part; 1915 c 142 § 34, part; RRS § 6362-5, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.01146.48.016.
46.48.041 Speed limits--Limited access facilities-—Local regulation. [1961 c 12 § 46.48.041. Prior: 1955 c 177 § 5.] Now codified as RCW 46.61.430.
46.48.044 Local speed regulations--Posting speed limit. [1961 c 12 § 46.48.044. Prior: 1951 c 28 § 3; prior: 1937 c 189 § 66, RRS § 6360-66, part; 1927 c 309 § 5, part; 1921 c 96 § 41, part; 1919 c 59 § 13, part; 1917 c 155 § 20, part; 1915 c 142 § 34, part; RRS § 6362-5, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48-.011-46.48.016.
46.48.046 Local speed regulations--"Stop" signs for arterial highways. [1961 c 12 § 46.48.046. Prior: 1951 c 28 § 4; prior: 1937 c 189 § 66, part; RRS § 6360-66, part; 1927 c 309 § 5, part; 1921 c 96 § 41, part; 1919 c 59 § 13, part; 1917 c 155 § 20, part; 1915 c 142 § 34, part; RRS § 6362-5, part.] Now codified as RCW 46.61.435.
46.48.050 Racing of vehicles on highways, reckless driving. [1961 c 12 § 46.48.050. Prior: 1937 c 189 § 67; RRS § 6360-67; 1921 c 96 § 32; 1915 c 142 § 25 ; RRS § 6344.] Now codified as RCW 46.61.530.
46.48.060 Advertising of unlawful speed attained, reckless driving. [1961 c 12 § 46.48.060. Prior: 1937 c 189 § 68; RRS § 6360-68.] Now codified as RCW 46.61.535.
46.48.070 Impeding traffic by slow speed prohibited. [1961 c 12 § 46.48.070. Prior: 1937 c 189 § 69; RRS § 6360-69.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.016.
46.48.080 Maximum weight, size or speed in traversing bridges, elevated structures, tunnels, underpasses--Posting limits. [1961 c 12 § 46.48.080. Prior: 1937 c 189 § 70; RRS § 6360-70.] Now codified as RCW 46.61.450.
46.48.090 Maximum speed——Heavy trucks. [1961 c 12 § 46.48.090. Prior: 1955 c 177 § 2; 1947 c 200 § 9; 1937 c 189 § 71; Rem. Supp. 1947 § 6360-71; 1929 c 180 § 2, part; 1927 c 309 § 4, part; 1923 c 181 § 6, part; RRS § 6362-4, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; RRS § 6362-3, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.01 1-46.48.016.
46.48.100 Maximum speed-CCombination of vehicles. [1961 c 12 § 46.48.100. Prior: 1955 c 177 § 3; 1947 c 200 § $10 ; 1937$ c 189 § 72; Rem. Supp. 1947 § 6360-72; 1929 c 180 § 2, part; 1927 c 309 § 4, part; 1923 c 181 § 6, part; RRS § 6362-4, part.] Repealed by 1963 c 16 § 8. Later enactment, see RCW 46.48.011-46.48.016.
46.48.110 Maximum speed-_Vehicles with solid or hollow cushion tires. [1961 c 12 § 46.48.110. Prior: 1947 c 200 § 11; 1937 c 189 § 73; Rem. Supp. 1947 § 6360-73.] Now codified as RCW 46.61.455.
46.48.128 Speed traps outlawed——Measured courses. [1961 c 12 § 46.48.120. Prior: 1937 c 189 § 74; RRS § 6360-74; 1927 c 309 § 7; RRS § 6362-7.] Now codified as RCW 46.61.470.

## SCHOOL BUSES AND SCHOOL PATROLS

46.48.130 Stop signals and flasher signal lamps required-Mandatory display, exceptions. [1961 c 203 § 1 ; 1961 c 12 § 46.48.130. Prior: 1945 c 151 § 1, part; 1937 c 189 § 45, part; Rem. Supp. 1945 § 6360-45, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.370(1).
46.48.140 Vehicles must stop on approaching stopped school bus. [1961 c 12 § 46.48.140. Prior: 1945 c 151 § 1, part; 1937 c 189 § 45, part; Rem. Supp. 1945 § 6360-45, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.370(1).
46.48.150 Regulations as to design, marking and mode of operating school buses. [1961 c 12 § 46.48 .150 . Prior: 1937 c 189 § 131; RRS § 6360-131.] Now codified as RCW 46.61.380.
46.48.160 School patrol-Appointment-Authority-_Fi-nance--Insurance. [1961 c 12 § 46.48.160. Prior: 1953 c 278 § 1 ; 1937 c 189 § 130; RRS § 6360-130; 1927 c 309 § 42; RRS § 6362-42.] Now codified as RCW 46.61.385.

## PARKING

46.48.260 Parallel and angle parking-—Standing or parking may be prohibited or restricted. [1961 c 12 § 46.48.260. Prior: 1949 c 196 § 5; 1939 c 35 § 1 ; 1937 c 189 § 108; Rem. Supp. 1949 § 6360-108.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.61.575.
46.48.270 Prohibited parking places. [1961 c 12 § 46.48.270. Prior: 1937 c 189 § 107; RRS § 6360-107.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.570.
46.48.280 Stopping and securing car when standing. [1961 c 12 § 46.48.280. Prior: 1937 c 189 § 109; RRS § 6360-109.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.600.
46.48.290 Leaving vehicle on main traveled part of highway. [1961 c 12 § 46.48.290. Prior: 1937 c 189 § 110; RRS § 6360-110; 1927 c 309 § 47, part; 1927 c 105 § 1, part; 1921 c 96 § 35, part; RRS § 6362-47, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.560.
46.48.300 Removal of vehicles left on main traveled way. \{1961 c 12 § 46.48.300. Prior: 1937 c 189 § 111; RRS § 6360-111; 1927 c 309 § 47, part; 1927 c 105 § 1, part; 1921 c 96 § 35, part; RRS § 6362-47, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.565.
46.48.310 Removal of disabled vehicles--Impounding. [1961 c 12 § 46.48.310. Prior: 1955 c 172 § 1.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.565.
46.48.320 Removal of disabled vehicles--Charges--Service contracts. [1961 c 12 § 46.48.320. Prior: 1955 c 172 § 2.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.565.
46.48.330 Removal of disabled vehicles--Towing service-Posting. [1961 c 12 § 46.48.330. Prior: 1955 c 172 § 3.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.565.
46.48.340 Special parking privileges for certain disabled per-sons-—Display of decal——Prohibited areas. [1961 c 128 § 2.] Now codified as RCW 46.61.580.

## Chapter 46.52 <br> ACCIDENTS AND REPORTS

46.52.140 Motor vehicle operators' revolving fund——Use. [1967 c 32 § 64; 1963 c 169 § 66; 1961 ex.s. c 21 § 28.] Repealed by 1967 c 174 § 6.

Transfer of funds to highway safety fund. ${ }^{7}$ From and after the first day of August, 1967, all moneys in the motor vehicles drivers' records revolving fund shall be transferred to the highway safety fund. " [1967 c 174 § 5.]

## Chapter 46.56 <br> DRIVING DELINQUENCIES

46.56.010 Operating under influence of intoxicants or drugs-Chemical analysis, tests, presumptions--Penalties. [1961 c 12 § 46.56.010. Prior: 1955 c 393 § 3; 1949 c 196 § 4; 1937 c 189 § 119 ; Rem. Supp. 1949 § 6360-119; 1927 c 309 § 51; RRS § 6362-51.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.505, 46.61.510 and 46.61.515.
46.56.020 Operating motor vehicle in reckless manner. [1961 c 12 § 46.56.020. Prior: 1937 c 189 § 118; RRS § 6360-118; 1927 c 309 § 45; 1923 c 122 § 2 ; RRS § 6362-45.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.500(1).
46.56.030 Operating motor vehicle in a negligent manner. [1961 c 12 § 46.56.030. Prior: 1939 c 154 § 1 ; RRS § 6360-118 1/2.] Now codified as RCW 46.61.525.
46.56.040 Negligent homicide by means of a motor vehicle. [1965 ex.s. c 155 § 63 ; 1961 c 12 § 46.56.040. Prior: 1937 c 189 § 120; RRS § 6360-120.] Now codified as RCW 46.61.520.
46.56.050 Transporting passengers for hire with trailers. [1961 c 12 § 46.56.050. Prior: 1937 c 189 § 113; RRS § 6360-113.] Repealed by 1965 ex.s. c $155 \S 91$.
46.56.060 Operating with gears in neutral or clutch disengaged. [1961 c 12 § 46.56.060. Prior: 1937 c 189 § 114 ; RRS § 6360-114.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.630.
46.56.070 Carrying persons or animals on outside part of vehicle. [1961 c 12 § 46.56.070. Prior: 1937 c 189 § 115 ; RRS § 6360-115.] Now codified as RCW 46.61.660.
46.56.080 Riding other than on seat of motorcycle. [1961 c 12 § 46.56.080. Prior: 1949 c 196 § 10 ; RRS § 6360-98c.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.610.
46.56.090 Interference with operator's view or control-Operating when. [1961 c 12 § 46.56.090. Prior: 1949 c 196 § 3; 1937 c 189 § 116; Rem. Supp. 1949 § 6360-116.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.615.
46.56.100 Embracing another while driving. [1961 c 12 § 46.56.100. Prior: 1937 c 189 § 117 ; RRS § 6360-117; 1927 c 309 § 49; RRS § 6362-49.] Now codified as RCW 46.61.665.
46.56.110 Driving over fire hose. [1961 c 12 § 46.56.110. Prior: 1937 c 189 § 95 ; RRS § 6360-95.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.640.
46.56.120 Driving or parking in proximity to fire apparatus. [1961 c 12 § 46.56.1 20. Prior: 1937 c 189 § 94; RRS § 6360-94.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.61.635.
46.56.130 Driving with wheels off roadway. [1961 c 12 § 46.56.130. Prior: 1937 c 189 § 96; RRS § 6360-96. Formerly RCW 46.36.130, (second, third, fourth paragraphs).] Now codified as RCW 46.61.670.
46.56.135 Permitting escape of load materials--Throwing debris on right of way. [1965 ex.s. c 52 § $1 ; 1961$ c $12 \S 46.56 .135$. Prior: 1947 c 200 § 3, part; 1937 c 189 § 44, part; Rem. Supp. 1947 § 6360-44, part. Formerly RCW 46.36.130 (first paragraph).] Now codified as RCW 46.61.655.
46.56.137 Throwing or dropping glass or debris, etc., upon or along highways, parks, beaches, or waters--Penalty--Suspension of penalty conditioned on removal of debris. Cross-reference section. Decodified.
46.56.140 Leaving debris on roadway. [1961 c 12 § 46.56.140. Prior: 1937 c 189 § 112; RRS § 6360-112.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.645 and 46.61.650.
46.56.150 Failure to stop at stop sign. [1961 c 12 § 46.56.150. Prior: 1937 c 189 § 122; RRS § 6360-122.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.190(2).
46.56.160 Failure to comply with restrictive signs-—Penalty. [1961 c 12 § 46.56.160. Prior: 1937 c 189 § 123; RRS § 6360-123.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.050(1).
46.56.170 Disobedience of traffic control devices. [1961 c 12 § 46.56.170. Prior: 1937 c 189 § 124 ; RRS § 6360-124.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.050(1).
46.56.180 Disobedience of signals of officer or flagman. [1961 c 12 § 46.56.180. Prior: 1937 c 189 § 125; RRS § 6360-125; 1927 c 309 § 36; 1921 c 96 § 37 ; RRS § 6362-36.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.015.
46.56.190 Refusal to give information to or cooperate with officer. [1961 c 12 § 46.56.190. Prior: 1937 c 189 § 126; RRS § 6360-126; 1927 c 309 § 38; RRS § 6362-38.] Now codified as RCW 46.61.020.
46.56.200 Causing or permitting vehicle to be unlawfully operated. [1961 c 12 § 46.56.200. Prior: 1937 c 189 § 148; RRS § 6360-148.] Now codified as RCW 46.61.675.
46.56.210 Attempting, aiding, abetting, coercing, committing violations, punishable. [1961 c 12 § 46.56 .210 . Prior: 1937 c 189 § 149; RRS § 6360-149.] Now codified as RCW 46.64.048.
46.56.220 Lowering passenger motor vehicle below legal clear-ance-Penalty. [1961 c 151 § 1.] Now codified as RCW 46.61.680.
46.56.230 Leaving children unattended in standing vehicle with motor running-—Penalty. [1961 c 151 § 2.] Now codified as RCW 46.61.685.
46.56.240 Violations relating to toll facilities. [1961 c 259 § 1.] Now codified as RCW 46.61.690.

## Chapter 46.60 <br> RULES OF THE ROAD

46.60.010 Operator must drive to the right of center line--Excepted circumstances. [1961 c 12 § 46.60.010. Prior: 1937 c 189 § 75; RRS § 6360-75; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.100.
46.60.020 Divided highways. [1963 ex.s. c 3 § $50 ; 1961$ c 12 § 46.60.020. Prior: 1959 c 44 § 1; 1955 c 146 § 1; 1949 c 196 § 12; Rem. Supp. 1949 § 6360-98e.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.150, 46.61.100(3) and 46.61.140.
46.60.030 Meeting vehicles traveling in opposite directionDimming lights at night. [1949 c 196 § 1; 1937 c 189 § 76; Rem. Supp. 1949 § 6360-76. Prior: 1927 c 309 § 41; 1923 c 181 § 7; 1921 c 96 §§ 28,$29 ; 1919$ c 59 § 11 ; 1915 c 142 §§ 26,27 ; RRS § 6362-41.] Repealed by 1955 c 269 § 48 and by 1961 c 12 § 46.98.050. Later enactment, see RCW 46.37.230.
46.60.040 Overtaking and passing another vehicle-—Require-ments-—Sounding horn. [1961 c 12 § 46.60.040. Prior: 1937 c 189 § 77; RRS § 6360-77; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.110.
46.60.050 Wben overtaking vebicle may pass to the right. [1961 c 12 § 46.60.050. Prior: 1959 c 42 § 1 ; 1957 c 96 § 1 ; 1937 c 189 § 78; RRS § 6360-78: 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § $6362-41$, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.115.
46.60.060 Overtaking and passing on curves, grades, tunnels, and grade crossings--Exceptions--Marking danger spots. [1961 c 12 § 46.60.060. Prior: 1953 c 31 § 1 ; 1937 c 189 § 79; RRS § 6360-79; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; RRS § 6362-41, part.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.125 and 46.61.130.
46.60.070 Additional rules for multiple-laned highways. [1961 c 12 § 46.60.070. Prior: 1937 c 189 § 80; RRS § 6360-80.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.140.
46.60.080 Interval between vehicles. [1961 c 12 § 46.60.080. Prior: 1937 c 189 § 81; RRS § 6360-81; 1927 c 309 § 41, part; RRS § 6362-41, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.145.
46.60.090 Overtaking and passing street cars on left. [1961 c 12 § 46.60.090. Prior: 1937 c 189 § 82; RRS § 6360-82; 1921 c 96 § 31, part; RRS § 6343, part.] Repealed by 1965 ex.s. c 155 § 91.
46.60.100 Passing stopped street car or bus on right. [1961 c 12 § 46.60.100. Prior: 1937 c 189 § 83; RRS § $6360-83$; 1921 c 96 § 31 , part; RRS § 6343, part.] Repealed by 1965 ex.s. c 155 § 91.
46.60.110 Positions to be assumed for right and left hand turns. [1961 c 12 § 46.60.110. Prior: 1937 c 189 § 84; RRS § 6360-84; 1927 c 309 § 41, part; 1921 c 96 § 29, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.290.
46.60.120 Turning and stopping signals--Mechanical signals. [1961 c 12 § 46.60.120. Prior: 1953 c 248 § 1; 1949 c 157 § 3; 1947 c 267 § 9; 1937 c 189 § 85; Rem. Supp. 1949 § 6360-85; 1929 c 178 § 1, part; RRS § 6362-15, part; 1927 c 309 § 41, part; 1921 c 96 § 29, part; RRS § 6362-41, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.310.
46.60.130 Turning left at intersection-—Requirements. [1961 c 12 § 46.60 .130 . Prior: 1947 c 200 § 12; 1937 c 189 § 86; Rem. Supp. 1947 § 6360-86.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.310(2).
46.60.140 Making " $U$ " turns, restrictions on. [1961 c 12 § 46.60.140. Prior: 1937 c 189 § 87; RRS § 6360--87.] Repealed by 1965 ex.s.c 155 § 91. Later enactment, see RCW 46.61.295.
46.60.150 Right of way on approaching intersections. [1963 ex.s. c 3 § 46; 1961 c 12 § 46.60.150. Prior: 1955 c 146 § 3 ; 1937 c 189 § 88 ; RRS § 6360-88; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; RRS § $6362-41$, part.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.180.
46.60.160 Right of way on making left turn at intersection. [1961 c 118 § 1; 1961 c 12 § 46.60.160. Prior: 1937 c 189 § 89; RRS § 6360-89.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.185.
46.60.170 Rigbt of way at arterial intersection. [1963 ex.s. c $3 \S$ 47; 1961 c 12 § 46.60.170. Prior: 1955 c 146 § 4; 1937 c 189 § 90 ; RRS § 6360-90.] Repealed by 1965 ex.s. c 155 § 91.
46.60.180 Duty in backing vehicle. [1961 c 12 § 46.60.180. Prior: 1937 c 189 § 91 ; RRS § 6360 --91.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.605.
46.60.190 Emerging from alleys or private property or across sidewalk area. [1961 c 12 § 46.60 .190 . Prior: 1937 c 189 § 92; RRS § 6360-92.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.205 and 46.61.365.
46.60.200 Starting parked vehicle. [1961 c 12 § 46.60.200. Prior: 1949 c 196 § 9; Rem. Supp. 1949 § 6360-98b.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.300.
46.60.210 Duty on approach of emergency vehicles. [1961 c 12 § 46.60.210. Prior: 1937 c 189 § 93; RRS § 6360-93.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.210.
46.60.220 Observance of pedestrian safety zones. [1961 c 12 § 46.60.220. Prior: 1937 c 189 § 97; RRS § 6360-97.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.260.
46.60.230 Traffic control signals--Colors--Indications. [1961 c 12 § 46.60 .230 . Prior: 1959 c 135 § 1 ; 1951 c 56 § 3; 1949 c 196 § 7; 1947 c 200 § 13; 1937 c 189 § 98; Rem. Supp. 1949 § 6360-98; 1927 c 284 § 2; RRS § 6362-41 b.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.055 and 46.61.065.
46.60.240 Pedestrian control signals. (1961 c 12 § 46.60.240. Prior: 1949 c 196 § 8; Rem. Supp. 1949 § 6360-98a.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.060.
46.60.250 Pedestrian traffic regulations. [1961 c 12 § 46.60.250. Prior: 1949 c 196 § 2; 1937 c 189 § 99; Rem. Supp. 1949 § 6360-99.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.61-.230-46.61.245.
46.60.260 Blind pedestrians. [1961 c 12 § 46.60.260. Prior: 1945 c 105 § 1 ; Rem. Supp. 1945 § 6360-99a.] Now codified as RCW 46.61.265.
46.60.270 Blind pedestrians-—Use of device for blind by others, prohibited. [1961 c 12 § 46.60.270. Prior: 1945 c 105 § 2; Rem. Supp. 1945 § 6360-99b.] Now codified as RCW 46.61.270.
46.60.280 Hitchhiking prohibited. [1961 c 12 § 46.60.280. Prior: 1937 c 189 § 100; RRS § $6360-100$.] Repealed by 1965 ex.s. c $155 \S$ 91. Later enactment, see RCW 46.61.255.
46.60.290 Pedestrians walking along highway. [1961 c 12 § 46.60.290. Prior: 1937 c 189 § 101 ; RRS § 6360-101.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.250.
46.60.300 Stopping at railroad crossing or movable span at signal. [1961 c 12 § 46.60.300. Prior: 1937 c 189 § 102; RRS § 6360-102.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.340.
46.60.310 Stop signs at dangerous grade crossings-—Stopping distance. [1961 c 12 § 46.60.310. Prior: 1937 c 189 § 103; RRS § 6360-103.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.345.
46.60.320 Stopping or reducing speed at other grade crossings. [1963 c 125 § 1 ; 1961 c 12 § 46.60 .320 . Prior: 1957 c 96 § $2 ; 1937$ c 189 § 104; RRS § 6360-104.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.350.
46.60.330 Arterial highways designated-—Stopping on entering. [1963 ex.s. c 3 § 48 ; 1961 c 12 § 46.60.330. Prior: 1955 c 146 § 5; 1947 c 200 § 14; 1937 c 189 § 105; Rem. Supp. 1947 § 6360-105.] Now codified as RCW 46.61.195.
46.60.340 Stop intersections other than arterial may be designated. [1961 c 12 § 46.60.340. Prior: 1937 c 189 § 106; RRS § 6360-106; 1927 c 284 § 1 ; RRS § 6362-4la.] Now codified as RCW 46.61.200.
46.60.350 One-way streets and highways--Designation-Traffic rules. [1961 c 12 § 46.60.350. Prior: 1949 c 196 § 14; Rem. Supp. 1949 § 6360-98g.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.135.

## Chapter 46.61 <br> RULES OF THE ROAD

46.61.265 Blind pedestrians. [1967 c 32 § 66; 1961 c 12 § 46.60.260. Prior: 1945 c 105 § 1; Rem. Supp. 1945 § 6360-99a. Formerly RCW 46.60.260.] Repealed by 1969 c 141 § 10. Later enactment, see chapter 70.84 RCW .
46.61.270 Blind pedestrians-_Use of device for blind by others prohibited. [1961 c 12 § 46.60.270. Prior: 1945 c 105 § 2; Rem. Supp. 1945 § 6360-99b. Formerly RCW 46.60.270.) Repealed by 1969 c 141 § 10. Later enactment, see chapter 70.84 RCW .
46.61.360 Stop signs and yield signs. [1965 ex.s. c 155 § 50.] Repealed by 1975 c 62 § 51 .
46.61.420 Speed limits established by city or town ordinance in conflict witb state law-—Procedure. [1965 ex.s. c 155 § 56.] Repealed by 1975 c 62 § 51 .
46.61.505 Persons under the influence of intoxicating liquor. [1965 ex.s. c 155 § 60.] Repealed by 1969 c 1 § 5 (Initiative Measure No. 242 § 5). Later enactment, see RCW 46.61.506.
46.61.510 Persons under the influence of drugs. [1965 ex.s. c 155 § 61.] Repealed by 1975 1st ex.s. c 287 § 6.
46.61.650 Throwing or dropping glass or debris, etc., upon or along highways, parks, heaches or waters - Penalty--Suspension of penalty conditioned upon removal of debris. [1969 ex.s. c 281 § $51 ; 1965$ ex.s. c 52 § 2.] Repealed by 1971 ex.s. c 307 § 24. Later enactment, see RCW 70.93.060.
46.61.695 Attempting, aiding, abetting, coercing, committing violations, punishable. [1961 c 12 § 46.56.210. Prior: 1937 c 189 § 149; RRS § 6360-149.] Now codified as RCW 46.64.048.

## Chapter 46.68 <br> DISPOSITION OF REVENUE

46.68.040 Disposition of operators' license fees-—Support of state parks and driver education. [1963 c 39 § 11 ; 1961 c 12 § 46.68.040. Prior: 1959 c 81 § 1; 1957 c 294 § 2; 1955 c 259 § 5; 1949 c 52 § $2 ; 1947$ c 164 § 19 ; 1937 c 188 § 71 ; Rem. Supp. 1949 § 6312-71.) Repealed by 1965 c $25 \S 5$, effective January $1,1966$.
46.68.140 State patrol highway account created. [1961 c 12 § 46.68.140. Prior: 1957 c 105 § 4.] Repealed by 1971 ex.s. c 91 § 7.

## Chapter 46.70 <br> UNFAIR MOTOR VEHICLE BUSINESS PRACTICES-DEALERS' AND SALESMEN'S LICENSES (FORMERLY: DEALER'S LICENSES)

46.70.010 Definitions. [1965 c 68 § 1 ; 1961 c 48 § 1 ; 1961 c $12 \S$ 46.70.010. Prior: 1959 c 166 § $15 ; 1951$ c 150 § 2.] Repealed by 1967 ex.s. c 74 § 30. Later enactment, see RCW 46.70.011.
46.70.020 Requirements for conducting business as dealer. [1967 c 32 § 76; 1965 c 68 § 2; 1961 c 12 § 46.70.020. Prior: 1951 c 150 § 3.] Repealed by 1967 ex.s. c $74 \S 30$. Later enactment, see RCW 46.70.021.
46.70.030 Application for license. [1961 c 12 § 46.70.030. Prior: 1951 c 150 § 4.] Repealed by 1967 ex.s. c 74 § 30. Later enactment, see RCW 46.70.031.
46.70.040 Application--Contents——Fee. [1965 c 68 § 3; 1961 c 12 § 46.70.040. Prior: 1959 c 166 § 16; 1951 c 150 § 5.] Repealed by 1967 ex.s. c 74 § 30. Later enactment, see RCW 46.70.041.
46.70.050 License--Issuance, expiration, renewal. [1961 c 12 § 46.70.050. Prior: 1959 c 166 § 17; 1951 c 150 § 6.] Repealed by 1967 ex.s. c 74 § 30. Later enactment, see RCW 46.70.051.
46.70.060 Dealer's license fee-—Dealer's plates. [1972 ex.s. c 99 § 5 ; 1971 ex.s. c 74 § 3 ; 1967 ex.s. c 74 § 26 ; 1967 c $32 \S 77$; 1961 c 12 § 46.70.060. Prior: 1959 c 166 § 18; 1951 c 150 § 7.] Repealed by 1973 1st ex.s. c 132 § 25.
46.70.080 Additional license required for branch or subagency. [1961 c 12 § 46.70.080. Prior: 1951 c 150 § 9.] Repealed by 1967 ex.s. c 74 § 30. Later enactment, see RCW 46.70.081.
46.70.100 Refusal, suspension, revocation of license--Grounds. [1965 c 68 § 4; 1961 c 12 § 46.70 .100 . Prior: 1959 c 166 § 20; 1957 c 273 § 20; 1951 c 150 § 13.] Repealed by 1967 ex.s. c 74 § 30. Later enactment, see RCW 46.70.101.
46.70.110 Refusal, suspension, revocation of license--Hearing——Appeal. [1967 c 32 § 78; 1961 c 12 § 46.70.110. Prior: 1951 c 150 § 14.) Repealed by 1967 ex.s. c 74 § 30.
46.70.280 License renewal period under 1971 act. [1971 ex.s. c 74 § 9; 1967 ex.s. c 74 § 29.] Repealed by 1973 1st ex.s. c 132 § 25.

## Chapter 46.76 <br> MOTOR VEHICLE TRANSPORTERS

46.76.075 Licensees must pay gross weight fees. [1955 c 384 § 15.] Repealed by 1957 c 107 § 4.

## Chapter 46.84 <br> HIGHWAY USER TAX STRUCTURE

46.84.010 Declaration of policy. [1961 c 12 § 46.84.010. Prior: 1955 c 381 § 1.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.010.
46.84.020 Proportional registration and licensing--"Instate fleet miles," "total fleet miles" defined. [1961 ex.s. c 21 § 37; 1961 c 12 § 46.84.020. Prior: 1957 c 273 § 22; 1955 c 381 § 2.] Repealed by 1963 c 106 § 32. Later enactments, see RCW 46.85.120, 46.85.130, 46.85.150.
46.84.030 Mileage proportions for fleets not formerly operated in state. [1961 c 12 § 46.84.030. Prior: 1955 c 381 § 3.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.170.
46.84.040 Records preserved——Lien for fees. [1961 c 12 § 46.84.040. Prior: 1955 c 381 § 4.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.190.
46.84.050 Reciprocity commission created--Duty of director of licenses. [1961 c 12 § 46.84.050. Prior: 1957 c 273 § 23 ; 1955 c 381 § 5.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.030.
46.84.060 Agreements with other states, provinces, etc.--Contents. [1961 c 12 § 46.84.060. Prior: 1955 c 381 § 6.] Repealed by 1963 c 106 § 32. Later enactments, see RCW 46.85 .040 and 46.85.220.
46.84.070 Agreements with other states, provinces, etc.- Registration in other jurisdictions, effect. [1961 c 12 § 46.84.070. Prior: 1955 c 381 § 7.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.050.
46.84.080 Agreements with other states, provinces, etc.-DDenial of benefits to violators. [1961 c 12 § 46.84.080. Prior: 1955 c 381 § 8.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.090.
46.84.090 Agreements with other states, provinces, etc.——Reciprocal benefits when no agreement. [1961 c 12 § 46.84.090. Prior: 1955 c 381 § 9.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.060.
46.84.100 Agreements with other states, provinces, etc.--Formal requirements--Effect on other law. [1961 c 12 § 46.84.100. Prior: 1955 c 381 § 10.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.100.
46.84.110 Floater license plate——Authorized——Prerequisites. [1961 c 266 § 1.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.230.
46.84.120 Floater license plate--Application--Fee. [1961 c 266 § 2.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.240.
46.84.130 Floater license plate--Valid only for intracity opera-tion-PPenalty for violation. [1961 c 266 § 3.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.250.
46.84.140 Floater license plate——Design, size, etc.-—Furnished as other plates. [1961 c 266 § 4.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.260.
46.84.150 Special reciprocity identification plate-DDisplay. [1961 ex.s. c 21 § 38.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.270.
46.84.160 Special reciprocity identification plate——Duration. [1961 ex.s. c 21 § 39.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.280.
46.84.170 Special reciprocity identification plate——Applica-tion-Issuance--Fee, deposit. [1961 ex.s. c 21 § 40.] Repealed by 1963 c 106 § 32. Later enactment, see RCW 46.85.290.

Repeal and savings_-1963 c 106: See RCW 46.85.920.

## Title 47 <br> PUBLIC HIGHWAYS

## Chapter 47.01 <br> HIGHWAY COMMISSION

47.01.140 Commission's report to legislature. [1961 c 13 § 47.01.140. Prior: 1951 c 247 § 14. Formerly RCW 43.27.190.] Repealed by 1973 2nd ex.s. c 12 § 8.
47.01.150 Budget--Plan for highway development. [1961 c 13 § 47.01.150. Prior: 1955 c 383 § 45 ; 1953 c 254 § 1; 1951 c 247 § 15. Formerly RCW 43.27.200.] Repealed by 1963 c 173 § 9. Later enactment, see chapter 47.05 RCW.
47.01.200 Commission--Personnel merit system required for department. [1955 c 383 § 44; 1949 c 220 § 3; RCW 43.27.060.] Repealed by 1961 c 1 § 33(9); Initiative Measure No. 207. See chapter 41.06 RCW

## Chapter 47.04 GENERAL PROVISIONS

47.04.030 Provisions applicable to both primary and secondary highways. [1961 c 13 § 47.04.030. Prior: 1937 c 207 § 20; RRS § $6402-20$.] Repealed by 1967 ex.s. c $145 \S 47$.

## Chapter 47.05

PRIORITY PROGRAMMING FOR HIGHWAY DEVELOPMENT
47.05.050 Six year comprehensive highway construction pro-gram--Composition-Criteria for selection of projects--Revi-sion-—Biennial extension. [1973 2nd ex.s. c 12 § 6; 1969 ex.s. c 39 § 5; 1963 c 173 § 5.] Repealed by 1975 1st ex.s. c 143 § 5.
47.05.060 Summary of proposed program to be presented to governor and legislature——Contents. [1963 c 173 § 6.] Repealed by 1973 2nd ex.s. c 12 § 8 .
47.05.080 Biennial report to joint committee on highways. [1969 ex.s. c 39 § 6; 1963 c 173 § 8.] Repealed by 1973 2nd ex.s. c 12 § 8.

## Chapter 47.10 <br> HIGHWAY CONSTRUCTION BONDS

## RESERVE FUNDS FOR INTERSTATE HIGHWAY PROJECTS-1965 ACT

47.10.740 Providing reserve funds for interstate highway pro-jects-DDeclaration of public purpose. [1965 ex.s. c 163 § 1.] $\mathrm{Re}-$ pealed by 1967 ex.s. c 7 § 24.
47.10.741 Issuance and sale of limited obligation bonds--Au-thorized-DDeclaration of purpose. [1965 ex.s. c 163 § 2.] Repealed by 1967 ex.s. c 7 § 24.
47.10.742 Bonds--Term——Terms and conditions--Signa-tures--Registration--Where payable--Negotiable instruments. [1965 ex.s. c 163 § 3.] Repealed by 1967 ex.s. c 7 § 24.
47.10.743 Bonds--Denominations--Manner and terms of sale--Legal investment for state funds. [1965 ex.s. c 163 § 4.] Repealed by 1967 ex.s. c 7 § 24.
47.10.744 Bonds--Bond proceeds--Deposit and use. [1965 ex.s. c 163 § 5.] Repealed by 1967 ex.s. c 7 § 24.
47.10.745 Bonds--Statement describing nature of obligation-Pledge of excise taxes. [1965 ex.s. c 163 § 6.] Repealed by 1967 ex.s. c 7 § 24.
47.10.746 Bonds--Designation of funds to repay bonds and interest. [1965 ex.s. c 163 § 7.] Repealed by 1967 ex.s. c 7 § 24.
47.10.747 Bonds--Federal aid funds may be pledged. [1965 ex.s. c 163 § 8.] Repealed by 1967 ex.s. c 7 § 24.
47.10.748 Bonds--Repayment procedure-BBond retirement fund. [1965 ex.s. c 163 § 9.] Repealed by 1967 ex.s. c 7 § 24.
47.10.749 Bonds--Sums in excess of retirement require-ments--Use. [1965 ex.s. c 163 § 10.] Repealed by 1967 ex.s. c 7 § 24.
47.10.750 Bonds——Appropriation from motor vehicle fund. [1965 ex.s. c 163 § 11.] Repealed by 1967 ex.s. c 7 § 24.

## Chapter 47.12 ACQUISITION AND DISPOSIION OF STATE HIGHWAY PROPERTY

47.12.030 Release of state lands--Payment for timber and road materials. [1937 c 53 § 25, part; RRS § 6400-25, part.] Now codified as part of RCW 47.12.020.
47.12.090 Sale of state highway land used for administrative purposes authorized. [1961 c 13 § 47.12.090. Prior: 1937 c 185 § 1; RRS § 6400-111.] Repealed by 1973 1st ex.s. c 177 § 8.
47.12.100 Sale of state highway land used for administrative purposes authorized- Rejection and acceptance of bids--Governor's approval before acceptance. [1961 c 13 § 47.12.100. Prior: 1937 c 185 § 2; RRS § 6400-112.] Repealed by 1973 1st ex.s. c 177 § 8.
47.12.105 Sale of state highway land used for administrative purposes authorized--Conveyance. [1961 c 13 § 47.12.105. Prior: 1937 c 185 § 3; RRS § 6400-113.] Repealed by 1973 1st ex.s. c 177 § 8.
47.12.110 Sale of state highway land used for administrative purposes authorized--Disposition of proceeds. [1961 c 13 § 47.12.110. Prior: 1937 c 185 § 4; RRS § 6400-114.] Repealed by 1973 1st ex.s. c 177 § 8.

## Chapter 47.16 <br> PRIMARY HIGHWAY ROUTES

47.16.010 No. 1 Pacific highway. [1965 ex.s. c 170 § 5; 1963 ex.s. c 3 § 21 ; 1961 ex.s. c 21 § 1 ; 1961 c 13 § 47.16.010. Prior: 1957 c 172 § 2; 1937 c 190 § 1 ; RRS § 6401-1; prior: (i) 1931 c 36 § 1 ; 1925 c 26 § 8; 1923 c 185 § $1 ; 1915$ c 164 § 1 ; 1913 c 65 § 2(a); RRS § 6791-1. (ii) 1931 c 38 § 1 ; RRS 6791-la.] Repealed by 1970 ex.s. c 51 § 178.

Purpose—— 1970 ex.s. c 51: See note following RCW 47.17.005.
47.16.013 No. 1 Pacific highway--Portion to remain part of state highway system--Evaluation study by joint committee on highways and highway commission. [1967 ex.s. c 145 § 4.] Repealed by 1970 ex.s. c 51 § 178.
47.16.014 No. 1 Pacific highway——Portion to remain or be reinstated as part of state highway system--Evaluation study. [1969 ex.s. c 281 § 13.] Repealed by 1970 ex.s. c 51 § 178.
47.16.020 No. 2 Sunset highway. [1969 ex.s. c 281 §5; 1961 c 13 § 47.16.020. Prior: 1955 c 383 § 2; 1949 c 225 § 3; 1939 c 5 § $1 ; 1937$ c 190 § 2; Rem. Supp. 1949 § 6401-2; prior: 1925 c 26 § 7; 1923 c 185 § 2; RRS § 6791-2.] Repealed by 1970 ex.s. c 51 § 178.
47.16.030 No. 3 Inland Empire highway. [1965 ex.s. c 170 § 7; 1961 c 13 § 47.16.030. Prior: 1937 c 190 § 3; RRS § 6401-3; prior: 1925 c 26 § 6; 1923 c 185 § 3; RRS § 6791-3.] Repealed by 1970 ex.s. c 51 § 178 .
47.16.040 No. 4 Tonasket-San Poil highway. [1961 c 13 § 47.16.040. Prior: 1937 c 190 § 4; RRS § 6401-4; prior: 1925 c 26 § 1 ; 1923 c 185 § 14 ; RRS § 6791-14.] Repealed by 1970 ex.s. c 51 § 178.
47.16.050 No. 5 National Park highway. [1969 ex.s. c 281 § 7; 1967 ex.s. c 145 § 14 ; 1961 c 13 § 47.16.050. Prior: 1959 c 319 § 1 ; prior: (i) 1937 c 190 § 5; RRS § 6401-5; 1931 c 29 § 1; 1925 c 26 § 4; 1923 c 185 § 4; RRS § 6791-4. (ii) 1943 c 239 § 1; Rem. Supp. 1943 § 6401-5d.] Repealed by 1970 ex.s. c 51 § 178.
47.16.053 No. 5 National Park highway——Portion to remain part of system until new route completed. [1967 ex.s. c 145 § 9.] Repealed by 1970 ex.s. c 51 § 178.
47.16.060 No. 6 Newport highway. [1963 c 240 § 1; 1961 c 13 § 47.16.060. Prior: 1959 c 319 § 2; 1937 c 190 § 6; RRS § 6401-6; prior: 1923 c 185 § 5; RRS § 6791-5.] Repealed by 1970 ex.s. c 51 § 178.
47.16.070 No. 7 North Central highway. [1961 c 13 § 47.16.070. Prior: 1949 c 225 § 7; 1937 c 190 § 7; Rem. Supp. 1949 § 6401-7; prior: 1923 c 185 § 6; RRS § 6791-6.] Repealed by 1970 ex.s. c $51 \S$ 178.
47.16.080 No. 8 Evergreen highway. [1965 ex.s. c 170 § 8; 1961 ex.s. c 21 § 2; 1961 c 13 § 47.16.080. Prior: 1957 c 172 § 9; 1953 c 280 § 1; prior: (i) 1937 c 190 § 8; RRS § 6401-8; 1923 c 185 § 7; RRS § 6791-7. (ii) 1943 c 239 § 3; Rem. Supp. 1943 § 6401-8a.] Repealed by 1970 ex.s. c 51 § 178.
47.16.090 No. 9 Olympic highway. [1961 c 13 § 47.16.090. Prior: 1959 c 319 § 3; 1937 c 190 § 9; RRS § 6401-9; prior: 1925 c 26 § 5; 1923 c 185 § 8; RRS § 6791-8.] Repealed by 1970 ex.s. c 51 § 178.
47.16.100 No. 10 Chelan-Okanogan highway. [1963 ex.s. c 3 § 1 ; 1961 c 13 § 47.16 .100 . Prior: 1955 c 383 § 3 ; 1951 c 273 § 2 ; 1937 c 190 § 10; RRS § 6401-10; prior: 1931 c 31 § 1 ; 1923 c 185 § 9; RRS § 6791-9.] Repealed by 1970 ex.s. c 51 § 178.
47.16.110 No. 11 Columbia Basin highway. [1961 c 13 § 47.16.110. Prior: 1957 c 172 § 13 ; 1941 c 136 § 1 ; 1937 c 190 § 11 ; Rem. Supp. 1941 § 6401-11; prior: 1929 c 171 § 1 ; 1923 c 185 § 10; RRS § 6791-10.] Repealed by 1970 ex.s. c 51 § 178.
47.16.120 No. 12 Ocean Beach highway. [1965 ex.s. c 170 § 9; 1963 ex.s. c 3 § 2; 1961 c 13 § 47.16.120. Prior: 1937 c 190 § 12; RRS § 6401-12; prior: 1923 c 185 § 11; RRS § 6791-11.] Repealed by 1970 ex.s. c 51 § 178.
47.16.130 No. 13 Willapa-Grays Harbor highway. [1961 c 13 § 47.16.130. Prior: 1937 c 190 § 13; RRS § 6401-13; prior: 1931 c 30 § 1 ; 1923 c 185 § 12; RRS § 6791-12.] Repealed by 1970 ex.s. c 51 § 178.
47.16.140 No. 14 Navy Yard highway. [1963 ex.s. c 3 § 3; 1961 c 13 § 47.16.140. Prior: 1957 c 172 § 10 ; 1955 c 383 § 5; 1951 c 8 § 1 ; 1949 c 225 § 4; 1939 c 5 § $2 ; 1937$ c 190 § 14 ; Rem. Supp. 1949 § 6401-14; prior: 1923 c 185 § 13; RRS § 6791-13.] Repealed by 1970 ex.s. c 51 § 178 .
47.16.150 No. 15 Stevens highway. [1961 c 13 § 47.16.150. Prior: (i) 1937 c 190 § 15 ; RRS § 6401-15; prior: 1931 c 35 § 1 ; RRS § 6791-13a. (ii) 1943 с 239 § 4; Rem. Supp. 1943 § 6401-15a.] Repealed by 1970 ex.s. c 51 § 178.
47.16.159 No. 16 Methow Valley highway. [1961 c 13 § 47.16.159. Prior: 1949 c 225 § 1; 1937 c 190 § 16; Rem. Supp. 1949 § 6401-16; prior: 1925 c 26 § 2; 1923 c 185 § 15; RRS § 6791-15.] Section expires by virtue of last sentence which read "This section shall be effective until July 1, 1961." Later enactment, see RCW 47.16.160 codifying 1961 ex.s. c 21 § 3 amending the same subject matter and became effective July $1,1961$.
47.16.160 No. 16 North Cross State highway. [1961 ex.s. c 21 § 3; 1961 c 13 § 47.16.160. Prior: 1959 c 319 § 12; 1949 c 225 § 1; 1937 c 190 § 16; Rem. Supp. 1949 § 6401-16; prior: 1925 c 26 § 2; 1923 c 185 § 15 ; RRS § 6791-15.] Repealed by 1970 ex.s. c 51 § 178.
47.16.170 No. 17 Cascade Wagon road. [1961 c 13 § 47.16.170. Prior: 1949 c 225 § 2; 1937 c 190 § 17; Rem. Supp. 1949 § 6401-17.] Repealed by 1961 ex.s. c 21 § 6.
47.16.180 Primary state highway No. 18. [1961 c 13 § 47.16.180. Prior: 1953 c 285 § 1; prior: (i) 1937 c 190 § 18; RRS § 6401-18. (ii) 1943 c 239 § 5; Rem. Supp. 1943 § 6401-18a.] Repealed by 1970 ex.s. c 51 § 178.
47.16.190 No. 21 Kitsap Peninsula highway. [1965 ex.s. c 170 § 12; 1961 ex.s. c 21 § 7; 1961 c 13 § 47.16.190. Prior: 1957 c 172 § 11 ; 1955 c 383 § 4; 1949 c 225 § 5; 1937 c 190 § 19; Rem. Supp. 1949 § 6401-19; prior: 1929 c 116 § 1; RRS § 6806-1; 1915 c 164 § 21; RRS § 6814.] Repealed by 1970 ex.s. c 51 § 178.
47.16.200 No. 22 Coulee Reservoir highway. [1963 ex.s. c 3 §4; 1961 c 13 § 47.16.200. Prior: 1937 c 190 § 20; RRS § 6401-20; prior: 1931 c 37 § 1 ; 1925 c 26 § 3; 1915 c 164 § 12; RRS § 6810.] Repealed by 1970 ex.s. c 51 § 178 .

## Chapter 47.17 <br> STATE HIGHWAY ROUTES

47.17.125 State route No. 30. [1970 ex.s. c 51 § 26.] Repealed by 1973 lst ex.s. c 151 § 20.
47.17.205 State route No. 110. [1971 ex.s. c 73 § $4 ; 1970$ ex.s. c 51 § 42.] Repealed by 1975 c 63 § 15.
47.17.210 State route No. 111 - Temporary. [1970 ex.s. c 51 § 43.] Repealed by 1971 ex.s. c 73 § 30.
47.17.220 State route No. 113. [1970 ex.s. c 51 § 45.] Repealed by 1973 1st ex.s. c 151 § 20.
47.17.265 State route No. 131. [1970 ex.s. c 51 § 54.] Repealed by 1975 c 63 § 15 .
47.17.535 State route No. 294. [1970 ex.s. c 51 § 108.] Repealed by 1973 1st ex.s. c $151 \S 20$.
47.17.570 State route No. 311. [1970 ex.s. c 51 § 115.] Repealed by 1975 c $63 \S 15$.
47.17.585 State route No. 402. [1970 ex.s. c 51 § 118.] Repealed by 1971 ex.s. c $73 \S 30$.
47.17.775 State route No. 537. [1970 ex.s. c 51 § 156.] Repealed by 1975 c $63 \S 15$.

## Chapter 47.20 <br> SECONDARY HIGHWAY ROUTES——MISCELLANEOUS <br> PROJECTS

47.20.010 Branches, state highway No. 1--Highways 1A, 1B. [1965 ex.s. c 170 § $1 ; 1963$ ex.s. c $3 \S 5 ; 1961$ с 13 § 47.20.010. Prior: 1957 c 172 § 14; 1955 c 383 § 7; prior: 1953 c 280 § 2; 1951 c 273 § 3; 1943 c 239 § 6(a), (b); 1943 c 212 § 1(a), (b); 1937 c 207 § 2(a), (b); Rem. Supp. 1943 § 6402-2(a), (b).] Repealed by 1970 ex.s. c 51 § 178.

Purpose—— 1970 ex.s. c 51: See note following RCW 47.17.005.
47.20.020 Highways 1C, 1D. (1961 ex.s. c 21 § 4; 1961 c 13 § 47.20.020. Prior: 1959 c 319 § 4; 1955 c 383 § 8; prior: 1943 c 239 § 6(c), (d); 1943 c 212 § 1(c), (d); 1937 c 207 § 2(c), (d); Rem. Supp. 1943 § 6402-2(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.030 Highways 1E, 1F. [1967 ex.s. c 145 § 2; 1961 ex.s. c 21 § 5; 1961 c 13 § 47.20.030. Prior: 1959 c 319 § 5; 1957 c 172 § 15 ; 1955 c 383 § 9; prior: 1953 c 280 § 3; 1943 c 239 § 6(e), (f); 1943 c 212 § l(e), (f); 1937 c 207 § 2(e), (f); Rem. Supp. 1943 § 6402-2(e), (f).] Repealed by 1970 ex.s. c 51 § 178.
47.20.040 Highways 1G, 1H. [1961 c 13 § 47.20.040. Prior: 1955 c 383 § 10; prior: 1943 c 239 § 6(g), (h); 1943 c 212 § $1(\mathrm{~g})$, (h); 1937 c 207 § 2(g), (h); Rem. Supp. 1943 § 6402-2(g), (h).] Repealed by 1970 ex.s. c 51 § 178.
47.20.050 Highways 1I, 1J. (1967 ex.s. c 145 § 3; 1961 c 13 § 47.20.050. Prior: 1955 c 383 § 11 ; prior: 1943 c 239 § 6(i), (j); 1943 c 212 § 1 (i), (j); 1937 c 207 § 2(i), (j); Rem. Supp. 1943 § 6402-2(i), (j).] Repealed by 1970 ex.s. c 51 § 178.
47.20.060 Highways 1K, 1L. [1961 c 13 § 47.20.060. Prior: 1957 c 172 § 3; 1955 c 383 § 12; prior: 1943 c 239 § 6(k), (1); 1943 c 212 § $1(k),(1) ; 1937$ c 207 § 2(k), (1); Rem. Supp. 1943 § 6402-2(k), (l).] Repealed by 1970 ex.s. c 51 § 178.
47.20.070 Highways 1 M, 1 N. [1961 c 13 § 47.20.070. Prior: 1959 c 319 § 6; 1955 c 383 § 13; prior: 1953 c 280 § 4; 1943 c 239 § 6(m), (n); 1943 c 212 § $1(\mathrm{~m}),(\mathrm{n}) ; 1937$ c 207 § 2(m), (n); Rem. Supp. 1943 § 6402-2(m), (n).] Repealed by 1970 ex.s. c 51 § 178.
47.20.080 Highways 1P, 1Q. [1963 ex.s. c 3 § 6; 1961 c 13 § 4720.080. Prior: 1955 c 383 § 14; prior: 1943 c 239 § 6(o), (p); 1943 c 212 § $1(\mathrm{o}),(\mathrm{p}) ; 1937$ c 207 § 2(o), (p); Rem. Supp. 1943 § 6402-2(o), (p).] Repealed by 1970 ex.s. c 51 § 178.
47.20.090 Highways 1R, 1S. [1961 ex.s. c 21 § 8; 1961 c 13 § $47-$ 20.090. Prior: 1955 c 383 § 15; prior: 1943 c 239 § 6(q), (r); 1943 c 212 § $1(\mathrm{q}),(\mathrm{r}) ; 1937$ c 207 § 2(q), (r); Rem. Supp. 1943 § 6402-2(q), (r).] Repealed by 1970 ex.s. c 51 § 178.
47.20.100 Highways 1T, 1U. [1963 ex.s. c 3 § 20; 1961 c 13 § 47.20.100. Prior: 1955 c 383 § 16; prior: 1943 c 239 § 6(s), (t); 1943 c 212 § l(s), (t); 1937 c 207 § 2(s), (t); Rem. Supp. 1943 § 6402-2(s), (t).] Repealed by 1970 ex.s. c 51 § 178.
47.20.109 Highways 1V, 1W. [1961 c 13 § 47.20.109. Prior: 1957 c 172 § 16; 1955 c 383 § 17; prior: 1943 c 239 § 6(u), (v); 1943 c 212 § $1(u)$, $(v) ; 1937$ c 207 § $2(u)$, (v); Rem. Supp. 1943 § 6402-2(u), (v).] Repealed by 1970 ex.s. c 51 § 178.
47.20.110 Highways 1V, 1W. [1961 c 13 § 47.20.110. Prior: 1959 c 319 § 13; 1957 c 172 § 16 ; 1955 c 383 § 17; prior: 1943 c 239 § 6(u), (v); 1943 c 212 § $1(u),(v) ; 1937$ c 207 § 2(u), (v); Rem. Supp. 1943 § 6402-2(u), (v).] Repealed by 1970 ex.s. c 51 § 178.
47.20.120 Highways 1X, 1Y, 1Z. [1963 ex.s. c 3 § 7; 1961 c 13 § 47.20.120. Prior: 1955 c 383 § 18 ; prior: 1953 c 280 § 5. (i) 1943 c 239 § 6(w); 1943 c 212 § $1(w) ; 1937$ c 207 § $2(w)$; Rem. Supp. 1943 §

6402-2(w). (ii) 1945 c 248 § 2; Rem. Supp. 1945 § 6402-2a.] Repealed by 1970 ex.s. c 51 § 178.
47.20.130 Branches, state highway No. 2--Highway 2B. [1963 ex.s. c 3 § 8; 1961 c 13 § 47.20.130. Prior: 1957 c 172 § 5; prior: 1943 c 239 § 7(a), (b); 1937 c 207 § 3(a), (b); Rem. Supp. 1943 § 64023(a), (b).] Repealed by 1970 ex.s. c 51 § 178
47.20.140 Highways 2D, 2E. [1967 ex.s. c 145 § 12; 1963 ex.s. c 3 § $18 ; 1961$ c 13 § 47.20.140. Prior: 1959 c 319 § 7; 1957 c 172 § 6; prior: 1943 c 239 § 7(d), (e); 1937 c 207 § 3(d), (e); Rem. Supp. 1943 § 6402-3(d), (e).] Repealed by 1970 ex.s. c 51 § 178.
47.20.150 Highways 2F, 2G. [1961 c 13 § 47.20.150. Prior: 1957 c 172 § 7; prior: 1943 с 239 § 7(f), (g); 1937 c 207 § 3(f), (g); Rem. Supp. 1943 § 6402-3(f), (g).] Repealed by 1970 ex.s. c 51 § 178.
47.20.160 Highways 2H, 2I. [1967 ex.s. c 145 §5; 1963 ex.s. c $3 \S$ 9; 1961 c 13 § 47.20.160. Prior: 1957 c 172 § 8; prior: 1953 c 280 § 6; 1951 c 273 § $4 ; 1943$ c 239 § 7(h), (i); 1937 c 207 § 3(h), (i); Rem. Supp. 1943 § 6402-3(h), (i).] Repealed by 1970 ex.s. c 51 § 178.
47.20.161 Highway 2J. [1961 c 13 § 47.20.161. Prior: 1957 c 172 § 17.] Repealed by 1970 ex.s. c 51 § 178.
47.20.162 Highway 2-K. [1967 ex.s. c 145 § 6.] Repealed by 1970 ex.s.c 51 § 178.
47.20.165 Highway 2M. [1961 c 13 § 47.20.165. Prior: 1959 c 319 § 8.] Repealed by 1970 ex.s. c 51 § 178.
47.20.170 Branches, state highway No. 3--Highways 3A, 3B. [1961 c 13 § 47.20.170. Prior: 1957 c 172 § 18; 1955 c 383 § 20; prior: 1937 c 207 § 4(a), (b); RRS § 6402-4(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.180 Highway 3D. [1965 ex.s. c 170 § 28; 1961 c 13 § 47.20.180. Prior: 1957 c 172 § 19; 1955 c 383 § 21 ; prior: 1951 c 273 § 5 ; 1937 c 207 §4(c), (d); RRS § 6402-4(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.190 Highways 3E, 3F. [1961 c 13 § 47.20.190. Prior: 1955 c 383 § 22; prior: 1937 c 207 § 4(e), (f); RRS § 6402-4(e), (f).] Repealed by 1970 ex.s. c 51 § 178.
47.20.200 Highways 3G, 3H. [1969 ex.s. c 281 § 8; 1961 c 13 § 47.20.200. Prior: 1955 c 383 § 23; prior: 1953 c 280 § 7; 1937 c 207 § 4(g), (h); RRS § 6402-4(g), (h).] Repealed by 1970 ex.s. c 51 § 178.
47.20.210 Highways 3J, 3K. [1963 ex.s. c 3 § 10; 1961 c 13 § 47.20.210. Prior: 1959 c 319 § 14; 1957 c 172 § 20; 1955 c 383 § 24; prior: 1937 c 207 § 4(i), (j); RRS § 6402-4(i), (j).] Repealed by 1970 ex.s. c 51 § 178.
47.20.220 Highways 3L, 3P, 3R, 3S. [1963 ex.s. c 3 § 11 ; 1961 ex.s. c 21 § $13 ; 1961$ c 13 § 47.20 .220 . Prior: 1959 c 319 § 15 ; 1955 c 383 § 25; prior: 1953 c 280 § 8; 1937 c 207 § 4(k), (l); RRS § $6402-4(k),(1)$.$] Repealed by 1970$ ex.s. c 51 § 178.
47.20.221 Highway 3T. [1963 ex.s. c 3 § 17.] Repealed by 1970 ex.s.c 51 § 178.
47.20.222 Highway 3U. [1967 ex.s. c 145 § 18.] Repealed by 1970 ex.s. c 51 § 178 .
47.20.223 Highway 3V. [1967 ex.s. c 145 § 19.] Repealed by 1970 ex.s.c 51 § 178 .
47.20.230 Branches, state highway No. 4--Highways 4A, 4B. [1961 c 13 § 47.20.230. Prior: 1937 c 207 § 5(a), (b); RRS § 6402-5(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.240 Highway 4C. [1961 ex.s. c 21 § 9; 1961 c 13 § 47.20.240. Prior: 1937 c 207 § 5(c); RRS § 6402-5(c).] Repealed by 1970 ex.s.c $51 \S 178$.
47.20.250 Branches, state highway No. 5--Highway 5A. [1963 ex.s. c $3 \S 12$; 1961 c $13 \S 47.20 .250$. Prior: 1955 c $383 \S 27$; prior: 1943 c 212 § 2(a), (b); 1937 c 207 § 6(a), (b); Rem. Supp. 1943 § 6402-6(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.260 Highways 5C, 5D. [1961 c 13 § 47.20.260. Prior: 1955 c 383 § 28; prior: 1943 c 212 § 2(c), (d); 1937 c 207 § 6(c), (d); Rem. Supp. 1943 § 6402-6(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.270 Highways 5E, 5G. [1961 c 13 § 47.20.270. Prior: 1955 c 383 § 29; prior: 1943 c 212 § 2(e), (f); 1937 c 207 § 6(e), (f); Rem. Supp. 1943 § 6402-6(e), (f).] Repealed by 1970 ex.s. c 51 § 178.
47.20.280 Highways 5H, 5I. [1967 ex.s. c 145 § $15 ; 1961$ c 13 § 47.20.280. Prior: 1959 c 319 § 9; 1955 c 383 § 30; prior: 1943 c 212 § 2(g), (h); 1937 c 207 § 6(g), (h); Rem. Supp. 1943 § 6402-6(g), (h).] Repealed by 1970 ex.s. c 51 § 178.
47.20.290 Highways 5J, 5K. [1961 c 13 § 47.20.290. Prior: 1955 c 383 § 31; prior: 1943 c 212 § 2(i), (j); 1937 c 207 § 6(i), (j); Rem. Supp. 1943 § 6402-6(i), (j).] Repealed by 1970 ex.s. c 51 § 178.
47.20.300 Highway 5N. [1967 ex.s. c 145 § 17 ; 1961 c 13 § 47.20.300. Prior: 1959 c 319 § 10 ; 1955 c 383 § 32 ; prior: 1943 c 212 § 2(k), (1); 1937 c 207 § 6(k), (1); Rem. Supp. 1943 § 6402-6(k), (1).] Repealed by 1970 ex.s. c 51 § 178.
47.20.310 Branches, state highway No. 6--Highways 6A, 6B. [1961 c 13 § 47.20.310. Prior: 1937 c 207 § 7; RRS § 6402-7.] Repealed by 1970 ex.s. c 51 § 178.
47.20.320 Branches, state highway No. 7-—Highway 7C. [1965 ex.s. c 170 § 2 ; 1961 c 13 § 47.20.320. Prior: 1957 c 172 § 21; 1955 c 383 § 33; 1953 c 280 § $9 ; 1951$ c 273 § 6; 1937 c 207 § 8; RRS § 6402-8.] Repealed by 1970 ex.s. c 51 § 178.
47.20.325 Highway 7E. [1961 c 13 § 47.20.325. Prior: 1959 c 319 § 16; 1955 c 383 § 34.] Repealed by 1970 ex.s. c 51 § 178.
47.20.330 Branches, state highway No. 8--Highways 8A, 8B. [1961 ex.s. c 21 § $10 ; 1961$ c 13 § 47.20.330. Prior: 1943 c 239 § 8(a), (b); 1937 c 207 § 9(a), (b); Rem. Supp. 1943 § 6402-9(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.340 Highway 8D. [1963 ex.s. c 3 § 13; 1961 ex.s. c 21 § 11 ; 1961 c 13 § 47.20 .340 . Prior: 1951 c 273 § 7; 1943 c 239 § 8(c), (d); 1937 c 207 § 9(c), (d); Rem. Supp. 1943 § 6402-9(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.350 Highway 8E. [1943 c 239 § 8(e); 1937 c 207 § 9(e); Rem. Supp. 1943 § 6402-9(e).] Repealed by 1953 c 280 § 10.
47.20.351 Highway 8E. [1965 ex.s. c 170 § 3; 1961 ex.s. c 21 § 41.] Repealed by 1970 ex.s. c 51 § 178.
47.20.360 Branches, state highway No. 9--Highway 9A. [1967 ex.s. c 145 § 16; 1961 c 13 § 47.20.360. Prior: 1955 c 383 § 36; prior: 1947 c 232 § 1(a), (b); 1937 c 207 § 10(a), (b); Rem. Supp. 1947 § 6402-10(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.370 Highways 9C, 9D. [1961 c 13 § 47.20.370. Prior: 1955 c 383 § 37; prior: 1951 c 273 § 8; 1947 c 232 § 1(c), (d); 1937 c 207 § 10(c), (d); Rem. Supp. 1947 § 6402 $-10(\mathrm{c})$, (d).] Repealed by 1971 ex.s. c 73 § 30.
47.20.379 Highways 9E, 9F. [1961 c 13 § 47.20.379. Prior: (i) 1959 c 319 § 17, part. (ii) 1957 c 172 § 12, part.] Repealed by 1970 ex.s. c 51 § 178.
47.20.380 Highway 9E, (deletion of highway 9G, effective upon opening of parkway). [1963 ex.s. c 3 § 30; 1961 c 13 § 47.20.380. Prior: 1959 c 319 § 17 ; 1957 c 172 § 12; 1955 c 383 § 38 ; prior: 1947 c 232 § 1(e), (f); 1937 c 207 § 10(e), (f); Rem. Supp. 1947 § 640210(e), (f).] Repealed by 1970 ex.s. c 51 § 178.
47.20.390 Branches, state highway No. 10——Highways 10A, 10B. [1969 ex.s. c 281 § 9; 1961 c 13 § 47.20 .390 . Prior: 1955 c 383 § 40 ; prior: 1951 c 273 § 9; 1937 c 207 § 11(a), (b); RRS § 6402-11(a), (b).] Repealed by 1970 ex.s. c 51 § 178
47.20.400 Highways 10C, 10D. [1961 c 13 § 47.20.400. Prior: 1959 c 319 § 18; 1955 c 383 § 41 ; prior: 1937 c 207 § $11(\mathrm{c})$, (d); RRS § 6402-11(c), (d).] Repealed by 1970 ex.s c 51 § 178.
47.20.410 Branches, state highway No. 11 - - Highways 11A, 11 B, 11C. [1967 ex.s. c $145 \S 7 ; 1963$ c 197 § $8 ; 1961$ ex.s. c $21 \S 14 ; 1961$ c 13 § 47.20.410. Prior: 1957 c 172 § 23; prior: 1943 c 239 § 9(a), (b); 1937 c 207 § 12(a), (b); Rem. Supp. 1943 § 6402-12(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.415 Highway 11A--Relocation and reconstruction. [1963 c 197 § 9; 1961 c 13 § 47.20.415. Prior: 1953 c 59 § 1.] Repealed by 1967 ex.s. c 145 § 8.
47.20.420 Highways 11D, 11E. [1961 c 13 § 47.20.420. Prior: 1959 c 319 § 11 ; 1957 c 172 § 24; prior: 1953 c 285 § 2 ; 1953 c 280 § 11; 1943 c 239 § 9(c), (d); 1937 c 207 § 12(c), (d); Rem. Supp. 1943 § 6402-12(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.430 Highways 11F, 11G, 11H. [1961 ex.s. c 21 § 15 ; 1961 c 13 § 47.20.430. Prior: 1957 c 172 § 25; prior: 1951 c 273 § 10; 1943 c 239 § 9(e); 1937 c 207 § 12(e); Rem. Supp. 1943 § 6402-12(e).] Repealed by 1970 ex.s. c 51 § 178.
47.20.431 Highway 11I. [1967 ex.s. c 145 § 10.] Repealed by 1970 ex.s. c 51 § 178 .
47.20.440 Branches, state bighway No. 12-—Highways 12A, 12B. [1965 ex.s. c $170 \S 4 ; 1963$ ex.s. c $3 \S 14 ; 1961$ c $13 \S 47.20 .440$. Prior: 1943 c 147 § l(a), (b); 1937 c 207 § 13(a), (b); Rem. Supp. 1943 § 6402-13(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.450 Highways 12C, 12D. [1961 c 13 § 47.20.450. Prior: 1943 c 147 § 1(c), (d); 1937 c 207 § 13(c), (d); Rem. Supp. 1943 § 6402-13(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.460 Highways 12E, 12F. [1961 c 13 § 47.20.460. Prior: 1943 c 147 § l(e), (f); 1937 c 207 § 13(e), (f); Rem. Supp. 1943 § 640213(e), (f).] Repealed by 1970 ex.s. c 51 § 178.
47.20.461 Highway 12G. [1961 c 13 § 47.20.461. Prior: 1959 c 319 § 19.] Repealed by 1970 ex.s. c 51 § 178.
47.20.462 Highway 12H. [1961 c 13 § 47.20.462. Prior: 1957 c 172 § 26.] Repealed by 1970 ex.s. c 51 § 178.
47.20.470 Branches, state highway No. 13--Highway 13A. [1961 c 13 § 47.20.470. Prior: 1937 c 207 § 14; RRS § 6402-14.] Repealed by 1970 ex.s c 51 § 178.
47.20.480 Branches, state highway No. 14--Highway 14A. [1961 c 13 § 47.20.480. Prior: 1955 c 383 § 42 ; 1939 c 5 § 3; 1937 c 207 § 15 ; RRS § 6402-15.] Repealed by 1970 ex.s. c 51 § 178.
47.20.490 Branches, state highway No. 15--Highways 15A, 15B. [1963 ex.s. c 3 § $15 ; 1961$ c 13 § 47.20 .490 . Prior: 1937 c 207 § 16(a), (b); RRS §6402-16(a), (b).] Repealed by 1970 ex.s. c 51 § 178.
47.20.500 Highways 15C, 15D. [1963 ex.s. c 3 § 16; 1961 c 13 § 47.20.500. Prior: 1937 c 207 § 16(c), (d); RRS § 6402-16(c), (d).] Repealed by 1970 ex.s. c 51 § 178.
47.20.505 Highway 16A. [1967 ex.s. c 145 § 11.] Repealed by 1970 ex.s. c 51 § 178.
47.20.520 Branches, state bighway No. 17-—Highway 17A. [1961 c 13 § 47.20.520. Prior: 1937 c 207 § 17; RRS § 6402-17.] Repealed by 1961 ex.s. c 21 § 6.
47.20.540 Branches, state highway No. 21-—Highways 21A, 21B. [1961 ex.s. c 21 § 12 ; 1961 c 13 § 47.20.540. Prior: 1951 c 273 § 11 ; 1949 c 225 § 6; 1937 c 207 § 18; Rem. Supp. 1949 § 6402-18.] Repealed by 1970 ex.s. c 51 § 178.
47.20.541 Highway 21C. [1961 c 13 § 47.20.541. Prior: 1957 c 172 § 27.] Repealed by 1970 ex.s. c 51 § 178.
47.20.550 Branches, state bighway No. 22--Highway 22A. [1961 c 13 § 47.20.550. Prior: 1937 c 207 § 19; RRS § 6402-19.] Repealed by 1970 ex.s. c 51 § 178.

Chapter 47.26
DEVELOPMENT IN URBAN AREAS——URBAN ARTERIALS
47.26.250 Board to act on first year of six year program at time of review--Approval and allocation of funds--Notice. [1967 ex.s. c 83 § 31.] Repealed by 1969 ex.s. c 171 § 9.

Chapter 47.28
CONSTRUCTION AND MAINTENANCE OF HIGHWAYS
47.28.130 Rejection of hids-—Work by day labor——Resolu-tion-—Publication of result. [1961 c 13 § 47.28.130. Prior: 1955 c 147 § 2; 1949 c 70 § 1, part; 1943 c 132 § 1, part; 1937 c 53 § 41, part; Rem. Supp. 1941 § 6400-41, part.] Repealed by 1969 ex.s. c 180 § 4.
47.28.160 Standards and rules relating to national interstate and defense highways--Construction, maintenance, access. [1959 c 319 § 35.] Now codified as RCW 47.52.027.

## Chapter 47.36 <br> TRAFFIC CONTROL DEVICES

47.36.055 Devices at railroad grade crossings--Petition to public service commission, procedure. [1955 c 310 § 8.] Repealed by 1959 c 283 § 8.
47.36.096 Establishment of continuing system for designation of highways--Renumbering limited to signing, maps, etc.--Correlation records to be kept. [1963 c 24 § 2.] Repealed by 1967 ex.s. c 145 § 47.
47.36.140 Structures concealing signs prohibited. [1961 c 13 § 47 .36.140. Prior: 1937 c 53 § 63; RRS § 6400-63.] Repealed by 1965 ex.s. c 155 § 91. Later enactment see RCW 46.61.075.
47.36.150 Penalty for defacing, injuring or destroying signs. [1961 c 13 § 47.36 .150 . Prior: 1951 c 188 § 1 ; 1937 c 53 § 64; RRS § $6400-$ 64.] Repealed by 1965 ex.s. c $155 \S 91$. Later enactment, see RCW 46.61.080.
47.36.160 Unlawful erection of traffic devices. [1961 c 13 § 47.36.160. Prior: 1947 c 206 § 2; 1937 c 53 § 60; Rem. Supp. 1947 § 640060.] Repealed by 1965 ex.s. c 155 § 91 . Later enactment, see RCW 46.61.075.
47.36.170 Imitation of signs. [1961 c 13 § 47.36.170. Prior: 1937 c 53 § 61; RRS § 6400-61.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.075.

## Chapter 47.48

## CLOSING HIGHWAYS AND RESTRICTING TRAFFIC

47.48.030 Emergency closure. [1937 c 53 § 66, part; RRS § 640066, part. Prior: 1921 c $21 \S 2$, part; RRS § 6840, part.] Now codified as originally enacted as part of RCW 47.48.020.

## Chapter 47.52 <br> LIMITED ACCESS FACILITIES

47.52.030 Nonmotorized traffic may be prohibited. [1961 c 13 § 47.52.030. Prior: 1949 c 196 § 13; Rem. Supp. 1949 § 6360-98f.] Repealed by 1965 ex.s. c 155 § 91. Later enactment, see RCW 46.61.160.
47.52.072 Establishment——Notice——Hearing——Waiver. [1961 c 13 § 47.52.072. Prior: 1955 c 54 § 1 ; 1951 c 167 § 6.] Repealed by 1965 ex.s. c 75 § 7.
47.52.073 Conduct of hearing. [1961 c 13 § 47.52.073. Prior: 1951 c 167 § 7.] Repealed by 1965 ex.s. c 75 § 7.
47.52.074 Hearing——Findings or order-—Finality. [1961 c 13 § 47.52.074. Prior: 1951 c 167 § 8.] Repealed by 1965 ex.s. c 75 § 7.
47.52.075 Review and appeal. [1961 c 13 § 47.52.075. Prior: 1951 c 167 § 9.] Repealed by 1965 ex.s. c 75 § 7.
47.52.130 State facility through county, city or town--Re-port--Conferences--Proposed plan-Concurrance, effect-Request for public hearing. [1963 c 103 § $1 ; 1961$ c $13 \S 47.52 .130$. Prior: 1959 c 242 § $1 ; 1957$ c 235 § 5.] Repealed by 1965 ex.s. c 75 § 7.
47.52.140 Adoption of plan by commission after public bearing - Transmittal to local officials--Approval, disapproval, request for hearing before board of review. [1963 c 103 § $2 ; 1961$ c 13 § 47.52.140. Prior: 1959 c 242 § $2 ; 1957$ c 235 § 6.] Repealed by 1965 ex.s. c 75 § 7.

## Chapter 47.54 LIMITED ACCESS HIGHWAYS——PARKING FACILITIES

Construction of repeals--1969 c 91: "The repeals contained in section 3 of the 1969 amendatory act shall not be construed to alter or to terminate any existing contracts which were made pursuant to such statutes, nor shall such repeals affect any existing rights acquired under the statutes repealed." [1969 c 91 § 4.] This applies to the repeal of RCW 47.54.010-47.54.900.
47.54.010 Parking facilities authorized-Municipal corporation use. [1967 ex.s. c 145 § 33 ; 1961 c 13 § 47.54.010. Prior: 1959 c 184 § 2.] Repealed by 1969 c 91 § 3.
47.54.020 Term of lease or permit--Reversion of improvements. [1967 ex.s. c 145 § 34; 1961 c 13 § 47.54.020. Prior: 1959 c 184 § 3.] Repealed by 1969 c 91 § 3.
47.54.030 Lease must require use, improvements for public good and parking facilities. [1961 c 13 § 47.54.030. Prior: 1959 c 184 § 4.] Repealed by 1969 c 91 § 3
47.54.040 Leases to municipal corporation--Subleases- Operation of facility by city over one hundred thousand. [1961 c 13 § 47 .54.040. Prior: 1959 c 184 § 5.] Repealed by 1969 c 91 § 3.
47.54.050 Call for bids to lease——Publication. [1961 c 13 § 47.54.050. Prior: 1959 c 184 § 6.] Repealed by 1969 c 91 § 3.
47.54.060 Bid for lease-CContents, manner, deposit. [1961 c 13 § 47.54.060. Prior: 1959 c 184 § 7.] Repealed by 1969 c 91 § 3.
47.54.070 Bids publicly opened--Notification of biddersConsideration of improvements. [1961 c 13 § 47.54.070. Prior: 1959 c 184 § 8.] Repealed by 1969 c 91 § 3.
47.54.080 Rejection of all bids——Republication of call. [1961 c 13 § 47.54.080. Prior: 1959 c 184 § 9.] Repealed by 1969 c 91 § 3.
47.54.090 Award of lease when bidder fails——Forfeiture of deposit——Return of deposits. [1961 c 13 § 47.54.090. Prior: 1959 c 184 § 10.] Repealed by 1969 c 91 § 3.
47.54.100 Lessee's bond——Conditions. [1961 c 13 § 47.54.100. Prior: 1959 c 184 § 11.] Repealed by 1969 c 91 § 3.
47.54.110 Qualification of sureties——Additional sureties or bond. [1961 c 13 § 47.54.110. Prior: 1959 c 184 § 12.] Repealed by 1969 c 91 § 3.
47.54.120 Rules and regulations--Parking rates. [1961 c 13 § 47.54.120. Prior: 1959 c 184 § 13.] Repealed by 1969 c 91 § 3.
47.54.130 Proceeds under chapter to be deposited in motor vehicle fund. [1961 c 13 § 47.54.130. Prior: 1959 c 184 § 14.] Repealed by 1969 c 91 § 3.
47.54.900 Inconsistent laws superseded——Severability. [1961 c 13 § 47.54.900. Prior: 1959 c 184 § 15.] Repealed by 1969 c 91 § 3.

## Chapter 47.56

STATE TOLL BRIDGES, TUNNELS AND FERRIES
47.56.036 Qualifications of assistant director of toll facilities. [1961 c 278 § 11.] Repealed by 1965 ex.s. c 170 § 69.
47.56.038 Powers and duties of the division of toll facilities. [1961 c 278 § 12.] Repealed by 1965 ex.s. c 170 § 69.
47.56.280 Additional Lake Washington bridge (1953 Act)—— Hearings. [1953 c 192 § 1.] Repealed by 1957 c 266 § 7.
47.56.300 Additional Lake Washington bridge (1953 Act)——Ap-propriation--Repayment from bond issue. [1953 c 192 § 3.] Repealed by 1957 c 266 § 7.
47.56.370 Longview bridge--Agreements with Oregon. [1961 c 13 § 47.56.370. Prior: 1953 c 272 § 1.] Repealed by 1973 1st ex.s. c 151 § 20.
47.56.371 Longview bridge to become toll free--Maintenance of Washington portion and approaches. [1965 ex.s. c 170 § 10.] Repealed by 1973 1st ex.s. c 151 § 20.
47.56.372 Longview bridge to become toll free--Maintenance of portion lying within boundaries of Oregon. [1965 ex.s. c 170 § 11.] Repealed by 1973 1st ex.s. c 151 § 20.
47.56.510 Bridging lower Columbia River, study, agreements with Oregon and other governmental agencies--Appropriation. [1961 c 13 § 47.56.510. Prior: 1957 c 172 § 39.] Repealed by 1961 c 209 § 11.
47.56.520 Bridging lower Columbia River--Agreements with governmental agencies for financing, location, construction, operation and maintenance. [1961 c 13 § 47.56.520. Prior: 1959 c 144 § 1.] Repealed by 1961 c 209 § 11.
47.56.530 Bridging lower Columbia River-—Provisions between Oregon and Washington--Advances, expenses--Maintenance, repair. [1961 c 13 § 47.56.530. Prior: 1959 c 144 § 2.] Repealed by 1961 c 209 § 11 .
47.56.540 Bridging lower Columbia River-—Revenue bonds. [1961 c 13 § 47.56.540. Prior: 1959 c 144 § 3.] Repealed by 1961 c 209 § 11.
47.56.550 Bridging lower Columbia River--Tolls. [1961 c 13 § 47.56.550. Prior: 1959 c 144 § 4.] Repealed by 1961 c 209 § 11.
47.56.560 Bridging lower Columbia River--Construction of act. [1961 c 13 § 47.56.560. Prior: 1959 c 144 § 5.] Repealed by 1961 c 209 § 11.
47.56.664 Bridging lower Columbia river in vicinity of Astoria-Megler--Payments from Pacific county's pledge——Retention from distribution from motor vehicle fund. [1961 c 209 § 9.] Repealed by 1969 ex.s. c 281 § 62.

## Chapter 47.57 <br> TOLL FACILITY AID DISTRICTS

47.57.010 through 47.57.220 Bridge, tunnel or ferry districts. [1961 c 13 §§ 47.57.010-47.57.220. Prior: 1951 c 199 §§ 1-22.] Repealed by 1961 c 181 § 49.
47.57.230 through 47.57 .700 [ 1970 ex.s. c $56 \$ 63 ; 1970$ ex.s. c 42 § $28 ; 1969$ ex.s. c 232 § 77 ; 1961 c 181 §§ $1-48$.] Repealed by 1971 c 76 § 6.
47.57.900 Construction. [1961 c 13 §47.57.900. Prior: 1951 c 199 § 23, part.] Repealed by 1961 c 181 § 49.

## Chapter 47.58

## EXISTING AND ADDITIONAL BRIDGES

47.58.910 Severability. [1955 c 208 § 12.] Repealed by 1961 c 13 §47.98.050. Later enactment, see RCW 47.98.040.

## Chapter 47.59 <br> TOLL ROADS

47.59.010 through 47.59.220 [1955 c 268 §§ 1-22.] Repealed by 1957 c 211 § 1.
47.59.500, 47.59.510 [1955 c 268 §§ 23, 24.] Repealed by 1957 c 211 § 1 . Later enactment concerning Tacoma-Seattle-Everett facility, see RCW 47.10.700-47.10.724.
47.59.900 through 47.59 .930 [1955 c 268 §§ 25-28.] Repealed by 1957 c 211 § 1.

## Chapter 47.60

PUGET SOUND FERRY AND TOLL BRIDGE SYSTEM
47.60.320 State ferries——Change in tariffs, restrictions. [1961 c 13 §47.60.320. Prior: 1959 c 199 § 4.] Repealed by 1972 ex.s. c 24 § 9.

## Chapter 47.64 <br> MARINE EMPLOYEE COMMISSION

47.64.020 Marine employee commission to be established- -Membership-CTerms-Compensation. [1961 c 13 § 47.64.020. Prior: 1953 c 211 § 1 ; 1949 c 148 § 3, part; Rem. Supp. 1949 § 6524-24, part.] Repealed by 1975 1st ex.s. c 296 § 39.
47.64.050 Unemployment compensation. [1961 c 13 § 47.64.050. Prior: 1951 c 82 § 1; 1949 c 148 § 4; Rem. Supp. 1949 § 6524-25.] Repealed by 1973 1st ex.s. c 158 § 20.
Effective date-—1973 1st ex.s. c 158: See note following RCW 50.08.020.

## Chapter 47.65 <br> PUGET SOUND TRANSPORTATION SYSTEM——EMPLOYEES' RETIREMENT

47.65.010 Puget Sound transportation stabilization fund. [1961 c 13 § 47.65.010. Prior: 1957 c 271 § 1.] Repealed by 1961 ex.s. c 7 § 26.
47.65.020 State employees' retirement system and OASI coverage for employees of Washington state ferries. [1961 c 13 § 47.65.020. Prior: 1957 c 271 § 2.] Repealed by 1961 ex.s. c 7 § 26.
47.65.030 Allocation of motor vehicle fund moneys to stabilization fund. [Reviser's cross reference section.] Decodified as no longer necessary.
47.65.040 Expenditure of balance of motor vebicle fund. [Reviser's cross reference section.] Decodified as no longer necessary.
47.65.050 Stabilization fund——Reversion of unexpended balance. [1961 c 13 § 47.65.050. Prior: 1957 c 271 § 5.] Repealed by 1961 ex.s. c 7 § 26 .
47.65.090 Appropriation. [1957 c 271 § 9.] Repealed by 1961 c 13 § 47.98.050.
47.65.100 Subsidization study. [1957 c 271 § 10.] Repealed by 1961 c 13 § 47.98.050.
47.65.110 Chapter expires June 30, 1961. [1961 c 13 § 47.65.110. Prior: 1959 ex.s. c 4 § 2 ; 1957 c 271 § 12.] Repealed by 1961 ex.s. c 7 § 25.

## Title 48 INSURANCE

## Chapter 48.02 <br> INSURANCE COMMISSIONER

48.02.070 Orders——Notices. [1947 c 79 § .02.07; Rem. Supp. 1947 § 45.02.07.) Repealed by 1967 c 237 § 28 effective July 1, 1967, see RCW 34.04.921.

## Chapter 48.03 <br> EXAMINATIONS

48.03.080 Compelling testimony. [1947 c 79 §.03.08; Rem. Supp. 1947 § 45.03.08.] Repealed by 1967 c 237 § 28 effective July 1, 1967, see RCW 34.04.921.

## Chapter 48.04 <br> HEARINGS AND APPEALS

48.04.040 Notice of bearing. [1967 c 237 § 17; 1947 c 79 §.04.04; Rem. Supp. 1947 § 45.04.04.] Repealed by 1973 lst ex.s. c 107 § 4.
48.04.080 Procedure on hearing. [1947 c 79 § .04.08; Rem. Supp. 1947 § 45.04.08.] Repealed by 1967 c 237 § 28 effective July 1, 1967, see RCW 34.04.921.
48.04.090 Order on bearing. [1967 c 237 § 18; 1947 c 79 §.04.09; Rem. Supp. 1947 § 45.04.09.] Repealed by 1973 1st ex.s. c 107 § 4.
48.04.100 Appeal from commissioner's order. [1947 c 79 §.04.10; Rem. Supp. 1947 § 45.04.10.] Repealed by 1967 c 237 § 28.
48.04.110 Appeal, bow taken. [1947 c 79 § .04.11; Rem. Supp. 1947 § 45.04.11.] Repealed by 1967 c 237 § 28.
48.04.120 Transcript of record. [1947 c 79 § .04.12; Rem. Supp. 1947 § 45.04.12.] Repealed by 1967 c 237 § 28.
48.04.130 Hearing on appeal. [1947 c 79 § .04.13; Rem. Supp. 1947 § 45.04.13.] Repealed by 1967 c 237 § 28.
48.04.150 Appeals to supreme court. [1947 c 79 § .04.15; Rem. Supp. 1947 § 45.04.15.] Repealed by 1967 c 237 § 28.

> Chapter 48.09
> MUTUAL INSURERS
48.09.020 Requirements-—Property insurer. [1947 c 79 § .09.02; Rem. Supp. 1947 § 45.09.02.] Repealed by 1957 c 193 § 22.

[^24]48.09.080 Requirements--Disability insurer. [1947 c 79 § .09.08; Rem. Supp. 1947 § 45.09.08.] Repealed by 1957 c 193 § 22.

## Chapter 48.11 <br> INSURING POWERS

48.11.010 Kinds of insurance-—Capital and surplus requirements. [1947 c 79 §.11.01; Rem. Supp. 1947 § 45.11.01.] Repealed by 1963 c 195 § 10.
48.11.090 "Bail bond insurance" defined. [1947 c 79 §.11.09; Rem. Supp. 1947 § 45.11.09.] Repealed by 1967 c 150 § 9.
48.11.110 Authority to transact additional kinds of insurance. [1957 c 193 § 6; 1947 c 79 § .11.11; Rem. Supp. 1947 § 45.11.11.] Repealed by 1963 c 195 § 10.
48.11.120 Capital, surplus required for additional insuring powers. [1947 c 79 §.11.12; Rem. Supp. 1947 § 45.11.12.] Repealed by 1963 c 195 § 10.
48.11.170 Use of surplus. [1947 c 79 § .11.17; Rem Supp. 1947 § 45.11.17.] Repealed by 1963 c 195 § 10.
48.11.180 Capital funds of foreign and alien insurers. [1947 c 79 § .11.18; Rem. Supp. 1947 § 45.11 .18 .] Repealed by 1963 c 195 § 10.

## Chapter 48.13 <br> INVESTMENTS

48.13.370 Separate accounts in connection with a pension, retirement or profit-sharing annuity or plan--Allocations, credits, charges-Ownership. [1965 ex.s. c 70 § 14.] Repealed by 1969 c 104 § 9. Later enactment, see chapter 48.18A RCW.
48.13.380 Separate accounts in connection with a pension, retirement or profit-sharing annuity or plan--Investment and reinvestment. [1965 ex.s. c 70 § 15 .] Repealed by 1969 c 104 § 9. Later enactment, see chapter 48.18A RCW.
48.13.390 Separate accounts in connection with a pension, retirement or profit-sharing annuity or plan-—Transfers. [1965 ex.s. c 70 § 16.] Repealed by 1969 c 104 § 9. Later enactment, see chapter 48.18A RCW.
48.13.400 Separate accounts in connection with a pension, retirement or profit-sharing annuity or plan--Amounts contributed by beneficiary participant. [1965 ex.s. c 70 § 17.] Repealed by 1969 c 104 § 9. Later enactment, see chapter 48.18A RCW.
48.13.410 Separate accounts in connection with a pension, retirement or profit-sharing annuity or plan--Caption regarding separate account to appear on face of policy, contract or certificate. [1965 ex.s. c 70 § 18.] Repealed by 1969 c 104 § 9 . Later enactment, see chapter 48.18A RCW.

## Chapter 48.17

## AGENTS, BROKERS, SOLICITORS, AND ADJUSTERS

48.17.140 Examination by life insurers. [1947 c 79 § .17.14; Rem. Supp. 1947 § 45.17.14.] Repealed by 1955 c 303 § 12.
48.17.570 Reinstatement or relicensing. [1947 c 79 §.17.57; Rem. Supp. 1947 § 45.17.57.] Repealed by 1963 c 195 § 18.
48.17.580 Fine in lieu of license suspension, revocation, or refusal. [1947 c 79 §.17.58; Rem. Supp. 1947 § 45.17.58.] Repealed by 1967 c 237 § 28, effective July 1, 1967, see RCW 34.04.921.

## Chapter 48.18

## THE INSURANCE CONTRACT

48.18.294 Cancellation or nonrenewal of private automobile insurance by insurer-—Grounds-—Procedure. [1967 ex.s. c 95 § 1.] Repealed by 1969 ex.s. c 241 § 26.
48.18.380 Minor may give acquittance--Life insurance. [1947 c 79 §.18.38; Rem. Supp. 1947 § 45.18.38.] Repealed by 1973 1st ex.s. c 163 § 11 .

## Chapter 48.20

## DISABILITY INSURANCE

48.20.400 Disability insurers may combine to write major loss coverage for aged. [1963 c 195 § 19.] Repealed by 1965 ex.s. c 70 § 21. See chapter 48.21A RCW

## Chapter 48.24 <br> GROUP LIFE AND ANNUITIES

48.24.085 Limitation on amount of term insurance. [1955 c 303 § 22.] Repealed by 1967 c 150 § 29.

## Chapter 48.29 <br> TITLE INSURERS

48.29.050 Deposit fee. [1947 c 79 § .29.05; Rem. Supp. 1947 § 45.29.05.] Repealed by 1955 c 86 § 13.
48.29.080 Registration of securities. [1947 c 79 § .29.08; Rem. Supp. 1947 § 45.29.08.] Repealed by 1955 c 86 § 15.

## Chapter 48.30 UNFAIR PRACTICES AND FRAUDS

48.30.280 Cancellation or failure to renew based upon sex or marital status deemed unfair practice. [1971 ex.s. c 174 § 1.] Repealed by 1975-'76 2nd ex.s. c 119 §8. Later enactment, see RCW 48.30.300.
48.30.290 Cancellation or failure to renew based upon sex or marital status deemed unfair practice--Rules and regulations--Enforcement. [1971 ex.s. c 174 § 2.] Repealed by 1975-'76 2nd ex.s. c 119 § 8. Later enactment, see RCW 48.30.300.

## Chapter 48.36 FRATERNAL

48.36.110 Use of funds. [1947 c 79 § .32.11; Rem. Supp. 1947 § 45.32.11.] Repealed by 1955 c 303 § 26.
48.36.360 Valuation--Modification of contributions-—Returns. [1953 c 197 § $15 ; 1947$ c 79 § .32.36; Rem. Supp. 1947 § 45.32.36.] Repealed by 1973 c 79 § 2.

## Chapter 48.40 <br> BURIAL INSURANCE——FUNERAL CERTIFICATES

48.40.010 Bond a prerequisite——Conditions. [1931 c 32 § 2; RRS § 5847-10.] Repealed by 1953 c 279 § 3.
48.40.020 Damages--Action on bond-—Attorney's fees. [1931 c 32 § 3; RRS § 5847-11.] Repealed by 1953 c 279 § 3.
48.40.030 Deposit of securities--Reports of sales. [1931 c 32 § 4; RRS § 5847-12.] Repealed by 1953 c 279 § 3.
48.40.040 Examination of accounts-—Expense thereof. [1931 c 32 § 5; RRS § 5847-13.] Repealed by 1953 c 279 § 3.
48.40.050 Fraternal societies excepted. [1931 c 32 § 6; RRS § 5847-14.] Repealed by 1953 c 279 § 3.
48.40.060 Penalties. [1931 c 32 § 7; RRS § 5847-15.] Repealed by 1953 c 279 § 3.
48.40.070 Requirements are cumulative. [1931 c 32 § 8; RRS § 5847-16.] Repealed by 1953 c 279 § 3.

Chapter 48.44
HEALTH CARE SERVICES
48.44.190 Witnesses, subpoenas, depositions, oaths. [1961 c 197 § 16.] Repealed by 1967 c 237 § 28, effective July 1, 1967, see RCW 34.04.921.

## Title 49 <br> LABOR REGULATIONS

Chapter 49.04
APPRENTICESHIP
49.04.020 Duties of council. [1941 c 231 § 1, part; Rem. Supp. 1941 § 7614-3, part.] Now codified in RCW 49.04.010.

## Chapter 49.12 <br> INDUSTRIAL WELFARE (FORMERLY: FEMALE AND CHILD LABOR)

49.12.030 Industrial welfare commission. [1913 c 174 § 3; RRS § 7624 1/2.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.040 Duties of committee. [1913 c 174 § 6; RRS § 7625. FORMER PART OF SECTION: 1913 c 174 § 15; RRS § 7634; now codified as RCW 49.12.125.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.060 Minors defined——1913 Act. [1913 c 174 § 8; RRS § 7627.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.070 Hearings--Oaths and witnesses--Fees. [1913 c 174 § 9; RRS § 7628.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.080 Conference to investigate conditions-—Minimum wage may be set. [1913 c 174 § 10; RRS § 7629.] Repealed by 1973 2nd ex.s. c 16 § 19 .
49.12.090 Committee to fix minimum wages for women. [1913 c 174 § 11; RRS § 7630.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.100 Reopening of hearing. [1943 c 192 § 1; 1913 c 174 § 12 ; Rem. Supp. 1943 § 7631.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.120 Wages and conditions for minors--Order. [1949 c 195 § $1 ; 1913$ c 174 § 14; Rem. Supp. 1949 § 7633.] Repealed by 1973 2nd ex.s. c 16 § 19 .
49.12.160 Appeal-_Scope of review. [1913 c 174 § 19; RRS § 7639.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.190 Women and minors in telephone industry. [1917 c 29 § $1 ; 1915$ c 68 § 1 ; RRS § 7641.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.210 Equal pay for equal work——Civil recovery. [1943 c 254 § 1; Rem. Supp. 1943 § 7636-1.] Now codified as RCW 49.12.175.
49.12.215 Seats to be provided-- 1890 Act. [1890 p 104 § 1 ; RRS § 7615, part.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.217 Seats to be provided——Penalty. [1890 p 104 § 2; RRS § 7615, part.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.220 Seats to be provided——1911 Act. [1911 c 37 § 2; RRS § 7617. Cf. 1901 c 68 § 2.] Repealed by 1973 2nd ex.s. c 16 § 19.
49.12.230 Seats to be provided-—Penalty. [1911 c 37 § 3; RRS § 7619. Cf. 1901 c 68 § 3.] Repealed by 1973 2nd ex.s. c 16 § 19.

## Chapter 49.16 <br> SAFETY——EXTRAHAZARDOUS EMPLOYMENT

49.16.010 Definitions. [1957 c 70 § 2. Prior: (i) 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1, part; 1911 c 74 § 3, part; RRS § 7675, part. (ii) 1919 c 130 § 2; RRS § 7728. (iii) 1919 c 130 § 3; RRS § 7729. (iv) 1919 c 130 § 22; RRS § 7748.] Repealed by 1973 c 80 § 28.

Severability-—1919 c 130: "Section 6604-119. Adjudication of invalidity of any of Sections 6604-48 to 6604-120, inclusive, or any part of any section shall not impair or otherwise affect the validity of any other of said sections. ${ }^{n}$ [1919 c 130 § 74; RRS § 7795.]

Repeal and saving--1919 c 130: ${ }^{\text {n }}$ Section 6604-120. All acts and parts of acts in conflict with the provisions of Sections 6604-48 to Section 6604-120, inclusive, are hereby repealed, but nothing herein contained shall operate to repeal any part of the Coal Mining Code or any of the following sections of Remington \& Ballinger's Annotated Codes and Statutes of Washington, or any part thereof: 6572 to 6589, inclusive, 8213 to 8240, inclusive, and 8626." [1919 c 130 § 75; RRS § 7796.]

Effective date--1919 c 130: "The time when Sections 6604-48 to 6604-120 shall take effect shall be in accordance with the provisions of the seventh amendment to the state constitution, but the rewards and penalties prescribed by Sections 6604-96, 6604-98, 6604-99, 6604 100, 6604-101, 6604-102, 6604-105, 6604-106, 6604-107, 6604-108, and the penalty provided by section 6604-52, shall not be operative until on and after the expiration of four fractional or full calendar months after said sections shall take effect." [1919 c 130 § 76.] The above three sections apply to RCW 49.16.010-49.16.150.
49.16.020 Application of chapter. [1919 c 130 § 1 ; RRS § 7727.] Repealed by 1973 c 80 § 28.
49.16.030 Workmen to be safeguarded--Duty of employer. [1919 c 130 § 4; RRS § 7730.] Repealed by 1973 c 80 § 28.
49.16.040 Duty of workmen-—Penalty. [1919 c 130 § 5; RRS § 7731.] Repealed by 1973 c 80 § 28.
49.16.050 Safety standards to be promulgated. [1919 c 130 § 8; RRS § 7734.] Repealed by 1973 c 80 § 28.
49.16.060 Uniformity in standards. [1919 c 130 § 20; RRS § 7746.] Repealed by 1973 c 80 § 28.
49.16.070 Recommendations by employers or workmen. [1919 c 130 § 21; RRS § 7747.] Repealed by 1973 c 80 § 28.
49.16.080 Hearings on establishment of standards. [1919 c 130 § 23; RRS § 7749.] Repealed by 1973 c 80 § 28.
49.16.090 Written notice——Posting. [1923 c 136 § 12; 1919 c 130 § 25; RRS § 7751.] Repealed by 1973 c 80 § 28.
49.16.100 Informalities shall not invalidate-—Requirements as to special standards. [1919 c 130 § 26; RRS § 7752.] Repealed by 1973 c 80 § 28.
49.16.110 No inspection fee. [1919 c 130 § 37; RRS § 7763.] Repealed by 1973 c $80 \S 28$.
49.16.120 Duty of department——Inspections. [1923 c 136 § 13; 1919 c 130 § 50; RRS § 7774.] Repealed by 1973 c 80 § 28.
49.16.130 Review. [1919 c 130 § 67; RRS § 7788.] Repealed by 1973 c 80 § 28.
49.16.140 Penalty. [1943 c 186 § $1 ; 1923$ c 136 § 14; 1921 c 182 § 13; Rem. Supp. 1943 § 7775.] Now codified as RCW 49.16.151.
49.16.150 Municipal regulations, effect of chapter upon. [1919 c 130 § 73; RRS § 7794.] Repealed by 1973 c 80 § 28.
49.16.151 Penalty. [1943 c 186 § 1; 1923 c 136 § 14; 1921 c 182 § 13; Rem. Supp. 1943 § 7775. Formerly RCW 49.16.140.] Repealed by 1973 c 80 § 28.
49.16.160 Safeguard regulations preserved. [1911 c 74 § 30; RRS § 7709.] Repealed by 1973 c 80 § 28.

## Chapter 49.20

HEALTH AND SAFETY——FACTORIES, MILLS, WORKSHOPS
49.20.010 Safeguards to be provided--Unsafe or defective equipment to be remedied——Penalty. [1959 c 98 § $1 ; 1943$ c 17 § $1 ; 1907$ c 205 § 1; 1905 c 84 § 1; Rem. Supp. 1943 § 7658. Prior: 1903 c 37 § 1.] Repealed by 1973 c $80 \S 28$.
49.20.020 Ventilation and sanitation. [1963 c 62 § 1; 1959 c 98 § 2; 1905 c 84 § 2; RRS § 7659. Prior: 1903 c 37 § 3.] Repealed by 1973 c 80 § 28.
49.20.030 Safeguards for hatchways, stairways, shafts, etc. [1905 c 84 § 3; RRS § 7660. Prior: 1903 c 37 § 2.] Repealed by 1973 c 80 § 28.
49.20.040 Examination of factories, etc. [1959 c 98 § 3; 1907 c 205 § 2; 1905 c 84 § 4; RRS § 7661.] Repealed by 1973 c 80 § 28.
49.20.050 Requests for inspection. [1959 c 98 § 4; 1907 c 205 § 3; 1905 c 84 § 5; RRS § 7662.] Repealed by 1973 c 80 § 28.
49.20.060 Employee may notify supervisor of defects. [1959 c 98 § $5 ; 1905$ c 84 § 6 ; RRS § 7663.] Repealed by 1973 c $80 \S 28$.
49.20.070 Certificate of inspection-—Posting——Requirements for issuance--Appeal--Arbitration--Fees-DSpecial factory fund. [1907 c 205 § 4; 1905 c $84 \S 7$; RRS § 7664. Formerly RCW 49.20.070, 49.20.080 and 49.20.090.] Repealed by 1959 c 98 § 7.
49.20.080 Requirements for issuance--Appeal——Arbitration. [1907 c 205 § 4, part; 1905 c 84 § 7, part; RRS § 7664, part.] Now codified in RCW 49.20.070.
49.20.090 Fees--Factory fund. [1907 c 205 § 4, part; 1905 c 84 § 7, part; RRS § 7664, part.] Now codified in RCW 49.20.070.
49.20.100 Copy of law to be kept posted. [1905 c 84 § 12; RRS § 7666. Prior: 1903 c 37 § 5.] Repealed by 1959 c 98 § 8.
49.20.110 Penalty. [1959 c 98 § 6; 1907 c 205 § 5; 1905 c 84 § 11 ; RRS § 7665. Prior: 1903 c 37 § 4.] Repealed by 1973 c 80 § 28.

## Chapter 49.24

HEALTH AND SAFETY--UNDERGROUND WORKERS
49.24.050 Working hours and shifts. [1937 c 131 § 5; RRS § 7666-5.] Repealed by 1963 c 105 § 1.
49.24.090 Decompression regulations. [1941 c 194 § 2; Rem. Supp. 1941 § 7666-10.] Repealed by 1963 c 105 § 1.

## Chapter 49.28 <br> HOURS OF LABOR

49.28.070 Eight hour day for females-Commission estab-lished-Defense production permits. [1965 c 41 § 1; 1951 c 84 § 1. Formerly (i) 1911 c 37 § 1; RRS § 7651. Cf. 1901 c 68 § 1 . (ii) 1911 c 37 § 3 ; RRS § 7619 (concerning 1911 c 37 § 1 see note following RCW 49.12.230).] Repealed by 1973 lst ex.s. c 154 § 121.
49.28.090 Hours of minors in bakeries——Penalty. [(i) 1903 c 135 § 9; RRS § 6293. (ii) 1903 c 135 § 10, part; RRS § 6294, part.] Now codified as RCW 69.11.090 and 69.11.100 respectively.

Chapter 49.32

## INJUNCTIONS IN LABOR DISPUTES

49.32.010 Definitions. [1933 ex.s. c 7 § 13; RRS § 7612-13.] Now codified as RCW 49.32.110.
49.32.040 Injunctions in labor disputes. [1933 ex.s. c 7 § 1; RRS § 7612-1. Cf. 1919 c 185 § 2.] Now codified as RCW 49.32.011.

Chapter 49.46
MINIMUM WAGE ACT
49.46.030 Eight hour day, forty hour week-—Overtime rates, computation, exceptions. [1959 c 294 § 3.] Repealed by 1961 ex.s. c 18 § 7.
49.46.050 Administrative regulations. [1959 c 294 § 5.] Repealed by 1961 ex.s. c 18 § 7.

## Chapter 49.48 <br> WAGES——PAYMENT——COLLECTION

49.48.110 Limitation on assignment. [1947 c 181 § 2; Rem. Supp. 1947 § 7598-1.] Repealed by 1971 ex.s. c 55 § 5.

## Chapter 49.52 <br> WAGES——DEDUCTIONS——REBATES

49.52.065 Employee benefit plans--Payment, refund, as dis-charge--Adverse claims. [1953 c 45 § 1.] Now codified as RCW 49.64.030.

## Chapter 49.60 <br> LAW AGAINST DISCRIMINATION

49.60.216 Blind person with guide dog not to be refused service. [1959 c 48 § 1.] Repealed by 1969 c 141 § 10. Later enactment, see RCW 70.84.030.
49.60.217 Unfair practices with respect to publicly-assisted housing. [1957 c 37 § 15.] Repealed by 1969 ex.s. c 167 § 9.
49.60.300 Inapplicability of RCW 49.60.260-49.60.290. [1957 c 37 § 25. Prior: 1949 c 183 § 9, part; Rem. Supp. 1949 § 7614-27A, part.] Repealed by 1971 ex.s. c 52 § 1.

## Title 50 <br> UNEMPLOYMENT COMPENSATION

## Chapter 50.04 DEFINITIONS

50.04.010 Scope of definitions. This section was added by the 1941 Code Committee. It has no session law background and is accordingly decodified.
50.04.130 Employment--Out of state service--Election. [1945 c 35 § 13: Rem. Supp. 1945 § 9998-152. Prior: 1943 c 127 § 13; 1941 c 253 § 14: 1937 c 162 § 19.] Now codified as RCW 50.04.115.
50.04.190 Employment-DEleemosynary services. [1945 c 35 § 20; Rem. Supp. 1945 § 9998-159. Prior: 1943 c 127 § 13; 1941 c 253 § $14 ; 1939$ c 214 § $16 ; 1937$ c 162 § 19.] Repealed by 1971 c 3 § 26, effective December 31, 1971.

## Chapter 50.12 <br> ADMINISTRATION

50.12.030 Personnel board and commissioner's regulationsMerit system. [1959 c 127 § 1; 1947 c 215 § 10; 1945 c 35 § 42; Rem. Supp. 1947 § 9998-180. Prior: 1943 c 127 § 8; 1941 c 253 § 8.] Repealed by Initiative Measure No. 207 § 33 (1961 c 1 § 33). Later enactment, see chapter 41.06 RCW .

## Chapter 50.20 <br> BENEFITS AND CLAIMS

50.20.030 Pregnancy limitation. [1973 lst ex.s. c 167 § 2; 1970 ex.s. 2 § 20; 1955 c 286 § 3. Prior: 1945 c 35 § 70; Rem. Supp. 1945 § 9998-208.] Repealed by 1975 1st ex.s. c 228 § 18.
50.20.040 Student provision. [1945 c 35 § 71; Rem. Supp. 1945 § 9998-209.] Repealed by 1955 c 286 § 4.
50.20.127 Extended benefits. [1970 ex.s. c 2 § 23.] Repealed by 1971 c 1 § 10.

Reviser's note: Repealer, effective date, see notes following RCW 50.22.010.

## Chapter 50.22 <br> EXTENDED BENEFITS

50.22.070 Effect of benefits paid under RCW 50.20.127. [1971 c 1 § 8.] Repealed by 1973 c 73 § 12, effective March 8, 1973.
50.22.080 Temporary emergency benefit program——Qualification for emergency benefits--Amount of benefits--Application of title provisions and commissioner's regulations. [1971 c 1 § 9.] Repealed by 1973 c 73 § 12, effective March 8, 1973.

## Chapter 50.28 <br> EXPERIENCE RATING CREDITS

50.28.010 Definitions. [1955 c 286 § 10. Prior: 1951 c 215 § 16; 1949 c 235 § 2, part; Rem. Supp. 1949 § 9998-246a, part.] Repealed by 1970 ex.s. c 2 § 24.

Repeals——Construction-— 1970 ex.s. c 2. "Sections $10,11,12,15$ and 16 , chapter 286 , Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28 .050 and 50.28.060, and section 3, chapter 235 , Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040 are each hereby repealed. Such repeals shall not be construed as affecting any existing right to any redetermination, correction, or pending appeal involving any experience rating credit determination or redetermination. ${ }^{n}$ [1970 ex.s. c 2 § 24.]
50.28.020 "Qualified employer" defined. [1955 c 286 § 11. Prior: 1953 ex.s. c 8 § 18; 1949 c 235 § 2, part; Rem. Supp. 1949 § 9998246a, part.] Repealed by 1970 ex.s. c 2 § 24.
50.28.030 "Surplus" defined. [1955 c 286 § 12. Prior: 1949 c 235 § 2(g); Rem. Supp. 1949 § 9998-246a(g).] Repealed by 1970 ex.s. c $2 \S$ 24.
50.28.040 Establishment of credits. [1955 c 286 § 13; 1953 ex.s. c 8 § 20; 1949 c 235 § 3; Rem. Supp. 1949 § 9998-246b.] Repealed by 1970 ex.s. c 2 § 24.
50.28.050 Credit redetermination and correction. [1955 c 286 § 15 Prior: 1953 ex.s. c 8 § 21; 1951 c 215 § 17; 1949 c 235 § 4(a), (b), (c); Rem. Supp. 1949 § 9998-246c, part.] Repealed by 1970 ex.s. c 2 § 24.
50.28.060 Appeal from denial of adjustment of credit. [1955 c 286 § 16. Prior: 1949 c 235 § 4(d); Rem. Supp. 1949 § 9998-246c, part.] Repealed by 1970 ex.s. c 2 § 24.

## Chapter 50.40 <br> MISCELLANEOUS PROVISIONS

50.40.030 Exemption of benefits. [1945 c 35 § 183, part; Rem. Supp. 1945 § 9998-322, part.] Now codified in RCW 50.40.020.

# 51 <br> INDUSTRIAL INSURANCE 

## Chapter 51.08 <br> DEFINITIONS

51.08.080 "Engineering work." [1961 c 23 § 51.08.080. Prior: 1957 c 70 § 10; prior: 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1 , part; 1911 c 74 § 3, part; RRS § 7675, part.] Repealed by 1972 ex.s. c 43 § 40.
51.08.090 "Factories." [1961 c 23 § 51.08.090. Prior: 1957 c 70 § 11; prior: 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1, part; 1911 c 74 § 3, part; RRS § 7675, part.] Repealed by 1972 ex.s. c 43 § 40.
51.08.120 "Mill." [1961 c 23 § 51.08.120. Prior: 1957 c 70 § 14; prior: 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1, part; 1911 c 74 § 3, part; RRS § 7675, part.] Repealed by 1972 ex.s. c 43 § 40.
51.08.130 "Mine." [1961 c 23 § 51.08.130. Prior: 1957 c 70 § 15; prior: 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1, part; 1911 c 74 § 3, part; RRS § 7675, part.] Repealed by 1972 ex.s. c 43 § 40.
51.08.170 "Quarry." [1961 c 23 § 51.08.170. Prior: 1957 c 70 § 19; prior: 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1, part; 1911 c 74 § 3, part; RRS § 7675, part.] Repealed by 1972 ex.s. c 43 § 40.
51.08.190 "Workshop." [1961 c 23 § 51.08.190. Prior: 1957 c 70 § 21; prior: 1939 c 41 § 2, part; 1929 c 132 § 1, part; 1927 c 310 § 2, part; 1921 c 182 § 2, part; 1919 c 131 § 2, part; 1917 c 120 § 1, part; 1911 c 74 § 3, part; RRS § 7675, part.] Repealed by 1972 ex.s. c 43 § 40.

## Chapter 51.12 <br> EMPLOYMENTS AND OCCUPATIONS COVERED

51.12.015 Maintenance and service employees. [1951 c 246 § 1.] Declared unconstitutional in Rourke v. Department of Labor and Industries, 41 Wn . (2d) 310 and subsequently repealed by 1961 c 23 § 51.98.040.
51.12.030 Inclusion of unenumerated occupations. [1961 c 23 § 5112.030. Prior: 1955 c 74 § 4; prior: 1947 c 281 § 1, part; 1943 c 210 § 1, part; 1939 c 41 § 1, part; 1937 c 211 § 1, part; 1927 c 310 § 1, part; 1921 c 182 § 1, part; 1919 c 131 § 1, part; 1911 c 74 § 2, part; Rem. Supp. 1947 § 7674, part.] Repealed by 1972 ex.s. c 43 § 40.
51.12.040 Inclusion by director after hearing. [1961 c 23 § 51.12.040. Prior: 1955 c 74 § 5; prior: 1947 c 281 § 1, part; 1943 c 210 § 1 , part; 1939 c 41 § 1, part; 1937 c 211 § 1, part; 1927 c 310 § 1, part; 1921 c 182 § 1, part; 1919 c 131 § 1, part; 1911 c 74 § 2, part; Rem. Supp. 1947 § 7674, part.] Repealed by 1972 ex.s. c 43 § 40.

## Chapter 51.16 ASSESSMENT AND COLLECTION OF PREMIUMS-PAYROLLS AND RECORDS

51.16.010 Enabling provision for establishing premium ratesQuarterly payments. [1961 c 23 § 51.16.010. Prior: 1959 c 308 § 13; 1957 c 70 § 53; prior: (i) 1947 c 247 § 1, part; 1931 c 104 § 1, part; 1927 c 310 § 3, part; 1923 c 136 § 1, part; 1919 c 131 § 3, part; 1917 c 120 § 2, part; 1915 c 188 § 1, part; 1911 c 74 § 4, part; Rem. Supp. 1947 § 7676a, part. (ii) 1923 c 136 § 7, part; 1921 c 182 § 10, part; 1917 c 29 § 3, part; RRS § 7712, part.] Repealed by 1971 ex.s. c 289 § 89.
51.16.020 Basis for determining accident fund premiums-Cost experience. [1961 c 274 § 6; 1961 c 23 § 51.16.020. Prior: 1957 c 70 § 54; 1951 c 236 § 2; prior: 1947 c 247 § 1, part; 1931 c 104 § 1, part;

1927 c 310 § 3, part; 1923 c 136 § 1, part; 1919 c 131 § 3, part; 1917 c 120 § 2, part; 1915 c 188 § 1, part; 1911 c 74 § 4, part; Rem. Supp. 1947 § 7676a, part.] Repealed by 1971 ex.s. c 289 § 89.
51.16.030 Medical aid fund not kept by classes-—Payments from one fund-Basis of determining premiums. [1961 c 23 § 51.16.030. Prior: 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676d, part.] Repealed by 1971 ex.s. c 289 § 89.
51.16.061 Quarterly report of payrolls. [1955 c 360 § 1.] Repealed by 1959 c 308 § 20 and by 1961 c 23 § 51.98.040.
51.16.080 Single establishment with different risk classes-—Basis for determining premiums. [1961 c 23 § 51.16.080. Prior: 1951 c 236 § 3; 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676e, part.] Repealed by 1971 ex.s. c 289 § 89.

## Chapter 51.20 <br> CLASSIFICATION OF OCCUPATIONS

51.20.005 Classifications established. [1961 c 23 § 51.20.005. Prior: 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.010.] Repealed by 1972 ex.s. c 43 § 39.
51.20.010 Class 1. [1961 c 23 § 51.20.010. Prior: 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.020.] Repealed by 1972 ex.s. c 43 § 39.
51.20.020 Class 2. [1961 c 23 § 51.20.020. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.030.] Repealed by 1972 ex.s. c 43 § 39.
51.20.050 Class 5. [1961 c 23 § 51.20.050. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.040 and 51.20 .050 , part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.060 Class 6. [1961 c 23 § 51.20.060. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.050, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.070 Class 7. [1961 c 23 § 51.20.070. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.060.] Repealed by 1972 ex.s. c 43 § 39 .
51.20.080 Class 8. [1961 c 23 § 51.20.080. Prior: 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.070.] Repealed by 1972 ex.s. c 43 § 39 .
51.20.090 Class 9. [1961 c 23 § 51.20.090. Prior: 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.080, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.100 Class 10. [1961 c 23 § 51.20.100. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.090, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.110 Class 11. [1961 c 23 § 51.20.110. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.090, part and RCW 51.20.100, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.130 Class 13. [1961 c 23 § 51.20.130. Prior: 1497 c 247 § 1, part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.110.] Repealed by 1972 ex.s. c 43 § 39.
51.20.140 Class 14. [1961 c 23 § 51.20.140. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.080, part and 51.20.120.] Repealed by 1972 ex.s. c 43 § 39.
51.20.150 Class 15. [1961 c 23 § 51.20.150. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.130 and 51.20 .200 .] Repealed by 1972 ex.s. c 43 § 39.
51.20.160 Class 16. [1961 c 23 § 51.20.160. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.140.] Repealed by 1972 ex.s. c 43 § 39.
51.20.170 Class 17. [1961 c 23 § 51.20.170. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.150.] Repealed by 1972 ex.s. c 43 § 39.
51.20.180 Class 18. [1961 c 23 § 51.20.180. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.160.] Repealed by 1972 ex.s. c 43 § 39 .
51.20.210 Class 21. [1961 c 23 § 51.20.210. Prior: 1947 c 247 § 1, part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.180.] Repealed by 1972 ex.s. c 43 § 39 .
51.20.220 Class 22. [1961 c 23 § 51.20.220. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.190.] Repealed by 1972 ex.s. c 43 § 39.
51.20.240 Class 24. [1961 c 23 § 51.20.240. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.210 and 51.20 .280 , part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.290 Class 29. [1961 c 23 § 51.20.290. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.220.] Repealed by 1972 ex.s. c 43 § 39.
51.20.310 Class 31. [1961 c 23 § 51.20.310. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.230, part and 51.20.280, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.330 Class 33. [1961 c 23 § 51.20.330. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.240.] Repealed by 1972 ex.s. c 43 § 39 .
51.20.340 Class 34. [1961 c 23 § 51.20.340. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.090, part, 51.20 .100 , part, 51.20 .170 and 51.20 .250 .] Repealed by 1972 ex.s. c 43 § 39.
51.20.350 Class 35. [1961 c 23 § 51.20.350. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.230, part, and 51.20.260.] Repealed by 1972 ex.s. c $43 \S 39$.
51.20.370 Class 37. [1961 c 23 § 51.20.370. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.270.] Repealed by 1972 ex.s. c 43 § 39.
51.20.380 Class 38. [1961 c 23 § 51.20.380. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.280, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.390 Class 39. [1961 c 23 §51.20.390. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.290.] Repealed by 1972 ex.s. c 43 § 39.
51.20.400 Class 40. [1961 c 23 § 51.20.400. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.300.] Repealed by 1972 ex.s. c 43 § 39.
51.20.410 Class 41. [1961 c 23 § 51.20.410. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.310.] Repealed by 1972 ex.s. c 43 § 39.
51.20.420 Class 42. [1961 c 23 § 51.20.420. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.320.] Repealed by 1972 ex.s. c 43 § 39.
51.20.430 Class 43. [1961 c 23 § 51.20.430. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.330.] Repealed by 1972 ex.s. c 43 § 39.
51.20.440 Class 44. [1961 c 23 § 51.20.440. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.340.] Repealed by 1972 ex.s. c 43 § 39.
51.20.450 Class 45. [1961 c 23 § 51.20.450. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.350.] Repealed by 1972 ex.s. c 43 § 39.
51.20.460 Class 46. [1961 с 23 § 51.20.460. Prior: 1947 с 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.360.] Repealed by 1972 ex.s. c 43 § 39.
51.20.470 Class 47. [1961 c 23 § 51.20.470. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.370.] Repealed by 1972 ex.s. c 43 § 39.
51.20.480 Class 48. [1961 c 23 § 51.20.480. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.380, part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.490 Class 49. [1961 c 23 § 51.20.490. Prior: 1947 c 247 § 1 , part; Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.380, part and 51.20 .390 , part.] Repealed by 1972 ex.s. c 43 § 39.
51.20.500 Class 50. [1961 c 23 § 51.20.500. Prior: 1947 c 247 § 1 , part: Rem. Supp. 1947 § 7676b, part. Formerly RCW 51.20.400.] Repealed by 1972 ex.s. c 43 § 39 .
51.20.600 Class 60. [1961 c 23 § 51.20.600. Formerly RCW 51.20.390, part.] Repealed by 1972 ex.s. c 43 § 39.

## Chapter 51.32 <br> COMPENSATION——RIGHT TO AND AMOUNT

51.32.005 "Child" defined. [1969 ex.s. c 77 § 2; 1961 c 23 § 51.32.005. Prior 1951 c 115 § 6.] Repealed by 1975 1st ex.s. c 224 § 19.
51.32.070 Additional payments for prior pensioners-—Personal attendant. [1973 lst ex.s. c 154 § 97; 1973 c 147 § 2; 1971 ex.s. c 289 § $9 ; 1965$ ex.s. c 166 § $1 ; 1961$ c 108 § $1 ; 1961$ c 23 § 51.32.070. Prior: 1957 c 196 § 1; 1947 c 233 § 1; Rem. Supp. 1947 § 7679b.] Repealed by 1975 1st ex.s. c $224 \S 19$.
51.32.071 Additional payments for prior pensioners-—Payment from reserve fund——Reimbursement. [1961 c 23 § 51.32.071. Prior: 1957 c 196 § 2.] Repealed by 1961 c 108 § 2.
51.32.170 Increased benefits not retroactive. [1947 c 246 § 2; No RRS.] Now footnoted following chapter digest for chapter 51.98 RCW.

## Title 52 <br> FIRE PROTECTION DISTRICTS

## Chapter 52.04

FORMATION AND DISSOLUTION
52.04.010 Definitions. This section was added by the 1941 Code Committee. It has no session law background and is accordingly decodified

## Chapter 52.08 <br> POWERS

52.08.070 Power to create L.I.D.'s——Special taxes——Indebtedness. [1941 c 70 § 60; 1939 c 34 § 17; Rem. Supp. 1941 § $5654-$ 117.] Repealed by 1975 1st ex.s. c $130 \S 5$.

## Chapter 52.20

## LOCAL IMPROVEMENT DISTRICTS

52.20.030 Hearing——Determination——Resolution. [1939 c 34 § 42; RRS § 5654-142.] Repealed by 1961 c 161 § 4.
52.20.040 Levies for cost——Payment. [1939 c 34 § 43; RRS § 5654-143.] Repealed by 1961 c 161 § 4.
52.20.050 Warrants against fund. [1939 c 34 § 44; RRS § 5654144.] Repealed by 1975 1st ex.s. c 130 § 5.

## Chapter 52.32 <br> VALIDATION

52.32.020 Special proceedings for judicial confirmation. [1947 c 255 § 1; Rem. Supp. 1947 § 5654-153a.] Now codified as RCW 52.34.010.
52.32.030 Petition. [1947 c 255 § 2; Rem. Supp. 1947 § 5654-153b.] Now codified as RCW 52.34.020.
52.32.040 Hearing, date of, to be fixed--Notice. [1947 c 255 § 3; Rem. Supp. 1947 § 5654-153c.] Now codified as RCW 52.34.030.
52.32.050 Demurrer or answer. [1947 c 255 § 4; Rem. Supp. 1947 § 5654-153d.] Now codified as RCW 52.34.040.
52.32.060 Pleading and practice-MMotion for new trial. [1947 c 255 § 5; Rem. Supp. 1947 § 5654-153e.] Now codified as RCW 52.34.050.
52.32.070 Jurisdiction of court. [1947 c 255 § 6; Rem. Supp. 1947 § 5654-1 53f.] Now codified as RCW 52.34.060.
52.32.080 Minor irregularities to be disregarded. [1947 c 255 § 7; Rem. Supp. 1947 § $5654-153 \mathrm{~g}$.] Now codified as RCW 52.34.070.
52.32.090 Costs. [1947 c 255 § 8; Rem. Supp. 1947 § 5654-1 53h.] Now codified as RCW 52.34.080.
52.32.100 Appeal. [1947 c 255 § 9; Rem. Supp. 1947 § 5654-153i.] Now codified as RCW 52.34.090.

## Chapter 52.36 <br> MISCELLANEOUS PROVISIONS

52.36.030 Use of apparatus outside of a district. [1939 c 34 § 47; RRS § 5654-147.] Repealed by 1969 c 88 § 4.
Repeal and saving--1969 c 88: "Section 47, chapter 34, Laws of 1939 and RCW 52.36.030 are each repealed: Provided, That such repeal shall not affect any obligation, contract or agreement in existence on the effective date of this act. " [1969 c 88 § 4.]

## Title 53

PORT DISTRICTS

## Chapter 53.04 FORMATION

53.04.030 Petition for less than the county-—Two or more petitions. [1913 c 62 § 1, part; 1911 c 92 § 2, part; RRS § 9689, part.] Now codified in RCW 53.04.020.
53.04.040 Ballots, form of. [1913 c 62 § 1, part; 1911 c 92 § 2, part; RRS § 9689, part.] Now codified in RCW 53.04.020.
53.04.050 Creation of district less than county in other than class $A$ counties. [1921 c 39 § 1; RRS § 9702.] Repealed by 1971 ex.s. c 157 § 3, effective May 1, 1972.
53.04.090 Ballots——Conduct of election. [1935 c 16 § 1 , part; 1921 c 130 § 1 , part; RRS § 9707, part.] Now codified in RCW 53.04.080.

## Chapter 53.08 POWERS

53.08.100 Sale of surplus lands in certain districts. [1925 ex.s. c 152 § 1; RRS § 9692-3.] Repealed by 1957 c 41 § 1.

Chapter 53.12
COMMISSIONERS——ELECTIONS
53.12.030 Nominations in district of less than one thousand. [1951 c 69 § $1 ; 1921$ c 39 § 2 ; RRS § 9703.] Repealed by 1959 c 175 § 11.
53.12.046 Declarations of candidacy-—Withdrawal. [1959 c 175 § 5; 1951 c 69 § 4.] Repealed by 1963 c 200 § 26.
53.12.070 Notice of elections. [1927 c 204 § 1, part; 1913 c 62 § 3, part; RRS § 9691, part.] Now codified in RCW 53.12.060.
53.12.080 Polling places. [1927 c 204 § 1, part; 1913 c 62 § 3, part; RRS § 9691, part.] Now codified in RCW 53.12.060.
53.12.090 Voting hours-—Ballots——Qualifications of electors. [1927 c 204 § 1, part; 1913 c 62 § 3, part; RRS § 9691, part.] Now codified in RCW 53.12.060.
53.12.100 Registration books——Joint elections. [1927 c 204 § 1 , part; 1913 c 62 § 3, part; RRS § 9691, part.] Now codified in RCW 53.12.060.
53.12.110 Elections, how conducted. [1927 c 204 § 1, part; 1913 c 62 § 3, part; RRS § 9691, part.] Now codified in RCW 53.12.060.
53.12.173 Terms in districts less than entire county——Existing districts——Change-over provision. [1951 c 68 § 3.] Repealed by 1965 c 51 § 9 .
53.12.230 Terms in districts in class $A$ and first class counties. [1941 c 45 § 2, part; 1925 ex.s. c 113 § 2, part; Rem. Supp. 1941 § 9691-2, part.] Now codified in RCW 53.12.220.
53.12.250 Compensation. [1957 c 72 § 1; 1955 c 348 § 4. Prior: 1921 c 179 § 1, part; 1917 c 125 § 2, part; 1913 c 62 § 5, part; 1911 c 92 § 5, part; RRS § 9693, part.] Repealed by 1975 lst ex.s. c 187 § 3.

## Chapter 53.20 <br> HARBOR IMPROVEMENTS

53.20.060 Petition to order improvement. [1911 c 92 § 10, part; RRS § 9697, part.] Now codified in RCW 53.20.050.
53.20.070 Assessment roll-_Notice-—Hearing. [1911 c 92 § 10, part; RRS § 9697, part.] Now codified in RCW 53.20.050.
53.20.080 Approval——Filing——Appeal. [1911 c 92 § 10, part; RRS § 9697, part.] Now codified in RCW 53.20.050.

## Chapter 53.24

INDUSTRIAL DEVELOPMENT DISTRICTS
53.24.010 through 53.24.080. [1943 c 166 § 1; 1939 c 45 §§ 1 through 8; Rem. Supp. §§ 9709-1 through 9709-8.] Repealed by 1955 c 73 § 22. Later enactment, see chapter 53.25 RCW.

Chapter 53.25
INDUSTRIAL DEVELOPMENT DISTRICTS——MARGINAL LANDS
53.25.180 Devotion of property to public use--Notice--Hear-ing--Sale——Plans and specifications. [1955 c 73 § 18.] Repealed by 1963 c 138 § 2. Later enactment, see RCW 53.25.120.

Validating--1963 c 138: Validation of prior sales under this section, see note following RCW 53.25.120.

## Chapter 53.28 <br> SALE OF PROPERTY IN INDUSTRIAL DEVELOPMENT DISTRICTS

53.28.010 through 53.28.070. [1939 c 45 §§ 9 through 14; RRS §§ 9709-9 through 9709-14.] Repealed by 1955 c 73 § 22. Later enactment, see chapter 53.25 RCW.

Chapter 53.32
LEASE OF STATE OWNED HARBOR AREAS
53.32.030 Sale of lease--Notice. [1917 c 93 § 2, part; RRS § 9720, part.] Now codified in RCW 53.32.020.
53.32.040 Lease by exclusive right--Conditions--Rentals. [1917 c 93 § 2, part; RRS § 9720, part.] Now codified in RCW 53.32.020.

## Chapter 53.40

REVENUE BONDS AND WARRANTS
53.40.060 Port districts of less than $\mathbf{4 0 0 , 0 0 0}$ population--Construction of improvements authorized. [1949 c 122 § 5; Rem. Supp. 1949 § $9711-5$.] Repealed by 1957 c 59 § 11.
53.40.070 Port districts of less than $\mathbf{4 0 0 , 0 0 0}$ population-—Purposes for which bonds may be issued. [1949 c 122 § 6, part; Rem. Supp. 1949 § $9711-5 \mathrm{a}$, part.] Repealed by 1957 c 59 § 11.
53.40.080 Port districts of less than $\mathbf{4 0 0 , 0 0 0}$ population-—Form and terms of bonds. [1949 c 122 § 6, part; Rem. Supp. 1949 § 9711-5a, part.] Repealed by 1957 c 59 § 11.
53.40.090 Port districts of less than $\mathbf{4 0 0 , 0 0 0}$ population-—Bonds payahle only out of revenues--Special funds. [1949 c 122 § 7, part; Rem. Supp. 1949 § 9711-6, part.] Deleted by 1957 c 59 §§ 7, 8.
53.40.100 Port districts of less than 400,000 population- Temporary bonds. [1949 c 122 § 7, part; Rem. Supp. 1949 § $9711-6$, part.] Deleted by 1957 c 59 §§ 7, 9.

## Chapter 53.44

FUNDING AND REFUNDING INDEBTEDNESS——1947 ACT
53.44.050 Validating and refunding indebtedness in certain districts. [(i) 1941 c 7 § 5; Rem. Supp. 1941 § 9692A-5. (ii) 1941 c 7 § 6; Rem. Supp. 1941 § 9692A-6. (iii) 1941 c 7 § 7; Rem. Supp. 1941 § 9692A-7.] Now codified as RCW 53.43.050, 53.43.060, 53.43.070.
53.44.060 Validation without popular vote. [1941 c 7 § 1; Rem. Supp. 1941 § 9692A-1.] Now codified as RCW 53.43.010.

Chapter 53.48

## DISSOLUTION OF PORT AND OTHER DISTRICTS

53.48.100 Port districts in counties of sixth class - - Disposition of funds. [1943 c 282 § 1 ; Rem. Supp. 1943 § 9718-10.] Now codified as RCW 53.49.010.
53.48.110 Order to transfer funds. [1943 c 282 § 2; Rem. Supp. 1943 § 9718-11.] Now codified as RCW 53.49.020.

## Chapter 53.52 <br> CLAIMS AGAINST PORT AND OTHER DISTRICTS

53.52.010 "District" defined. [1957 c 224 § 10.] Repealed by 1967 c 164 § 16 .
53.52.020 Claims for damages against districts. [1957 c 224 § 11.] Repealed by 1967 c 164 § 16.
Purpose-—Severability——1967 c 164: See notes following RCW 4.96.010.

## Title 54 <br> PUBLIC UTILITY DISTRICTS <br> Chapter 54.04 <br> GENERAL PROVISIONS

54.04.110 Duty to furnish power to district. [1945 c 130 § 2, part; Rem. Supp. 1945 § 10459-12, part.] Now codified in RCW 54.04.100.

Chapter 54.08<br>FORMATION——DISSOLUTION——ELECTIONS (FORMERLY: FORMATION)

54.08.020 When district includes less than entire county- -Peti-tion--Hearing--Boundaries to be fixed. [1931 c 1 § 3, part; RRS § 11607, part.] Now codified in RCW 54.08.010.
54.08.030 Canvass of returns--District created- Name. [1941 c 245 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.
54.08.040 Election expense. [1941 c 245 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.

## Chapter 54.12 <br> COMMISSIONERS

54.12.020 Change in commissioner districts. [1941 c 245 § 4, part; 1931 c 1 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.
54.12.030 Terms of office. [1941 c 245 § 4, part; 1931 c 1 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.
54.12.040 First commissioners--Election--Terms. [1941 c 245 § 4, part; 1931 c 1 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.
54.12.050 Staggered terms. [1941 c 245 § 4, part; 1931 c 1 § 4, part; Rem. Supp. 1941 § 11608 , part.] Now codified in RCW 54.12.010.
54.12.060 Nominations. [1941 c 245 § 4, part; 1931 c 1 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.
54.12.070 Vacancies-Causes--How filled. [1941 c 245 § 4, part; 1931 c 1 § 4, part; Rem. Supp. 1941 § 11608, part.] Now codified in RCW 54.12.010.

## Chapter 54.20 <br> CONDEMNATION PROCEEDINGS

54.20.020 Failure to give statement-—Contempt-—Payment and decree. [1945 c 130 § 3, part; Rem. Supp. § 10459-13, part.] Now codified in RCW 54.20.010.
54.20.030 Retirement of properties——Adjustment. [1945 c 130 § 3, part; Rem. Supp. 1945 § 10459-13, part.] Now codified in RCW 54.20.010.
54.20.040 Accounting. [1945 c 130 § 3, part; Rem. Supp. 1945 § 10459-13, part.] Now codified in RCW 54.20.010.
54.20.050 Limitation on new proceedings. [1945 c 130 § 3, part; Rem. Supp. 1945 § 10459-13, part.] Now codified in RCW 54.20.010.

## Chapter 54.24 <br> FINANCES

54.24.130 General obligation bonds--Resolution--Election. [1931 c 1 § 7, part; RRS § 11611, part.] Now codified in RCW 54.24.018.
54.24.140 Bonds authorized. [1931 c 1 § 7, part; RRS § 11611 part.] Now codified in RCW 54.24.018.
54.24.150 Bonds--Form——Execution, etc. [1931 c 1 § 7, part; RRS § 11611, part.] Now codified in RCW 54.24.018.
54.24.160 General bonds--Payment. [1931 c 1 § 7, part; RRS § 11611, part.] Now codified in RCW 54.24.018.

## Chapter 54.28

PRIVILEGE TAXES
54.28.130 Electric energy taxable but once under act. [1957 c 278 § 15.] Repealed by 1959 c 274 § 5.

## Chapter 54.32 <br> CONSOLIDATION AND ANNEXATION

54.32.020 Annexation of territory. [1931 c 1 § 10, part; RRS § 11614, part.] Now codified in RCW 54.32.010.
54.32.030 Consolidation or annexation, when election unnecessary for. [1931 c 1 § 10, part; RRS § 11614, part.] Now codified in RCW 54.32.010.

## Title 55 <br> SANITARY DISTRICTS

## Chapter 55.04 <br> FORMATION AND DISSOLUTION

55.04.010 Districts authorized. [1941 c 98 § 1 ; 1933 c 155 § 1 ; Rem. Supp. 1941 § 6010-1.] Repealed by 1971 ex.s. c 293 § 8.
55.04.020 Petition--Filing——Notice of hearing. [1933 c 155 § 2; RRS § 6010-2.] Repealed by 1971 ex.s. c 293 § 8.
55.04.030 Hearing——Election-—Ballots——Adverse find-ing--New petition. [1933 c 155 § 3; RRS § 6010-3. Formerly RCW 55.04 .030 and 55.04.040.] Repealed by 1971 ex.s. c 293 § 8.
55.04.040 Adverse finding--New petition. [1933 c 155 § 3, part; RRS § 6010-3, part.] Now codified in RCW 55.04.030.

## Chapter 55.08 POWERS

55.08.010 Rules and regulations governing garbage and waste. [1933 c 155 § 4; RRS § $6010-4$.] Repealed by 1971 ex.s. c 293 § 8.
55.08.020 Enforcement. [1933 c 155 § 5; RRS § 6010-5.] Repealed by 1971 ex.s. c 293 § 8.

## Chapter 55.12 <br> FINANCES

55.12.010 Special garbage fund. [1933 c 155 § 6; RRS § 6010-6.] Repealed by 1971 ex.s. c 293 § 8.
55.12.020 Collection of delinquent fees-—Procedure. [1933 c 155 § 7; RRS § 6010-7.] Repealed by 1971 ex.s. c 293 § 8.

## .Title 56 <br> SEWER DISTRICTS

## Chapter 56.04

FORMATION AND DISSOLUTION
56.04.010 Definitions. This section was created by the 1941 Code Committee but has no session law background; hence it is accordingly decodified.

## Chapter 56.24

ANNEXATION OF TERRITORY
56.24.010 Annexation authorized——Methods. [1953 c 250 § 21; 1951 2nd ex.s. c 26 § 4 ; 1945 c 140 § 13; 1941 c 210 § 34 ; Rem. Supp. 1945 § $9425-43$.] Repealed by 1967 ex.s. c 11 § 10.
56.24.020 Petition of voters--Certificate of sufficiency. [1953 c 250 § $22 ; 1941$ c 210 § 35 ; Rem. Supp. 1941 § 9425-44.] Repealed by 1967 ex.s. c 11 § 10.
56.24.030 Petitions to county commissioners--Notice of filing and meeting. [1953 c 250 § 23; 1941 c 210 § 36; Rem. Supp. 1941 § 9425-45.] Repealed by 1967 ex.s. c 11 § 10.
56.24.040 Hearing--Determination--Withdrawal of names. [1941 c 210 § 37; Rem. Supp. 1941 § 9425-46.] Repealed by 1967 ex.s. c 11 § 10 .
56.24.050 Declaration of or election for annexation——Notice of election-—Ballots-—Judges. [1953 c 250 § 24; 1941 c 210 § 38; Rem. Supp. 1941 § $9425-47$.) Repealed by 1967 ex.s. c 11 § 10.
56.24.060 Conduct of election--Electors--Canvass. [1953 c 250 § 25 ; 1941 c 210 § 39; Rem. Supp. 1941 § 9425-48.] Repealed by 1967 ex.s. c 11 § 10.

Title 57

## WATER DISTRICTS

## Chapter 57.04

## FORMATION AND DISSOLUTION

57.04.010 Definitions. This section was created by the 1941 Code Committee but has no session law background; hence, it is deleted.
57.04.040 Hearing——Boundaries established. [1931 c 72 § 3, part; 1929 c 114 § 2, part; RRS § 11580, part. Cf. 1915 c 24 § 1; 1913 c 161 § 2.] Now codified in RCW 57.04.030.

Chapter 57.12
OFFICERS AND ELECTIONS
57.12.040 Commissioners-—Election——Terms. [1947 c 216 § 1, part; 1945 c 50 § 1, part; 1931 c 72 § 1, part; 1929 c 114 § 6, part; Rem. Supp. 1947 § 11584, part. Cf. 1913 c 161 § 7.] Now codified in RCW 57.12.030.

## Chapter 57.20 <br> FINANCES

57.20.040 Guaranty fund--Duties of the district. [1937 c 102 § l(c); 1935 c 82 § 1 ; RRS § $11589-1$ (c).] Now codified in RCW 57.20.030.
57.20.050 Guaranty fund-—Warrants on. [1937 c 102 § 1(d), (e); 1935 c 82 § 1 ; RRS § 11589-1(d), (e).] Now codified in RCW 57.20.030.
57.20.060 Guaranty fund--Certificates of delinquency--Issuance and sale. [1937 c 102 § l(f), part; 1935 c 82 § 1; RRS § 115891 (f), part.] Now codified in RCW 57.20.030.
57.20.070 Certificates of delinquency--Foreclosure——Redemption. [1937 c 102 § 1(f), part; 1935 c 82 § 1; RRS § 11589-l(f), part.] Now codified in RCW 57.20.030.

Chapter 57.24
ANNEXATION OF TERRITORY
57.24.030 Election--Notice. [1931 c 72 §5, part; 1929 c 114 § 15, part; RRS § 11593, part. Cf. 1913 c 161 § 15, part.] Now codified in RCW 57.24.020.

## Chapter 57.32 <br> CONSOLIDATION OF DISTRICTS

57.32.030 Filing with county commissioners--Notice of bearing. [1943 c 267 § 3; Rem. Supp. 1943 § 11604-22.] Repealed by 1967 ex.s. c 39 § 13 .
57.32.040 Hearing-_Findings_-Withdrawal of names. [1943 c 267 § 4; Rem. Supp. 1943 § 11604-23.] Repealed by 1967 ex.s. c 39 § 13.
57.32.050 Notice of election-—Propositions to be submitted. [1953 c 251 § 8; 1943 c 267 § 5; Rem. Supp. 1943 § 11604-24.] Repealed by 1967 ex.s. c $39 \S 13$.
57.32.060 Notice and conduct of election--Qualification of electors. [1943 c 267 § 6; Rem. Supp. 1943 § 11604-25.] Repealed by 1967 ex.s. c 39 § 13.
57.32.070 Certification of landowners. [1943 c 267 § 7; Rem. Supp. 1943 § 11604-26.] Repealed by 1967 ex.s. c 39 § 13.
57.32.080 Consolidation effected. [1943 c 267 § 8; Rem. Supp. 1943 § $11604-27$.] Repealed by 1967 ex.s. c 39 § 13.
57.32.090 Approval of comprehensive plan. [1943 c 267 § 9; Rem. Supp. 1943 § 11604-28.] Repealed by 1953 c 251 § 9.
57.32.100 Approval of general indebtedness. [1953 c 251 § 10 ; 1943 c 267 § 10 ; Rem. Supp. 1943 § 11604-29.] Repealed by 1967 ex.s. c $39 \$ 13$.
57.32.110 Approval of revenue bonds. [1953 c 251 § 11; 1943 c 267 § 11; Rem. Supp. 1943 § 11604-30.] Repealed by 1967 ex.s. c 39 § 13.
57.32.120 Transfer of property-—Indebtedness. [1943 c 267 § 12; Rem. Supp. 1943 § 11604-31.] Repealed by 1967 ex.s. c 39 § 13.

## Title 58 <br> BOUNDARIES AND PLATS

## Chapter 58.08 <br> PLATS--RECORDING

58.08.060 Effect of donation marked on plat. [Code 1881 § 2329; 1862 p 431 § $2 ; 1857$ p 26 § 2; RRS § 9310.] Now codified as RCW 58.08.015.
58.08.070 Certified copy of plat as evidence. [Code 1881 § 2339; RRS § 9307.] Now codified as RCW 58.10.020.
58.08.080 Defective plats legalized. [Code 1881 § 2338; RRS § 9306.] Now codified as RCW 58.10.010.

## Chapter 58.12 <br> PLATS——ALTERATION——VACATION——1903 ACT

58.12.090 Vacations in unincorporated towns--Petition--Notice. [1953 c 114 § 1. Prior: Code 1881 § 2333; RRS § 9301.] Now codified as RCW 58.11.010.
58.12.100 Hearing and order. [Code 1881 § 2334; 1869 p 410 § 2; 1862 p 432 § 2 ; 1857 p 27 § 2; RRS § 9302.] Now codified as RCW 58.11.020.
58.12.110 Title to vacated property. [Code 1881 § 2335; 1869 p 410 § $3 ; 1862$ p 433 § 3 ; 1857 p 27 § 3; RRS § 9303.] Now codified as RCW 58.11.030.
58.12.120 Vacation of platted lots outside municipalities. [Code 1881 § 2337; 1869 p 411 § $5 ; 1862$ p 433 § 5 ; 1857 p 28 § 5 ; RRS § 9305.] Now codified as RCW 58.11.050.
58.12.130 Resurvey and corrected plat. [Code 1881 § 2340; RRS § 9308.] Now codified as RCW 58.10.030.
58.12.140 Regulation of surveys and plats. [Code 1881 § 2341; RRS § 9309.] Now codified as RCW 58.10.040.

Chapter 58.16
CONTROL OF PLATS, SUBDIVISIONS, AND DEDICATIONS
58.16.010 Scope of chapter. [1937 c 186 § 1; RRS § 9304-1.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.020 Approval required——Filing. [1951 c 195 § 1; 1937 c 186 § 2 ; RRS § $9304-2$.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.030 Approval when inside city. [1937 c 186 § 3; RRS § 9304-3.] Repealed by 1969 ex.s. c 271 § 36.
58.16.040 Approval when outside city. [1951 c 203 § 1; 1937 c 186 § 4; RRS § $9304-4$.] Repealed by 1969 ex.s. c 271 § 36.
58.16.050 Hearings--Notice——Hearing body-—Report of recommendations. [1963 c 245 § 1; 1937 c 186 § 6; RRS § 9304-6.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.060 Inquiry as to public use and interest--ApprovalFiling. [1955 c 299 § 1; 1951 c 195 § 2; 1937 c 186 § 7; RRS § 9304-7.] Repealed by 1969 ex.s. c 271 § 36.
58.16.070 Time for determination. [1937 c 186 § 8; RRS § 9304-8.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.080 Review of determination. [1937 c 186 § 9; RRS § 9304-9.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.090 Filing without approval——Procedure. [1951 c 195 § 3; 1937 c 186 § 10; RRS § 9304-10.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.100 Sales before plat approved and filed--Penalty-Exception. [1951 c 224 § 1; 1937 c 186 § 11; RRS § 9304-11.] Repealed by 1969 ex.s. c 271 § 36. Later enactment, see chapter 58.17 RCW.
58.16.110 Regulations——Approval——Surveys——Notes and sketches. [1937 c 186 § 5; RRS § 9304-5. Formerly RCW 58.16.110, 58.16 .120 and 58.16 .130 .] Repealed by 1969 ex.s. c $271 \S 36$. Later enactment, see chapter 58.17 RCW.
58.16.120 Regulations——Approval. [1937 c 186 § 5, part; RRS § 9304-5, part.] Now codified in RCW 58.16.110.
58.16.130 Surveys--Notes and sketches. [1937 c 186 § 5, part; RRS § 9304-5, part.] Now codified in RCW 58.16.110.

## Title 59

LANDLORD AND TENANT

> Chapter 59.04 TENANCIES
59.04.060 Holding over on agricultural land, effect of. [1891 c 96 § 4; RRS § 813.] Now codified as RCW 59.12.035.

## Title 60

LIENS

## Chapter 60.12 <br> LABOR, LANDLORD A ND SEED LIENS ON FARM CROPS

60.12.050 Landlord's lien——Recorded lease as notice of lien. [1933 c 119 § 1, part; 1927 c 256 § 4, part; RRS § 1188-4, part.] Now codified in RCW 60.12.040.

## Chapter 60.24 LIEN FOR LABOR AND SERVICES ON TIMBER AND LUMBER

60.24.010 Definitions. [1893 c 132 § 2, part; RRS § 1163, part.] Now codified in RCW 60.24.030.
60.24.050 Claims——Contents——Form. [1893 c 132 § 7; RRS § 1168.] Now codified as RCW 60.24.075.
60.24.060 Lien for stumpage. [1893 c 132 § 3; RRS § 1164.] Now codified as RCW 60.24.035.
60.24.090 Priority of lien. [1893 c 132 § 4; RRS § 1165.] Now codified as RCW 60.24.038.

## Chapter 60.62

## LIENS FOR TOWING, STORAGE OF MOTOR VEHICLES

60.62.010 Lien authorized. [1967 c 155 § 1.] Repealed by 1969 ex.s. c 42 § 13. Later enactment, see RCW 46.52.111, 46.52.114.
60.62.020 Sale of vehicle--Notice of sale, service and contents. [1967 c 155 § 2.] Repealed by 1969 ex.s. c 42 § 13. Later enactment, see chapter 46.52 RCW.
60.62.030 Proceeds of sale——Disposition. [1967 c 155 § 3.] Repealed by 1969 ex.s. c 42 § 13. Later enactment, see chapter 46.52 RCW.

## Chapter 60.64 LIEN OF HOTELS, LODGING AND BOARDING HOUSES-1915 ACT

60.64.020 Liens created--Sale of property. [1929 c 216 § 4, part; 1915 c 190 § 5, part; RRS § 6864, part.] Now codified in RCW 60.64.010.
60.64.030 Sale when property does not belong to guest. [1929 c 216 § 4, part; 1915 c 190 § 5, part; RRS § 6864, part.] Now codified in RCW 60.64.010.

## Chapter 60.72 <br> LANDLORD'S LIEN FOR RENT

60.72.020 Status and extent of lien. [1927 c 108 § 1, part; 1917 c 165 § 1, part; RRS § 1203-1, part.] [SLC-RO-9] Now codified in RCW 60.72.010.
60.72.030 Effect of removal, destruction or sale of property. [1927 c 108 § 1 , part; 1917 c 165 § 1, part; RRS § 1203-1, part.] [SLC-RO-9] Now codified in RCW 60.72.010.

## Title 61

## MORTGAGES, DEEDS OF TRUST AND TRUST

 RECEIPTS
## Chapter 61.04

## CHATTEL MORTGAGES

61.04.010 through 61.04.090. [1959 c 263 § 11 ; 1953 c 214 § 3 ; 1943 c 284 §§ 1, 2, and 3 ; 1943 c 76 § 1 ; 1939 c 121 § $1 ; 1929$ c 156 § 1; 1899 c 98 §§ 1, 2, 3, 4, 5, 6 and 7; Code of 1881 §§ 1986, 1987 and 1988; 1879 p 104 § $1 ; 1877$ p 286 § $1 ; 1875$ p 43 § 1.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date- 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A.10-102.

General repealer--1965 ex.s. c 157: RCW 62A.10-103
Laws not repealed - 1965 ex.s. c 157: RCW 62A.10-104.
See: RCW 62A.10-102.

## COMPARATIVE TABLE

Chapter 61.04 RCW to Title 62A RCW (Uniform Commercial Code).

| Chapter 61.04 | Title |
| :--- | :--- |
|  |  |
| 61.04 .010 | 62A.9-203(1) |
|  | 62A.9-204(2),(4) |
|  | 62A.9-301(2) |
| 61.04 .020 | 62A.9-406 |
|  | 62A.9-301(1) |
|  | 62A.9-302(1) |
|  | 62A.9-312(5) |
|  | 62A.9-401(1) |
| 61.04 .030 | 62A.9-402(1) |
| 61.04 .040 | $62 A .9-403(4),(5)$ |
|  | $62 A .9-313$ |
| 61.04 .050 | $62 A .9-402(1)$ |
| 61.04 .060 | $62 A .9-403(2),(3)$ |
| 61.04 .070 | $62 A .9-403(3)$ |
| 61.04 .080 | - |
| 61.04 .090 | - |

61.04.100 Penalty for removing, destroying, or concealing mortgaged property. Cross reference section deleted upon repeal of remainder of chapter.
61.04.110 Recording of mortgages. Cross reference section deleted upon repeal of remainder of chapter

## Chapter 61.08 <br> FORECLOSURE OF CHATTEL MORTGAGES——NOTICE AND SALE

61.08.010 through 61.08.120. [Code of 1881 §§ 1989 through 1998; Code of 1879 pp 105 and 106, §§ 4 through 12; 1875 p 47 §§ 18 through 24 and 28.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date--1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A.10-102.

General repealer - - 1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed-- 1965 ex.s. c 157: RCW 62A.10-104. See: RCW 62A.10-102.

COMPARATIVE TABLE
Chapter 61.08 RCW, to Title 62A RCW (Uniform Commercial Code).

| Chapter 61.08 | Title 62A |
| :---: | :---: |
| 61.08 .010 | 62A.9-501(1) |
| 61.08 .020 |  |
| 61.08 .030 | 62A.9-504(3) |
| 61.08 .040 | 62A.9-504(3) |
| 61.08.050 | 62A.9-504(4) |
| 61.08 .060 | 62A.9-504(3) |
| 61.08 .070 | 62A.9-507(1) |
| 61.08.080 | 62A.1-208 |
| 61.08 .090 | 62A.9-503 |
| 61.08.100 | 62A.9-501 (1) |
|  | 62A.9-504(2) |
|  | 62A.9-506 |
|  | 62A.9-507(2) |
| 61.08 .110 | 62A.9-501(1) |
|  | 62A.9-504(2) |
|  | 62A.9-506 |
|  | 62A.9-507(2) |
| 61.08 .120 | 62A.9-311 |
| Chapter 61.12 <br> FORECLOSURE OF REAL ESTATE MORTGAGES AND |  |
|  |  |
| PERSONAL PROPERTY LIENS |  |

61.12.160 Foreclosure of chattel mortgages. [Code 1881 §§ 618, 619; 1869 p 147 § 572; RRS §§ 1113 and 1114. Formerly RCW 61.08.100 and 61.08.110.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.9-501(1), 62A.9-504(2), 62A.9506, and 62A.9-507(2).
Effective date—— 1965 ex.s. c 157: RCW 62A.10-101
Specific repealer; provision for transition-— 1965 ex.s. c 157: RCW 62A.10-102.
General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed——1965 ex.s. c 157: RCW 62A.10-104
See: RCW 62A. 10-102.

## Chapter 61.16 <br> ASSIGNMENT AND SATISFACTION OF REAL ESTATE AND CHATTEL MORTGAGES

61.16.040 Certificate of satisfaction- Mortgage, conditional sale contract, or lease of personalty--Fees. [1959 c 263 § 12; 1953 c 214 § 4 ; 1943 c 284 § 4; 1937 c 133 § 1 ; 1889 c 98 § 8; Rem. Supp. 1943 § 3787.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.9-404, 62A.9-405, and 62A.9-406.
Effective date——1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition- - 1965 ex.s. c 157: RCW 62A.10-102.
General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - - 1965 ex.s. c 157: RCW 62A.10-104.
61.16.050 Chattel mortgages and conditional sales contractsFailure to satisfy--Order--Penalty. [1937 c 133 § 2 (adding to 1899 c 98 a new section, § 9); RRS § 3787-1.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.9-404, and 62A.9-405.
61.16.070 Chattel mortgages and conditional sales contractAcknowledgment of satisfaction. [1937 c 133 § 2 (adding to 1899 c 98 a new section, § 11); RRS § 3787-3.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW). Cf. RCW 62A.9-404.
RCW 61.16.040, 61.16.050, 61.16.070: See RCW 62A.10-102.
Chapter 61.20
UNIFORM TRUST RECEIPTS ACT
61.20.010 through 61.20.190. [1957 c 249 §§ 1, 2; 1943 c 71 §§ 1 through 21.] Repealed effective midnight June 30, 1967, by section

10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).
Effective date--1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition--1965 ex.s. c 157: RCW 62A.10-102.
General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed-- 1965 ex.s. c 157: RCW 62A.10-104.
See: RCW 62A. 10-102.

## COMPARATIVE TABLE

Chapter 61.20 RCW (Uniform Trust Receipts Act) to Title 62A RCW (Uniform Commercial Code).

| Chapter 61.20 | Title 62A |
| :---: | :---: |
| 61.20 .010 | 62A.1-201(9) |
|  | 62A.1-201(28) |
|  | 62A.1-201(30) |
|  | 62A.1-201(32) |
|  | 62A.1-201(33) |
|  | 62A.1-201(37) |
|  | 62A.1-201(44) |
|  | 62A.9-104 |
|  | 62A.9-105 |
|  | 62A.9-202 |
|  | 62A.9-301 (3) |
|  | 62A.9-312(5) |
| 61.20 .020 | 62A.9-203 |
|  | 62A.9-104 |
|  | 62A.9-204(1) |
| 61.20 .030 | 62A.9-201 |
|  | 62A.9-302(1) |
|  | 62A.9-304 |
| 61.20 .040 | 62A.9-203(1) |
|  | 62A.9-204(1) |
|  | 62A.9-401 |
| 61.20 .050 | 62A.9-201 |
| 61.20.060 | 62A.9-501 |
|  | 62A.9-503 |
|  | 62A.9-504 |
|  | 62A.9-505 |
|  | 62A.9-506 |
| 61.20 .070 |  |
| 61.20 .080 | 62A.9-301 |
|  | 62A.9-302 |
|  | 62A.9-304 |
| 61.20 .090 | 62A.2-403 |
|  | 62A.9-301 |
|  | 62A.9-302 |
|  | 62A.9-304 |
|  | 62A.9-306 |
|  | 62A.9-307 |
|  | 62A.9-308 |
|  | 62A.9-309 |
|  | 62A.9-312 |
|  | 62A.9-318 |
| 61.20 .100 | 62A.9-306 |
|  | 62A.9-308 |
| 61.20 .110 | 62A.9-310 |
| 61.20 .120 | 62A.9-317 |
| 61.20.130 | 62A.9-401 |
|  | 62A.9-402 |
|  | 62A.9-403 |
| 61.20 .140 | 62A.9-104 |
|  | 62A.9-204 |
| 61.20 .150 |  |
| 61.20 .160 |  |
| 61.20 .170 |  |
| 61.20 .180 | - |
| 61.20 .182 |  |
| 61.20.184 |  |
| 61.20 .190 |  |

Title 62
NEGOTIABLE INSTRUMENTS

## Chapter 62.01 <br> NEGOTIABLE INSTRUMENTS

62.01.001 through 62.01.196. [1955 c 35 §§ 62.01.001 through 62.01.196.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).
Effective date-- 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-- 1965 ex.s. c 157: RCW 62A.10-102.
General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed-- 1965 ex.s. c 157: RCW 62A.10-104.

## COMPARATIVE TABLE

Title 62 RCW (Negotiable Instruments) to Title 62A RCW (Uniform Commercial Code).
This table indicates the latest comparable former Washington sources of the material contained in the various subsections of RCW 62A.1-201. Complete histories of the former sections are carried in the Revised Code of Washington disposition tables.
Title 62
Title 62A

| 62.01 .001 | $62 \mathrm{~A} .3-104$ |
| :--- | :--- |
|  | 62A.8-102(1) |
| 62.01 .002 | $62 \mathrm{~A} .8-105$ |
|  | $62 \mathrm{~A} .3-106$ |
| 62.01 .003 | $62 \mathrm{~A} .3-109$ |
| 62.01 .004 | $62 \mathrm{~A} .3-105$ |
| 62.01 .005 | $62 \mathrm{~A} .3-109$ |
|  | $62 \mathrm{~A} .3-104$ |
|  | $62 \mathrm{~A} .3-112$ |

$62.01 .006 \quad 62 \mathrm{~A} .1-201(24)$
62A.3-106
62A.3-107
62A.3-112
62A.3-113
62A.3-114
62A.3-108
62A.3-502
62A.3-110
62A.3-111
62A.3-204
62A.3-405
62A.3-104
62A.3-114
62A.3-114
62A.3-115
62A.3-410(3)
62A.3-115
62A.3-407
62A.8-206
62A.3-115
62A.3-305
62A.3-407
62A.8-206
62A.3-305
62A.3-306
62A.8-202
62A.3-109
62A.3-114
62A.3-118
62A.3-402
$62.01 .018 \quad 62 \mathrm{~A} .3-401$
62.01.019 62A.3-403
62.01.0195 62A.3-403
62.01020
62.01.020 62A.3-403
62.01.021 62A.3-403
62.01.022 62A.3-207
62.01.023 62A.3-404

62A.8-202
62A.8-205
62A.8-311
62A.3-408

| Title 62 | Title 62A | Title 62 | Title 62A |
| :---: | :---: | :---: | :---: |
| 62.01 .025 | 62A.1-201(44) |  | 62A.3-306 |
|  | 62A.3-303 |  | 62A.8-301 |
|  | 62A.3-408 | 62.01.059 | 62A.3-207 |
| 62.01 .026 | 62A.1-201(44) |  | 62A.3-306 |
|  | 62A.3-303 |  | 62A.3-307 |
| 62.01 .027 | 62A.1-201(44) |  | 62A.8-301 |
|  | 62A.3-201 | 62.01 .060 | 62A.3-413 |
|  | 62A.3-302(4) |  | 62A.8-201 |
|  | 62A.3-303 |  | 62A.8-202 |
|  | 62A.4-209 | 62.01.061 | 62A.3-413 |
| 62.01 .028 | 62A.3-306 |  | 62A.8-201 |
|  | 62A.3-408 |  | 62A.8-202 |
|  | 62A.3-415 | 62.01 .062 | 62A.3-413 |
|  | 62A.8-202 |  | 62A.3-418 |
| 62.01 .029 | 62A.3-415 |  | 62A.8-201 |
|  | 62A.8-201 |  | 62A.8-202 |
| 62.01.030 | 62A.3-202 | 62.01 .063 | 62A.3-402 |
|  | 62A.8-309 | 62.01.064 | 62A.3-415 |
| 62.01 .031 | 62A.3-202 |  | 62A.8-308 |
|  | 62A.8-308 | 62.01 .065 | 62A.3-417 |
| 62.01.032 | 62A.3-202 |  | 62A.8-306 |
|  | 62A.8-308 |  | 62A.8-308 |
| 62.01 .033 | 62A.3-204 | 62.01 .066 | 62A.3-414 |
|  | 62A.8-308 |  | 62A.3-417 |
| 62.01.034 | 62A.3-204 |  | 62A.8-306 |
|  | 62A.8-308 |  | 62A.8-308 |
| 62.01 .035 | 62A.3-204 | 62.01 .067 | 62A.3-414 |
|  | 62A.8-308 |  | 62A.8-306 |
| 62.01.036 | 62A.3-204 |  | 62A.8-308 |
|  | 62A.3-205 | 62.01 .068 | 62A.3-118 |
|  | 62A.3-206 |  | 62A.3-414 |
|  | 62A.8-308 |  | 62A.8-308 |
| 62.01 .037 | 62A.3-205 | 62.01 .069 | 62A.3-417 |
|  | 62A.3-206 |  | 62A.8-306 |
|  | 62A.8-304 |  | 62A.8-308 |
|  | 62A.8-308 | 62.01 .070 | 62A.3-501 |
| 62.01 .038 | 62A.3-414 |  | 62A.3-502 |
| 62.01.039 | 62A.3-205 |  | 62A.3-604 |
|  | 62A.3-206 | 62.01 .071 | 62A.3-503 |
| 62.01 .040 | 62A.3-204 | 62.01.072 | 62A.3-503 |
|  | 62A.8-310 |  | 62A.3-504 |
| 62.01 .041 | 62A.3-116 |  | 62A.3-505 |
| 62.01 .042 | 62A.3-117 | 62.01 .073 | 62A.3-504 |
| 62.01 .043 | 62A.3-203 | 62.01 .074 | 62A.3-505 |
| 62.01.044 | 62A.3-414 | 62.01 .075 | 62A.3-503 |
| 62.01 .045 | 62A.3-304 | 62.01 .076 | 62A.3-511(3) |
| 62.01 .046 |  | 62.01 .077 | 62A.3-504 |
| 62.01 .047 | 62A.3-206 | 62.01 .078 | 62A.3-504 |
| 62.01 .048 | 62A.3-208 | 62.01.079 | 62A.3-511 |
|  | 62A.3-605 | 62.01 .080 | 62A.3-511 |
| 62.01 .049 | 62A.3-201 | 62.01 .081 | 62A.3-511 |
|  | 62A.8-307 | 62.01 .082 | 62A.3-511 |
| 62.01 .050 | 62A.3-208 | 62.01 .083 | 62A.3-507 |
| 62.01.051 | 62A.3-301 | 62.01 .084 | 62A.3-507(2) |
|  | 62A.3-603 | 62.01 .085 | 62A.3-503 |
| 62.01.052 | 62A.3-302 | 62.01 .086 | 62A.3-503 |
|  | 62A.3-304 | 62.01.087 | 62A.3-121 |
|  | 62A.8-203 | 62.01.088 | 62A.3-603 |
|  | 62A.8-301 | 62.01.089 | 62A.3-501 |
|  | 62A.8-302 |  | 62A.3-502 |
|  | 62A.8-305 | 62.01 .090 | 62A.3-508 |
| 62.01 .053 | 62A.3-304 | 62.01 .091 | 62A.3-508 |
|  | 62A.8-203 | 62.01.092 | 62A.3-508 |
|  | 62A.8-305 | 62.01 .093 | 62A.3-508 |
| 62.01.054 | 62A.3-303 | 62.01.094 | 62A.3-508 |
| 62.01.055 | 62A.3-304 | 62.01.095 | 62A.3-508 |
| 62.01 .056 | 62A.1-201(25) | 62.01 .096 | 62A.3-508 |
|  | 62A.3-304 | 62.01.097 | 62A.3-508 |
|  | 62A.8-202 | 62.01 .098 | 62A.3-508 |
|  | 62A.8-304 | 62.01 .099 | 62A.3-508 |
| 62.01 .057 | 62A.3-305 | 62.01.100 | 62A.3-508 |
|  | 62A.8-202 | 62.01.101 | 62A.3-508 |
|  | 62A.8-301 | 62.01.102 | 62A.3-508 |
| 62.01 .058 | 62A.3-201 | 62.01.103 | 62A.3-508 |
|  | 62A.3-207 | 62.01.104 | 62A.3-508 |


| Title 62 | Title 62A |
| :---: | :---: |
| 62.01.105 | 62A.3-508 |
| 62.01 .106 | 62A.3-508 |
| 62.01.107 | 62A.3-508 |
| 62.01 .108 | 62A.3-508 |
| 62.01 .109 | 62A.3-511 |
| 62.01 .110 | 62A.3-511(6) |
| 62.01 .111 | 62A.3-511 |
| 62.01 .112 | 62A.3-511 |
| 62.01 .113 | 62A.3-511 |
| 62.01 .114 | 62A.3-511 |
| 62.01 .115 | 62A.3-511 |
| 62.01 .116 | 62A.3-511 |
| 62.01 .117 |  |
| 62.01 .118 | 62A.3-501 |
| 62.01.119 | 62A.1-107 |
|  | 62A.3-601 |
|  | 62A.3-603 |
|  | 62A.3-605 |
|  | 62A.3-606 |
| 62.01.120 | 62A.1-107 |
|  | 62A.3-601 |
|  | 62A.3-604 |
|  | 62A.3-605 |
|  | 62A.3-606 |
| 62.01.121 | 62A.3-208 |
|  | 62A.3-601 |
|  | 62A.3-603 |
| 62.01.122 | 62A.1-107 |
|  | 62A.3-602 |
|  | 62A.3-605 |
| 62.01 .123 | 62A.3-605 |
| 62.01.124 | 62A.3-407 |
|  | 62A.8-206 |
| 62.01.125 | 62A.3-407 |
| 62.01 .126 | 62A.3-104 |
| 62.61.127 | 62A.3-409 |
| 62.01.128 | 62A.3-102 |
| 62.01.129 | 62A.3-501 |
| 62.01.130 | 62A.3-118 |
|  | 62A.3-511 |
| 62.01.131(3) | 62A.4-503 |
| 62.01.132 | 62A.3-410 |
| 62.01.133 | 62A.3-410 |
|  | 62A.3-505 |
| 62.01.134 | 62A.3-410 |
| 62.01.135 | 62A.3-410 |
| 62.01.136 | 62A.3-410 |
|  | 62A.3-506 |
|  | 62A.5-112(1) |
| 62.01 .137 | 62A.3-410 |
|  | 62A.3-419 |
|  | 62A.5-112(1), (2) |
| 62.01.138 | 62A.3-410 |
| 62.01.139 | 62A.3-412 |
| 62.01 .140 | 62A.3-412 |
| 62.01.141 | 62A.3-412 |
| 62.01.142 | 62A.3-412 |
| 62.01 .143 | 62A.3-501 |
| 62.01.144 | 62A.3-501 |
|  | 62A.3-502 |
|  | 62A.3-503 |
| 62.01.145 | 62A.3-503 |
|  | 62A.3-504 |
| 62.01 .146 | 62A.3-503 |
| 62.01 .147 | 62A.3-511 |
| 62.01.148 | 62A.3-511 |
| 62.01.149 | 62A.3-507 |
| 62.01.150 | 62A.3-501 |
|  | 62A.3-502 |
|  | 62A.3-511 |
|  | 62A.5-112(1) |
| 62.01.151 | 62A.3-501 |
|  | 62A.3-507(2) |
|  | 62A.3-511 |
| 62.01.152 | 62A.3-501 |


| Title 62 | Title 62A |
| :---: | :---: |
|  | 62A.3-502 |
| 62.01 .153 | 62A.3-509 |
| 62.01.154 | 62A.3-509 |
| 62.01.155 | 62A.3-509 |
| 62.01.156 | 62A.3-509 |
| 62.01 .157 | 62A.3-501 |
| 62.01.158 | 62A.3-501 |
|  | 62A.3-509 |
| 62.01 .159 | 62A.3-511 |
| 62.01 .160 | 62A.3-509 |
| 62.01.161 | 62A.3-410 |
| 62.01.162 | 62A.3-410 |
| 62.01.163 | 62A.3-410 |
| 62.01 .164 | 62A.3-410 |
| 62.01 .165 | 62A.3-410 |
| 62.01 .166 | 62A.3-410 |
| 62.01.167 | 62A.3-410 |
| 62.01.168 | 62A.3-410 |
| 62.01.169 | 62A.3-410 |
| 62.01.170 | 62A.3-410 |
| 62.01.171 | 62A.3-603 |
| 62.01 .172 | 62A.3-603 |
| 62.01 .173 | 62A.3-603 |
| 62.01.174 | 62A.3-603 |
| 62.01 .175 | 62A.3-603 |
| 62.01 .176 | 62A.3-603 |
| 62.01.177 | 62A.3-603 |
| 62.01.178 | 62A.3-801 |
| 62.01 .179 | 62A.3-801 |
| 62.01 .180 | 62A.3-801 |
| 62.01 .181 | 62A.3-801 |
| 62.01.182 | 62A.3-801 |
| 62.01 .183 | 62A.3-801 |
| 62.01 .184 | 62A.3-104 |
| 62.01 .185 | 62A.3-104 |
| 62.01 .186 | 62A.3-501 |
|  | 62A.3-502 |
|  | 62A.3-503 |
| 62.01.187 | 62A.3-411 |
| 62.01.188 | 62A.3-411 |
| 62.01.189 | 62A.3-409 |
| 62.01 .190 |  |
| 62.01.191 | 62A.1-201(1) |
|  | 62A.1-201(4) |
|  | 62A.1-201(5) |
|  | 62A.1-201(14) |
|  | 62A.1-201(20) |
|  | 62A.1-201(28) |
|  | 62A.1-201(30) |
|  | 62A.1-201(44) |
|  | 62A.1-201(46) |
|  | 62A.3-102 |
|  | 62A.3-410 |
|  | 62A.8-313 |
| 62.01 .192 |  |
| 62.01.193 | 62A.3-503 |
| 62.01.194 |  |
| 62.01.195 |  |
| 62.01 .196 | 62A.1-103 |
| 62.98.010 |  |
| 62.98.020 | 62A.1-109 |
| 62.98.030 | 62A.1-106 |
| 62.98.040 |  |
| 62.98.050 | - |

62.01.300 Liability for interest, fees, and costs relative to dishonored check or bill of exchange payable on demand. [1965 ex.s. c 53 § 1.] Repealed by 1969 c $62 \S 4$.

## Chapter 62.98 CONSTRUCTION

62.98.010 through 62.98.050. [1955 c 35 §§ 62.98.010 through 6298.050.] Repealed effective midnight June 30, 1967, by section 10102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date——1965 ex.s. c 157: RCW 62A.10-101
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A. 10-102.

General repealer-— 1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed-- 1965 ex.s. c 157: RCW 62A.10-104.
Title 63
PERSONAL PROPERTY

## Chapter 63.04 <br> UNIFORM SALES ACT

63.04.010 through 63.04.780. [1925 ex.s. c 142 §§ 1 through 79.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date- 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-- 1965 ex.s. c 157: RCW 62A. 10-102.
General repealer - - 1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed--1965 ex.s. c 157: RCW 62A.10-104.
See: RCW 62A.10-102.

## COMPARATIVE TABLE

Chapter 63.04 RCW (Uniform Sales Act) to Title 62A RCW (Uniform Commercial Code).

Chapter 63.04
63.04.010
63.04.020
63.04.030
63.04.040
63.04 .050
63.04.060
63.04.070
63.04.080 63.04.090
63.04.100
63.04 .110
63.04.120
63.04 .130
63.04 .140
63.04.150
63.04.160
63.04 .170

## Title 62A

(See sections listed
under RCW 63.04.-
755-this table)
62A.2-106
62A.2-204
62A.2-205
62A.2-206
62A.2-207
62A.1-103
62A.1-201(11)
62A.2-203
62A.2-204
62A.2-205
62A.2-206
62A.2-207
62A.1-206
62A.2-201
62A.8-319
62A.1-201(17)
62A.2-105
62A.1-201(17)
62A.2-105
62A.2-613
62A.2-602
62A.2-613
62A.1-205
62A.2-304
62A.2-305
62A.2-305
62A.2-106(2)
62A.2-301
62A.2-305(3)
62A.2-503
62A.2-507
62A.2-601
62A.2-313
62A.2-312
62A.2-313
62A.2-317
62A.1-205
62A.2-104
62A.2-314
62A.2-315
62A.2-316(3)(b)
62A.2-317
62A.2-104
62A.2-313
62A.2-317

Chapter 63.04
Title 62A

| 63.04 .180 | $62 \mathrm{~A} .2-401$ |
| :--- | :--- |
|  | $62 \mathrm{~A} .2-501$ |
| 63.04 .190 | $62 \mathrm{~A} .2-502$ |
|  | $62 \mathrm{~A} .1-205$ |
| 63.04 .200 | $62 \mathrm{~A} .2-401$ |
|  | $62 \mathrm{~A} .2-502$ |
|  | $62 \mathrm{~A} .2-326$ |
|  | $62 \mathrm{~A} .2-327$ |
|  | $62 \mathrm{~A} .2-401$ |
|  | $62 \mathrm{~A} .2-501$ |
|  | $62 \mathrm{~A} .2-502$ |

62A.2-502
62A.2-503
62A.2-509(1), (3)
62A.2-401
62A.2-403
62A.2-503
62A.2-505
62A.7-502
62A.2-328
62A.2-509
62A.2-403
62A.2-403
62A.2-403
62A.7-502
62A.2-402(2)
62A.7-104
62A.7-501
62A.7-501
62A.7-104
62A.7-501
62A.7-501
62A.7-502
62A.7-503
62A.7-504
62A.7-506
62A.7-507
62A.7-505
62A.7-501
62A.7-502

62A.2-301
62A.2-507
62A.2-607(1)
62A.2-310
62A.2-507
62A.2-511
62A.2-308(a), (b)
62A.2-309(1)
62A.2-503
62A.2-106(2)
62A.2-601
62A.2-104
62A.2-307
62A.2-309(1)
62A.2-612
62A.2-310
62A.2-503
62A.2-504
62A.2-309(1)
62A.2-310
62A.2-512
62A.2-513
62A.2-606(1)
62A.2-309(1)
62A.2-606
62A.2-512
62A.2-607(2), (3)
62A.2-602
62A.2-503
62A.2-707
62A.2-609
62A.2-702(1)
62A.2-703
62A.2-609

| Chapter 63.04 | Title 62A |
| :---: | :---: |
| 63.04.560 | $\begin{aligned} & \text { 62A. } 2-702(1) \\ & \text { 62A. } 2-609 \\ & \text { 62A. } 2-702(1) \end{aligned}$ |
| 63.04.570 |  |
| 63.04.580 | $\begin{aligned} & \text { 62A.2-702(1) } \\ & \text { 62A. } 2-705 \end{aligned}$ |
| 63.04 .590 | 62A.2-705 |
| 63.04.600 | 62A.2-705 |
| 63.04.610 | 62A.2-706 |
| 63.04.620 | 62A.2-703 |
| 63.04.630 | 62A.7-502 |
| 63.04.640 | 62A.2-609 |
|  | 62A.2-610 |
|  | 62A.2-704 |
|  | 62A.2-709 |
| 63.04.650 | 62A.2-704 |
|  | 62A.2-708 |
|  | 62A.2-710 |
| 63.04.660 | 62A.2-610 |
| 63.04.670 |  |
| 63.04.680 | 62A.2-713 |
| 63.04.690 | 62A.2-716 |
| 63.04.700 | 62A.2-106(2) |
|  | 62A.2-507 |
|  | 62A.2-601 |
|  | 62A.2-607(2), (3) |
|  | 62A.2-608 |
|  | 62A.2-711(3) |
|  | 62A.2-714 |
|  | 62A.2-715(2) (b) |
|  | 62A.2-717 |
| 63.04.710 | 62A.2-710 |
|  | 62A.2-715(2) (b) |
| 63.04.720 | 62A.1-201(11) |
|  | 62A.1-205 |
|  | 62A.2-104 |
|  | 62A.2-316(3) (c) |
|  | 62A.2-719(1) (a) |
| 63.04.730 | 62A.1-106(2) |
| 63.04.740 | 62A.1-103 |
| 63.04.745 | 62A.1-102 |
| 63.04.750 | 62A.2-102 |
| 63.04.755 | 62A.1-201(1) |
|  | 62A.1-201(13) |
|  | 62A.1-201(14) |
|  | 62A.1-201(15) |
|  | 62A.1-201(16) |
|  | 62A.1-201(17) |
|  | 62A.1-201(19) |
|  | 62A.1-201(23) |
|  | 62A.1-201(28) |
|  | 62A.1-201(30) |
|  | 62A.1-201(33) |
|  | 62A.1-201(44) |
|  | 62A.1-201(45) |
|  | 62A.2-103(1) |
|  | 62A.2-105 |
|  | 62A.2-107 |
|  | 62A.2-702(3) |
|  | 62A.7-102 |
|  | 62A.7-104 |
| 63.04.757 |  |
| 63.04.760 |  |
| 63.04.770 | 62A.1-102 |
| 63.04.780 |  |

## Chapter 63.08

## BULK SALES LAW

63.08.010 through 63.08.060. [1953 c 247 §§ 1 through 4; 1943 c 98 § $1 ; 1939$ c 122 §§ 1 through $4 ; 1925$ ex.s. c 135 §§ 1 through 4.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date--1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-—1965 ex.s. c 157: RCW 62A.10-102.

General repealer- 1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed--1965 ex.s. c 159: RCW 62A.10-104.
See: RCW 62A.10-102.

## COMPARATIVE TABLE

Chapter 63.08 RCW (Bulk Sales Law) to Title 62A RCW (Uniform Commercial Code).

| Chapter 63.08 | Title 62A |
| :--- | :--- |
|  |  |
| 63.08 .010 | 62A.6-102 |
| 63.08 .020 | 62A.6-103(3), (4), (5) |
|  | 62A.6-104(1), (2) |
| 63.08 .030 | $62 \mathrm{~A} .6-109(1)$ |
| 63.08 .040 | 62A.6-104(1) |
|  | 62A.6-105 |
| 63.08 .050 | 62A.6-107 |
|  | 62A.6-104(1) |
|  | 62A.6-106 |
| 63.08 .060 | $62 A .6-109(1),(2)$ |
|  | 62A.6-104(2), (3) |

## Chapter 63.12 CONDITIONAL SALES CONTRACTS

63.12.010 through 63.12.030. [1963 c 236 § 22; 1961 c 159 § 1 ; 1937 c 196 §§ 1,$2 ; 1933$ c 129 §§ 1, 2; 1925 ex.s. c 120 § $1 ; 1915$ c 95 § 1; 1903 c 6 §§ 1,$2 ; 1893$ c 106 §§ 1, 2.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date——1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition--1965 ex.s. c 157: RCW 62A.10-102.

General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - 1965 ex.s. c 157: RCW 62A.10-104.
See: RCW 62A.10-102.

## COMPARATIVE TABLE

Chapter 63.12 RCW (Conditional Sales Contracts) to Title 62A RCW (Uniform Commercial Code)

| Chapter 63.12 | Title 62A |
| :--- | :--- |
|  |  |
| 63.12 .010 | $62 A .9-110$ |
|  | $62 A .9-203(1)$ |
|  | $62 A .9-301(1),(2)$ |
|  | $62 A .9-302(1)$ |
|  | $62 A .9-312(5)$ |
|  | $62 A .9-401(1)$ |
| 63.12 .020 | $62 A .9-402(1)$ |
|  | $62 A .9-313$ |
| 63.12 .030 | $62 A .9-403(4),(5)$ |
|  | $62 A .9-205$ |
| 63.12 .040 | $62 A .9-306(2),(3)$ |
|  | $62 A .9-404$ |
| 63.12 .050 | $62 A .9-405$ |
|  | $62 A .9-406$ |
| 63.12 .070 | $62 A .9-404$ |
|  | $62 A .9-405$ |
|  | $62 A .9-404$ |

## Chapter 63.16

 ASSIGNMENT OF ACCOUNTS RECEIVABLE63.16.010 through 63.16.900. [1947 c 8 §§ 1 through 12.] Repealed effective midnight June 30, 1967, by section $10-102$ of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Effective date—— 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-- 1965 ex.s. c 157: RCW 62A.10-102
General repealer-- 1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed--1965 ex.s. c 157: RCW 62A.10-104. See: RCW 62A.10-102.

## COMPARATIVE TABLE

Chapter 63.16 RCW (Assignment of Accounts Receivable) to Title 62A RCW (Uniform Commercial Code).

| Chapter 63.16 | Title 62A |
| :--- | :--- |
|  |  |
| 63.16 .010 | 62A.9-102(1) |
|  | 62A.9-104 |
|  | $62 A .9-105$ |
|  | $62 A .9-106$ |
|  | $62 A .9-304(1)$ |
|  | $62 A .9-401(1)$ |
| 63.16 .020 | $62 A .5-112(2)(b)$ |
|  | $62 A .9-203(1)$ |
|  | $62 A .9-301(2)$ |
|  | $62 A .9-318$ |
| 63.16 .030 | $62 A .9-203(1)$ |
|  | $62 A .9-301(1)$ |
|  | $62 A .9-302(1)$ |
| 63.16 .040 | $62 A .9-312(5)$ |
| 63.16 .050 | $62 A .9-402$ |
| 63.16 .060 | $62 A .9-403(4),(5)$ |
| 63.16 .070 | $62 A .9-403(1)$ |
| 63.16 .080 | $62 A .9-403(2),(3)$ |
|  | $62 A .9-404$ |
| 63.16 .090 | $62 A .9-205$ |
| 63.16 .100 | $62 A .9-306(2),(3),(5)$ |
| 63.16 .110 | $62 A .9-312(5)$ |
| 63.16 .900 | $62 A .9-208$ |
|  | $62 A .9-104$ |
|  | $62 A .9-201$ |
|  |  |

## Chapter 63.28

## UNIFORM DISPOSITION OF UNCLAIMED PROPERTY

63.28.010 through 63.28.060 Unclaimed money and property in bands of public officer. [1947 c 98 §§ 1, 2; 1891 c $70 \S 1$; Rem. Supp. 1947 §§ 8435, 8436a, b, c, d. 1891 c 70 § 2; RRS § 8436.] Repealed by 1955 c $385 \S 33$.

## Title 64

## REAL PROPERTY AND CONVEYANCES

## Chapter 64.08 <br> ACKNOWLEDGMENTS

64.08.030 Certificate on out of state acknowledgments. [1929 c 33 § 4, part; RRS § 10561. Prior: Code 1881 § 2317; 1877 p 313 § 7; 1873 p 466 § 7 ; 1867 p 94 § 2.] Now codified in RCW 64.08.020.

Chapter 64.16
ALIEN LAND LAW
64.16.010 Definitions. [1955 c 255 § 1; 1953 c 10 § 1; 1937 c 220 § $1 ; 1921$ c 50 § $1 ;$ RRS § 10581.$]$ Repealed by 1967 c 163 § 7.
64.16.020 Citizenship--Presumption of bad faith. [1921 c 50 § 6; RRS § 10586.] Repealed by 1967 c 163 § 7.
64.16.030 Aliens-—Restrictions as to land——Forfeitures. [1921 c 50 § 2 ; RRS § 10582.] Repealed by 1967 c 163 § 7.
64.16.040 When lesser estate conveyed to alien. [1923 c 70 § 1 ; RRS § 10582a.] Repealed by 1967 c 163 § 7.
64.16.050 Minor child of alien-—Presumption. [1923 c 70 § 2; RRS § 10582b.] Repealed by 1967 c 163 § 7.
64.16.060 Escheat of property. [1937 c 220 § 2; RRS § 10582-2c.] Repealed by 1967 c 163 § 7.
64.16.070 Fiduciary restrictions. [1921 c 50 § 3; RRS § 10583.] Repealed by 1967 c 163 § 7.
64.16.080 Land acquired by inheritance, etc. [1933 c 111§1; 1921 c 50 § 4 ; RRS § 10584.] Repealed by 1967 c 163 § 7.
64.16.090 Restrictions on mortgages. [1921 c 50 § 5; RRS § 10585.) Repealed by 1967 c 163 § 7
64.16.100 Criminal acts-—Penalty. [1921 c 50 § 7; RRS § 10587.] Repealed by 1967 c 163 § 7.
64.16.110 Enforcement. [1937 c 220 § 4; 1921 c 50 § 8; RRS § 10588.] Repealed by 1967 c 163 § 7.
64.16.120 Disposition of forfeited property. [1921 c 50 § 9; RRS § 10589.] Repealed by 1967 c 163 § 7.
64.16.130 Title acquired from alien in good faith and for value. [1953 c 11 § 1 ; 1921 c 50 § 10 ; RRS § 10590.] Repealed by 1967 c 163 § 7.
64.16.150 Lease or ownership by Canadian citizens- Corporations. [1953 c 9 § 1.] Repealed by 1967 c 163 § 7.

## Title 65 <br> RECORDING, REGISTRATION, AND LEGAL PUBLICATION

Chapter 65.04
DUTIES OF COUNTY AUDITOR
65.04.010 Duty to record. [1943 c 23 § 1; 1927 c 278 § 10; RRS § 10596-10.] Now codified as RCW 65.08.150.
65.04.120 No liability for error in recording when properly indexed. [1927 c 278 § 9; RRS § 10596-9.] Now codified as RCW 65.08.140.

## Chapter 65.08 <br> RECORDING

65.08.010 Recording mixed mortgages--Effect. [1899 c 72 § 1 ; RRS § 10597.] Repealed effective midnight June 30, 1967 by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW) which is currently scheduled to take effect on that date.
Effective date——1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer; provision for transition-— 1965 ex.s. c 157: RCW 62A.10-102.
General repealer - 1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - - 1965 ex.s. c 157: RCW 62A.10-104.
See: RCW 62A.10-102.
65.08.020 Recording mixed mortgages--Effect of subsequent filing of affidavit of good faith. [1899 c 72 § 2 ; RRS § 10598.] Repealed effective midnight June 30, 1967 by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW) which is currently scheduled to take effect on that date.
65.08.040 Bill of sale——Recording. [Code 1881 § 2327; 1863 p 413 § 4; 1854 p 404 § 4; RRS § 5827.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW) which is currently scheduled to take effect on that date. Cf. RCW 62A.2-107(3), 62A.2-402(2), and 62A.2-403(3).
RCW 65.08.010, 65.08.020 and 65.08.040: See RCW 62A.10-102.

## Title 66

 ALCOHOLIC BEVERAGE CONTROL
## Chapter 66.04 DEFINITIONS

66.04.020 "Alcohol" defined. [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(1).
66.04.030 "Beer." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(2).
66.04.040 "Beer wholesaler." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(36).
66.04.050 "Board." [(i) 1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part. (ii) 1949 c 67 § 1, part; Rem. Supp. 1949 § 7306-19A, part.] Now codified in (i) RCW 66.04.010(4) and (ii) RCW 66.20.160.
66.04.055 "Bottle club." Cross-reference section. Decodified.
66.04.060 "Brewer." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(3).
66.04.070 "Club." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(5).
66.04.080 "Consume." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(6).
66.04.090 "Dentist." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(7).
66.04.100 "Distiller." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(8).
66.04.110 "Domestic winery." [1935 c 158 § 1, part; 1933 ex.s. c $62 \S 3$, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(34).
66.04.120 "Domestic wines." [1943 c 216 § 2, part; 1939 c 172 § 3, part; 1935 c 158 § 3 ; RRS § 7306-24A, part.] Now codified in RCW 66.24.210.
66.04.130 "Drug store." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; R RS § 7306-3, part.] Now codified in RCW 66.04.010(10).
66.04.140 "Druggist." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(9).
66.04.150 "Employee." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(11).
66.04.160 "Fund." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(12).
66.04.170 "Hotel." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(13).
66.04.180 "Imprisonment." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(14).
66.04.190 "Interdicted person." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(15).
66.04.200 "Liquor." [(i) 1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part. (ii) 1949 c 67 § 1, part; Rem. Supp. 1949 § 7306-19A, part.] Now codified in (i) RCW 66.04.010(16) and (ii) RCW 66.20.160.
66.04.210 "Malt liquor." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(18).
66.04.220 "Manufacturer." [ 1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(17).
66.04.230 "Package." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(19).
66.04.240 "Permit." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(20).
66.04.250 "Physician." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(22).
66.04.260 "Prescription." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(23).
66.04.270 "Public place." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(24). 66.04.280 "Regulations." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(25).
66.04.290 "Restaurant." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(26).
66.04.300 "Sale," "sell." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(27).
66.04.310 "Soda fountain." [1935 c 158 § 1 , part; 1933 ex.s. c $62 \S$ 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(28).
66.04.320 "Spirits." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(29).
66.04.330 "Store." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(30).
66.04.340 "Tavern." [1935 c 158 § 1 , part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(31).
66.04.350 "Vendor." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(32).
66.04.360 "Wine." [1935 c 158 § 1, part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(35).
66.04.370 "Wine wholesaler." [1935 c 158 § 1 , part; 1933 ex.s. c 62 § 3, part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(37).
66.04.380 "Winery." [1935 c 158 § 1 , part; 1933 ex.s. c 62 § 3 , part; RRS § 7306-3, part.] Now codified in RCW 66.04.010(33).

## Chapter 66.08 <br> LIQUOR CONTROL BOARD--GENERAL PROVISIONS

66.08.040 Scope of regulations. [1943 c 102 § 1, part; 1933 ex.s. c $62 \S 79$, part; RRS § 7306-79, part.] Now codified in RCW 66.08.030.
66.08.110 Board not personally liable in damages. [1935 c 174 § 9, part; RRS § 7306-62A.] Now codified in RCW 66.08.100.

## Chapter 66.12 EXEMPTIONS

66.12.040 Transshipment in interstate or foreign commerce. [1933 ex.s. c 62 § 49 , part; RRS § 7306-49, part.] Now codified in RCW 66.12.030.
66.12.050 Limitation as to interstate or foreign transactions. [1933 ex.s. c 62 § 49 , part; RRS § 7306-49, part.] Now codified in RCW 66.12.030.
66.12.080 Toilet and culinary preparations. [1933 ex.s. 62 § 51 , part; RRS § 7306-51, part.] Now codified in RCW 66.12.070.
66.12.090 Analysis of such preparations. [1933 ex.s. c 62 § 51, part; RRS § 7306-51, part.] Now codified in RCW 66.12.070.
66.12.100 Sacramental liquor or wine. [1933 ex.s. c 62 § 13, part; RRS § 7306-13, part.] Now codified in RCW 66.20.020.

## Chapter 66.16 <br> STATE LIQUOR STORES

66.16.020 Prices on sales for special purposes. [1939 c 172 § 10 , part; 1937 c 62 § 1, part; 1933 ex.s. c 62 § 4 ; RRS § 7306-4, part.] Now codified in RCW 66.16.010.

## Chapter 66.20 LIQUOR PERMITS

66.20.030 False or fictitious name or address prohibited. [1933 ex.s. c 62 § 13 , part; RRS § 7306-13, part.] Now codified in RCW 66.20.020.
66.20.050 No individual permits to corporations, partnerships, etc. [1933 ex.s. c 62 § 15 ; RRS § 7306-15.] Repealed by 1959 c 111 § 3.

## Chapter 66.24 <br> LICENSES——STAMP TAXES

66.24.020 Inspection of premises——Restrictions on issuance of retail licenses. [1953 c 245 § 1 , last am'ds 1933 ex.s. c 62 § 27(2); Rem. Supp. 1947 § 7306-27(2).] Now codified as RCW 66.24.010(2).
$\mathbf{6 6 . 2 4 . 0 3 0}$ Suspension or cancellation of license. [1947 c 144 § 1(2A), part, last am'ds 1933 ex.s. c 62 § 27(2), part; Rem. Supp. 1947 § 7306-27(2A), part.] Now codified in RCW 66.24.010(3).
66.24.040 Procedure on bearing. [1947 c 144 § $1(2 A)$, part, last am'ds 1933 ex.s. c 62 § 27(2), part; Rem. Supp. 1947 § 7306-27 (2A), part.] Now codified in RCW 66.24.010(3).
66.24.050 Notice of suspension or cancellation. [1947 c 144 § 1 (3), last am'ds 1933 ex.s. c 62 § 27(3); Rem. Supp. 1947 § 7306-27(3).] Now codified as RCW 66.24.010(4).
66.24.060 Duration of license. [1955 c 289 § 8, last am'ds 1933 ex.s. c 62 § 27(4); Rem. Supp. 1947 § 7306-27(4).] Now codified as RCW 66.24.010(5).
66.24.070 Licenses subject to statutory restrictions. [1947 c 144 § 1(5), last am'ds 1933 ex.s. c 62 § 27(5); Rem. Supp. 1947 § 730627(5).] Now codified as RCW 66.24.010(6).
66.24.080 License to be kept posted. [1947 c 144 § 1(6), last am'ds 1933 ex.s. c 62 § 27(6); Rem. Supp. 1947 § 7306-27(6).] Now codified as RCW 66.24.010(7).
66.24.090 Notification of local authorities. [1947 c 144 § 1(7), last am'ds 1933 ex.s. c 62 § 27(7); Rem. Supp. 1947 § 7306-27(7).] Now codified as RCW 66.24.010 (8).
66.24.100 Proximity to churches, schools, etc. [(i) 1947 c 144 § 1(8), last am'ds 1933 ex.s. c 62 § 27(8); Rem. Supp. 1947 § 730627(8). (ii) 1947 c 144 § 1(9); Rem. Supp. 1947 § 7306-27(9).] Now codified in RCW 66.24.010(9) and (10).
66.24.110 Residence requirements as to retail licensees. [1937 c 153 § 1 ; RRS § 7306-26B.] Repealed by 1971 c 70 § 3.
66.24.130 Classification of licensees. [1943 c 245 § 1(36A), part; Rem. Supp. 1943 § 7306-36A, part.] Now codified in RCW 66.44.310(2).
66.24.180 Report of gallonage. [1939 c 172 § 1 (23C), part; 1937 c 217 § 1(23C), part; RRS § 7306-23C, part.] Now codified in RCW 66.24.170.
66.24.190 Winery license--Fee. [1939 c 172 § 1(23C), part; 1937 c 217 § 1(23C), part; RRS § 7306-23C, part.] Now codified in RCW 66.24.170.
66.24.220 Gallonage tax on direct sales of domestic wines. [1943 c 216 § 2, part; 1939 c 172 § 3, part; 1935 c 158 § 3, part; Rem. Supp. 1943 § 7306-24A, part.] Now codified in RCW 66.24.210.
66.24.280 Monthly report of sales to beer wholesalers. [1937 c 217 § $1(23 F)$, part; RRS § 7306-23F, part.] Now codified in RCW 66.24.270.
66.24.390 Dining, club, buffet car license. [1937 c 217 § 1 (23L) (adding new section $23-$ L to 1933 ex.s. c 62); RRS § 7306-23L.] Repealed by 1975 1st ex.s. c 245 § 3.
66.24.430 Liquor by the drink, class $H$ licenses--Surety bond. [1949 c 5 § 4; Rem. Supp. 1949 § 7306-23S-4.] Repealed by 1957 c 263 § 4.
66.24.460 Rights of class H licensees. [1949 c 5 § 14; No RRS.] Now codified as RCW 66.98.060.
66.24.470 Regulations. [1949 c 5 § 15; No RRS.] Now codified as RCW 66.98.070.

## Chapter 66.36 <br> ABATEMENT PROCEEDINGS

66.36.020 Action to abate nuisance. [1939 c 172 § 9, part; RRS § 7306-33A, part.] Now codified in RCW 66.36.010.
66.36.030 Judgment of abatement——Bond to reopen. [1939 c 172 § 9, part; RRS § 7306-33A, part.] Now codified in RCW 66.36.010.
66.36.040 Abatement after criminal conviction. [1939 c 172 § 9, part; RRS § 7306-33A, part.] Now codified in RCW 66.36.010.

> Chapter 66.40
> LOCAL OPTION
66.40.050 Time for filing petition. [1933 ex.s. c 62 § 84, part; RRS § 7306-84, part.] Now codified in RCW 66.40.040.
66.40.060 Validity of signatures to petition. [1933 ex.s. c 62 § 84, part; RRS § 7306-84, part.] Now codified in RCW 66.40.040.
66.40.070 Withdrawal of signature prohibited. [1933 ex.s. c 62 § 84, part; RRS § 7306-84, part.] Now codified in RCW 66.40.040.
66.40.080 Petition public document——Form. [1933 ex.s. c 62 § 84, part; RRS § 7306-84, part.] Now codified in RCW 66.40.040.
66.40.090 Filing fee-CCertified copies. [1933 ex.s. c 62 § 84, part; RRS § 7306-84, part.] Now codified in RCW 66.40.040.

## Chapter 66.44 <br> ENFORCEMENT——PENALTIES

66.44.020 Enforcement officers. [1939 c 172 § 5, part; 1935 c 174 § 11, part; 1933 ex.s. c 62 § 70, part; RRS § 7306-70, part.] Now codified in RCW 66.44.010.
66.44.030 Local officers to enforce title. [1939 c 172 § 5, part; 1935 c 174 § 11, part; 1933 ex.s. c 62 § 70, part; RRS § 7306-70, part.] Now codified in RCW 66.44.010.
66.44.191 Sales on university grounds prohibited--Penalty. [1895 c 75 § 2 ; RRS § 5101.] Repealed by 1975 1st ex.s. c 68 § 2.
66.44.220 Obstructing view of saloon. [1909 c 249 § 243; RRS § 2495.] Repealed by 1969 ex.s. c $112 \S 3$, and by 1969 ex.s. c $178 \S 10$.
66.44.230 Admitting, employing, or furnishing liquor to, previously convicted or intoxicated person or common drunkard. [1909 ex.s. c $27 \S$ 2; 1909 c 249 § 437; RRS § 2689.] Repealed by 1973 lst ex.s. c 209 § 20.
66.44.260 Sales on election days prohibited--Exceptions. [1965 ex.s. c 59 § $1 ; 1891$ c 69 § 18; Code 1881 §§ 907, 908; RRS § 5393.] Repealed by 1971 ex.s. c 112 § 3.

## Title 67

ATHLETICS, SPORTS AND ENTERTAINMENT

## Chapter 67.08 <br> BOXING AND WRESTLING

67.08.070 Contests barred on Sundays, certain bolidays-Betting prohibited. [1933 c 184 § 13; RRS § 8276-13.] Repealed by 1975-'76 2nd ex.s. c 48 § 6.

## Chapter 67.12 DANCING AND DANCE HALLS--BILLIARDS, POOL AND BOWLING

67.12.120 Penalty for keeping tables or alleys for hire without license. [1873 p 439 § 6; RRS § 8290.] Now codified as RCW 67.14.060.
67.12.130 When contrivance deemed kept for hire. [1873 p 440 § 10; RRS § 8291.] Now codified as RCW 67.14.100.

Chapter 67.16
HORSE RACING
67.16.001 Washington horse racing commission--Creation--Organization--Secretary——Records——Reports. Cross-reference section deleted as superfluous matter.
67.16.030 Race meet license——Participant's license. [1933 c 55 § 4, part; RRS § 8312-4, part.] Now codified in RCW 67.16.020.

Chapter 67.24

## FRAUD IN SPORTING CONTESTS

67.24.005 Commission of, in certain contests, declared gross mis-demeanor--1941 Act. [1941 c 181 § 1; Rem. Supp. 1941 § 2696-5.] Repealed by 1959 c 22 § 1.

Chapter 67.28
PUBLIC STADIUM FACILITIES (FORMERLY: SPORTS STADIUMS)
67.28.010 "Municipality" defined. [1965 c 15 § 1.] Repealed by 1967 c 236 § 18. Later enactment, see RCW 67.28.080.
67.28.020 Declaration of public purpose and necessity. [1965 c 15 § 2.] Repealed by 1967 c 236 § 18. Later enactment, see RCW 67.28.140.
67.28.030 Sole or joint participation-—Powers——Costs, bow paid. [1965 c 15 § 3.] Repealed by 1967 c 236 § 18.
67.28.040 May submit proposition to voters. [1965 c 15 § 4.] Repealed by 1967 c 236 § 18.
67.28.050 Issuance and retirement of bonds. [1965 c 15 § 5.] Repealed by 1967 c 236 § 18. Later enactment, see RCW 67.28.150.
67.28.060 Power to appropriate and raise moneys. [1965 c 15 § 6.] Repealed by 1967 c 236 § 18.
67.28.070 Powers additional to grants conferred by other laws. [1965 c 15 § 7.] Repealed by 1967 c 236 § 18. Later enactment, see RCW 67.28.220.

## Chapter 67.67 STATE LOTTERY

67.67.010 through 67.67.240, 67.67 .900 [1974 ex.s. c 152 §§ $1-24$, 28.] RCW 9.46.290 and chapter 67.67 RCW were submitted to the electorate November 5, 1974 as Referendum Bill No. 34 which received the following vote: For--515, 404, Against---425,903, and thus failed to be approved by a sixty percent affirmative vote of the electors voting thereon, see state Constitution, Amendment 56, and AGLO 1974 No. 49.

## Title 68 <br> CEMETERIES, MORGUES AND HUMAN REMAINS

## Chapter 68.04 <br> DEFINITIONS

68.04.010 Introductory. This section has no session law background and is accordingly decodified.

## Chapter 68.08 <br> HUMAN REMAINS

68.08.250 Donation of remains for medical purposes- Written instrument by donor, revocation--Nonliability of donee. [1961 c 90 § 2.] Repealed by 1969 c 80 § 10.
68.08.260 Donation of remains for medical purposes- Written instrument by person having legal right to control disposition of re-mains-Warranties. [1961 c 90 § 3.] Repealed by 1969 c 80 § 10.
68.08.270 Donation of remains for medical purposes- - "Medical purpose" defined. [1961 c 90 § 4.] Repealed by 1969 c 80 § 10.
68.08.280 Donation of remains for medical purposes-—Authority to remove parts from donated remains- Who deemed donee- Nonliability of institutions, physicians, etc. [1961 c 90 § 4.] Repealed by 1969 c 80 § 10 .

## Chapter 68.24 <br> CEMETERY PROPERTY

68.24.200 Land of nonprofit associations exempt from taxation. [1899 c 33 § 3, part; RRS § 3766, part.] Now codified in RCW 68.20.110.
68.24.210 Sold lots exempt from taxes, etc.- Nonprofit associations. [1899 c 33 §5; RRS § 3768.] Now codified as RCW 68.20.120.
68.24.230 Ground plans. [1905 c 64 § $1 ; 1899$ c 33 § 6; RRS § 3769.] Now codified as RCW 68.20.130.

## Chapter 68.44 <br> ENDOWMENT CARE FUND (FORMERLY: PERPETUAL CARE FUND)

68.44.040 Loan of funds to cemetery authority. [1943 c 247 § 128; Rem. Supp. 1943 § 3778-128.] Repealed by 1953 c 290 § 14.

## Title 69

FOOD, DRUGS, COSMETICS, AND POISONS

## Chapter 69.04 <br> FOOD, DRUG, AND COSMETIC ACT

69.04.230 Food——Adulteration by coal tar color. [1945 c 257 § 41; Rem. Supp. 1945 § 6163-90.] Repealed by 1963 c 198 § 14.
69.04.760 Hearing on proposed regulation--Notice. [1945 c 257 § 94; Rem. Supp. 1945 § 6163-142.] Repealed by 1963 c 198 § 15.

Chapter 69.07
WASHINGTON FOOD PROCESSING ACT
69.07.030 Nonconflicting provisions of chapter 69.04 RCW incorporated into chapter. [1967 ex.s. c 121 § 3.] Repealed by 1969 c 68 § 5.

Chapter 69.12
BAKERIES AND BAKERY PRODUCTS——1937 ACT
69.12.130 Bakeries——Sanitary Conditions. [1919 c 206 § 1; 1903 c 135 § 1 ; RRS § 6285.] Now codified as RCW 69.11.010.
69.12.140 Lavatories, etc., apart from bake room. [1903 c 135 § 2; RRS § 6286.] Now codified as RCW 69.11.020.
69.12.150 Bake room--Size——Plastering, etc. [1903 c 135 § 3; RRS § 6287.] Now codified as RCW 69.11.030.
69.12.160 Flour and meal products, how kept. [1903 c 135 § 4; RRS § 6288.] Now codified as RCW 69.11.040.
69.12.170 Products to be kept separate from sleeping rooms. [1903 c 135 § 5; RRS § 6289.] Now codified as RCW 69.11.050.
69.12.180 Penalty. [1903 c 135 § 10, part; RRS § 6294, part.] Now codified in RCW 69.11.100.

## Chapter 69.24

EGGS AND EGG PRODUCTS

## WASHINGTON STATE EGG LAW OF 1955

69.24.010 through 69.24.120 [1949 c 116; 1937 c 157; 1933 c 17; RRS §§ 6155-1 through 6155-6, 6155-8, -9, $-12,-14$; Rem. Supp. 1949 §§ 6155-7, -10, -13.] Repealed by 1955 c 193 § 36.
69.24.130 Definitions--General. [1955 c 193 § 1.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.140 Definitions--With relation to eggs. [1955 c 193 § 2.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.150 Rules and regulations, grades and standards--Administrative hearings. [1955 c 193 § 3.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.160 Dealer's license. [1955 c 193 § 4.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.170 Dealer's license——Fee——Disposition. [1961 c 54 § 1; 1955 c 193 § 5.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.180 Dealer's license——Duration--Nontransferable—— Duplicate. [1955 c 193 § 6.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.190 Dealer's license-—Grounds for not issuing. [1955 c 193 § 7.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.200 Dealer's license——Revocation, suspension, denial. [1955 c 193 § 8.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.210 Violations by applicant or licensee--Procedure. [1955 c 193 § 9.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.220 Washington state egg seals. [1967 c 240 § 49; 1955 c 193 § 10.] Repealed by 1975 lst ex.s. c 201 § 40.
69.24.230 Sales to retailers, etc.--Invoice, contents. [1955 c 193 § 11.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.240 Unlawful acts——Markings required. [1955 c 193 § 12.] Repealed by 1975 1st ex.s. c $201 \S 40$.
69.24.250 When markings not required. [1955 c 193 § 13.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.260 Notice to consumer of grade or quality, size or weight. [1967 c 240 § 50; 1955 c 193 § 14.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.270 Inscription of species of fowl when other than chicken. [1955 c 193 § 15.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.280 Removal of inaccurate markings required. [1955 c 193 § 16.] Repealed by 1975 1st ex.s. c $201 \S 40$.
69.24.290 Unlawful use of name, trademark, or trade name. [1955 c 193 § 17.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.300 Unlawful sale or representation as "fresh eggs", etc. [1955 c 193 § 18.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.310 Unlawful movement when warning affixed. [1955 c 193 § 19.] Repealed by 1975 1st ex.s. c $201 \S 40$.
69.24.320 Stamping foreign eggs. [1955 c 193 § 20.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.330 Stamping container of foreign eggs. [1955 c 193 § 21.] Repealed by 1975 lst ex.s. c 201 § 40.
69.24.340 Notice of use of foreign eggs by bakeries, confectioneries, etc. [1955 c 193 § 22.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.350 Notice of use of foreign eggs in egg products. [1955 c 193 § 23.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.360 Possession by seller presumes eggs for sale. [1955 c 193 § 24.] Repealed by 1975 lst ex.s. c 201 § 40.
69.24.370 Compliance with director's order--InspectionsHalting vehicles. [1955 c 193 § 25.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.380 Enforcement of chapter--Inspectors--Seizure and sale. [1955 c 193 § 26.] Repealed by 1975 lst ex.s. c 201 § 40.
69.24.390 Samples of lots or containers. [1955 c 193 § 27.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.400 Public nuisance, when-W Warning affixed--Abatement. [1955 c 193 § 28.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.410 Adulterated and misbranded eggs and egg products. [1955 c 193 § 29.] Repealed by 1975 lst ex.s. c 201 § 40.
69.24.420 Penalties. [1955 c 193 § 30.] Repealed by 1975 1st ex.s. c 201 § 40 .
69.24.430 Venue for prosecutions. [1955 c 193 § 31.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.440 Dealer exempt from commission merchant's law. [1955 c 193 § 32.] Repealed by 1959 c 156 § 1.
69.24.450 State egg account——Expenditures. [1955 c 193 § 33.] Repealed by 1975 1st ex.s. c 201 § 40.
69.24.900 Short title. [1955 c 193 § 34.] Repealed by 1975 1st ex.s. c $201 \S 40$.
69.24.910 Severability-—1955 c 193. [1955 c 193 § 35.] Repealed by 1975 1st ex.s. c 201 § 40.

## Chapter 69.28 <br> HONEY

69.28.010 Definitions. [(i) 1939 c 199 § 2; RRS § 6163-2. (ii) 1939 c 199 § 14; RRS § 6163-14. (iii) 1939 c 199 § 18; RRS § 616318. (iv) 1939 c 199 § 22; RRS § 6163-22.] Now codified as (i) RCW 69.28.190; (ii) RCW 69.28.310; (iii) RCW 69.28.350; (iv) RCW 69.28.380.
69.28.150 Unlawful honey-—Seizure and sale--Notice and bearing. [1939 c 199 § 31; RRS § 6163-31.] Repealed by 1975 1st ex.s. c 283 § 8 .
69.28.160 Honey seals-—Price——Use of proceeds. [1939 c 199 § 38; RRS § 6163-38.] Repealed by 1961 c 60 § 3.

## Chapter 69.30 <br> SANITARY CONTROL OF SHELLFISH

69.30.040 Advisory committee--Composition--Officers-Compensation--Powers and duties. [1955 c 144 § 4.] Repealed by 1971 ex.s. c 189 § 17.

## Chapter 69.32 <br> NARCOTICS——ADDICTION

69.32.070 Suspected addicts--Treatment——Isolation. [1959 c 27 § 69.32.070. Prior: 1923 c 47 § 6; RRS § 2509-6.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
69.32.080 Unlawful possession, use-—Habitual user-—Penalty. [1959 c 27 § 69.32.080. Prior: 1953 c 88 § $1 ; 1923$ c 47 § 4; RRS § 2509-4.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
69.32.090 Examination and treatment of convicted persons. [1959 c 27 § 69.32.090. Prior: 1923 c 47 § 7; RRS § 2509-7.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
69.32.100 Rules and regulations--Safeguards--Penalty. [1959 c 27 § 69.32.100. Prior: 1923 c 47 § 8; RRS § 2509-8.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
69.32.110 Appeals. [1959 c 27 § 69.32.110. Prior: 1923 c 47 § 10 ; RRS § 2509-10.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
69.32.120 Quarantine stations and clinics. [1959 c 27 § 69.32.120. Prior: 1923 c 47 § 11; RRS § 2509-11.] Repealed by 1975-'76 2nd ex.s. c 103 § 3 .
69.32.130 Penalty for violating rule or regulation or order. [1959 c 27 § 69.32.130. Prior: 1923 c 47 § 9; RRS § 2509-9.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.

## Chapter 69.33 <br> UNIFORM NARCOTIC DRUG ACT

69.33.220 Definitions. [1969 ex.s. c 256 § 7; 1959 c 27 § 69.33.220. Prior: (1) 1953 c 88 § 2; 1951 2nd ex.s. c 22 § 1. (2) 1923 c 47 § 2, part; RRS § 2509-2, part. Formerly RCW 69.33.010.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.230 Compliance required. [1959 c 27 § 69.33.230. Prior: 1951 2nd ex.s. c 22 § 2. Formerly RCW 69.33.020.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.240 License required. [1959 c 27 § 69.33.240. Prior: 1951 2nd ex.s. c 22 § 3. Formerly RCW 69.33.030.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.250 Qualifications for license-—Suspension or revocation. [1959 c 27 § 69.33.250. Prior: 1951 2nd ex.s. c 22 § 4. Formerly RCW 69.33.040.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.260 Sale by manufacturer, wholesaler--ConditionsUse of drugs. [1959 c 27 § 69.33.260. Prior: 1951 2nd ex.s. c 22 § 5. Formerly RCW 69.33.050.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.270 Sale by apothecary. [1959 c 27 § 69.33.270. Prior: 1955 c $25 \S 1 ; 1951$ 2nd ex.s. c $22 \S 6$. Formerly RCW 69.33.060.] Repealed by 1971 ex.s. c 308 § 69.50 .606 .
69.33.280 Dispensing by physicians, dentists, veterinarians-—Return of unused portion. [1959 c 27 § 69.33.280. Prior: 1951 2nd ex.s. c 22 § 7. Formerly RCW 69.33.070.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.290 Exempted sales and uses. [1959 c 97 § $1 ; 1959$ c 27 § 69.33.290. Prior: 1957 c 161 § $1 ; 1953$ c $88 \S 4 ; 1951$ 2nd ex.s. c $22 \S$ 8. Formerly RCW 69.33.080.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.300 Records to be kept. [1969 ex.s. c 256 § 8; 1959 c 27 § 69.33.300. Prior: 1951 2nd ex.s. c 22 § 9. Formerly RCW 69.33.090.] Repealed by 1971 ex.s. c 308 § 69.50 .606 .
69.33.310 Labels required. [1959 c 27 § 69.33.310. Prior: 1955 c 25 § 2; 1951 2nd ex.s. c 22 § 10. Formerly RCW 69.33.100.] Repealed by 1971 ex.s. c $308 \S 69.50 .606$.
69.33.320 User must keep drug in original container. [1959 c 27 § 69.33.320. Prior: 1951 2nd ex.s. c 22 § 11. Formerly RCW 69.33.110.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.330 Possession, control by common carriers, warehousemen, public officers, and certain employees. [1959 c 27 § 69.33.330. Prior: 1951 2nd ex.s. c $22 \S 12$. Formerly RCW 69.33.120.] Repealed by 1971 ex.s. c 308 § 69.50 .606.
69.33.340 Narcotics resort a public nuisance. [1959 c 27 § 69.33.340. Prior: 1951 2nd ex.s. c 22 § 13. Formerly RCW 69.33.150.] Repealed by 1971 ex.s. c 308 § 69.50 .606 .
69.33.350 Disposal of seized narcotics. [1959 c 27 § 69.33.350. Prior: 1951 2nd ex.s. c 22 § 14. Formerly RCW 69.33.170.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.360 Violation-—Revocation of license——Reinstatement. [1959 c 27 § 69.33.360. Prior: 1951 2nd ex.s. c 22 § 15. Formerly RCW 69.33.210.] Repealed by 1971 ex.s. c 308 § 69.50 .606.
69.33.370 Inspection of records, drug stocks--Confidential information. [1959 c 27 § 69.33.370. Prior: 1951 2nd ex.s. c $22 \S 16$. Formerly RCW 69.33.130.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.380 Fraud in obtaining or dispensing narcotics. [1959 c 27 § 69.33.380. Prior: 1951 2nd ex.s. c 22 § 17. Formerly RCW 69.33.140.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.390 Exceptions and exemptions not required to be negatived. [1959 c 27 § 69.33.390. Prior: 1951 2nd ex.s. c 22 § 18; 1923 c 47 § 5; RRS § 2509-5.] Repealed by 1971 ex.s. c 308 § 69.50.606. Later enactment, see RCW 69.32.060.
69.33.400 Enforcement of chapter. [1959 c 27 § 69.33.400. Prior: 1951 2nd ex.s. c 22 § 19. Formerly RCW 69.33.180.] Repealed by 1971 ex.s. c $308 \S 69.50 .606$.
69.33.410 Violation--Penalty. [1963 c 38 § 20; 1959 c 27 § 69 .33.410. Prior: 1953 c 88 § 3; 1951 2nd ex.s. c 22 § 20. Formerly RCW 69.33.190.] Repealed by 1971 ex.s. c 308 § 69.50 .606.
69.33.420 Violation-DDouble prosecution prohibited. [1959 c 27 § 69.33.420. Prior: 1951 2nd ex.s. c 22 § 21 . Formerly RCW 69.33.200.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.430 Search and seizure——Warrant——Return. [1959 c 27 § 69.33.430. Prior: 1951 2nd ex.s. c $22 \S 24$. Formerly RCW 69.33.160.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.440 State university and state college may purchase drugs. [1959 c 27 § 69.33.440. Prior: 1951 2nd ex.s. c 22 § 23 ; 1923 c 47 § 3, part; RRS § 2509-3, part.] Repealed by 1971 ex.s. c 308 § 69.50 .606. Later enactment, see RCW 69.32.030.
69.33.900 Severability. [1959 c 27 § 69.33.900. Prior: 1951 2nd ex.s. c 22 § 25.] Repealed by 1971 ex.s. c 308 § 69.50 .606.
69.33.910 Construction. [1959 c 27 § 69.33.910. Prior: 1951 2nd ex.s. c 22 § 26.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.920 Short title. [1959 c 27 § 69.33.920. Prior: 1951 2nd ex.s. c 22 § 27.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.930 Continuation of existing law. [1959 c 27 § 69.33.930.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.940 Chapter and section beadings not part of law. [1959 c 27 $\S 69.33 .940$.] Repealed by 1971 ex.s. c 308 § 69.50 .606 .
69.33.950 Invalidity of part of chapter not to affect remainder. [1959 c 27 § 69.33.950.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.33.960 Repeals and saving. [1959 c 27 § 69.33.960.] Decodified. RCW 69.33.220, 69.33.230-69.33.270, 69.33.280, 69.33.290, 69.33.300, 69.33.400, 69.33.410, 69.33.420-69.33.440, 69.33.900-69.33.950: See RCW 69.50.606.

## Chapter 69.40 <br> POISONS AND DANGEROUS DRUGS

69.40.040 Person omitting to label drugs, or labeling them wrong-ly--Penalty. [1909 c 249 § 255; RRS § 2507.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.060 Certain drugs to be sold only on prescription or or-der-—Exceptions. [1969 ex.s. c 256 § 9; 1967 c 71 § $1 ; 1961$ c 49 § 1; 1955 c 24 § $1 ; 1945$ c 57 § 1 ; 1939 c 29 § 1 ; 1939 c 6 § 1 ; Rem. Supp. 1945 § 2509-15.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.061 Possession of certain drugs unlawful. [1967 c 71 § 2; 1961 c 49 § $2 ; 1955$ c 23 § 1.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.062 Penalty for violation of RCW 69.40.061. [1955 c 23 § 2.] Repealed by 1963 c 38 § 25.
69.40.063 Dangerous drugs--Defined--Unlawful practic-es-Communications not privileged. [1963 c 38 § 21.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.064 Dangerous drugs-—Prescriptions. [1967 c 71 § 3; 1963 c 38 § 22.] Repealed by 1973 1st ex.s. c 186 § 9.
69.40.065 Drugs must be possessed in container in which sold or dispensed. [1970 ex.s. c 33 § 2.] Repealed by 1973 1st ex.s. c 186 § 9.
69.40.070 Violations--Penalties. [1969 ex.s. c 256 § 10; 1963 c 38 § 23 ; 1939 c 6 § 2 ; RRS § 2509-16.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.075 Violations--Penalties. [1969 ex.s. c 256 § 12.] Repealed by 1971 ex.s. c 308 § 69.50 .606 .
69.40.080 Dangerous drugs--Places deemed public nuisance. [1963 c 205 § 1.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.090 Dangerous drugs--Unlawful practices-Communications not privileged. [1963 c 205 § 2.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.100 Dangerous drugs--Search and seizure. [1963 c 205 § 3.] Repealed by 1971 ex.s. c $308 \S 69.50 .606$.
69.40.110 Cannabis defined as dangerous drug subject to chapter 69.40 RCW - Not considered narcotic drug. [1969 ex.s. c 256 § 11.] Repealed by 1971 ex.s. c 308 § 69.50.606.
69.40.120 Burden of proof as to exception, excuse, proviso or exemption. [1970 ex.s. c 33 § 1.] Repealed by 1971 ex.s. c 308 § 69.50.606.

RCW 69.40.040, 69.40.060, 69.40.061, 69.40.063, 69.40.070, 69.40$.075,69.40 .080,69.40 .090,69.40 .100,69.40 .110,69.40 .120$ : See RCW 69.50.606.

## Title 70 <br> PUBLIC HEALTH AND SAFETY

## Chapter 70.04 <br> CITY HEALTH BOARDS AND OFFICERS

70.04.010 Definitions. [1893 c 50 § 2, part; RRS § 6086, part.] Now codified in RCW 70.04.040.
70.04.020 Health officers in cities and towns--Appointment, term, salary ——First class cities excepted. Cross-reference section deleted upon repeal of remainder of chapter.
70.04.030 Health board——Health officers--Reports. [1893 c 50 § 1 ; RRS § 6085.] Repealed by 1967 ex.s. c 51 § 23. Later enactments, see RCW 70.05.020, 70.05.040, 70.05.050, 70.05.060, 70.05.070.
70.04.040 Duties and compensation of health officers--"Dangerous contagious disease ${ }^{n}$ defined. [1893 c 50 § 2; RRS § 6086. Formerly RCW 70.04.010 and 70.04.040.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.070.
70.04.050 Physicians to report diseases--Penalty. [1893 c 50 § 3; RRS § 6087.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.090.
70.04.060 Expenses. [1893 c 50 § 4; RRS § 6088.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.130.
70.04.070 Prosecutions——Use of funds. [1893 c 50 § 5; RRS § 6089.] Repealed by 1967 ex.s. c 51 § 23.
70.04.080 Duty to report to state board-_Penalty. [1893 c 50 § 6; RRS § 6090.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.110.

## Chapter 70.06 <br> COUNTY HEALTH BOARDS AND OFFICERS

70.06.010 Definitions. [1903 c 65 § 6; RRS § 6097.] Repealed by 1967 ex.s. c 51 § 23.
70.06.020 County board--Jurisdiction--Health and sanitary officers-Compensation--Term. [1907 c 85 § 1; 1903 c 65 § 1; RRS § 6091. FORMER PART OF SECTION: (i) 1888 p 46 § 1 , part; RRS § 6047, part now codified in RCW 70.16.010. (ii) 1888 p 46 § 2, part; RRS § 6048, part now codified in RCW 70.16.020.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.030.
70.06.025 Health officers in cities and towns--Appointment, term, salary - First class cities excepted. [1907 c 85 § 2; RRS § 6092.] Repealed by 1967 ex.s. c 51 § 23.
70.06.030 Powers and duties of health officer. [1907 c 85 § 3; 1903 c 65 § 3; RRS § 6094.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.070.
70.06.040 Physicians to report diseases. [1907 c 85 § 4; 1903 c 65 § 4; RRS § 6095.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.090.
70.06.050 Who determines character of a disease. [1903 c 65 § 5 ; RRS § 6096.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05. 100.
70.06.060 Local health officials and physicians to report contagious diseases--When state board may act. [1901 c 116 § 2; RRS § 6002.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.110.
70.06.070 Violations——Penalties. [1907 c 85 § 5; 1903 c 65 § 7; RRS § 6098.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.120.
70.06.080 Expenses of enforcing laws. [1907 c 85 § 6; 1903 c 65 § 8; RRS § 6099.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.130.
70.06.090 Rules and regulations--Pesthouses, etc. [1903 c 65 § 2; RRS § 6093.] Repealed by 1967 ex.s. c 51 § 23.

## Chapter 70.09 <br> MUNICIPAL CONTRACTS FOR HEALTH SERVICES

70.09.010 "Municipal corporation" defined. [1963 c 17 § 1.] Repealed by 1967 ex.s. c 51 § 23.
70.09.020 Contracts authorized. [1963 c 17 § 2.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.150
70.09.030 Supervision of services. [1963 c 17 § 3.] Repealed by 1967 ex.s. c 51 § 23.

## Chapter 70.12 <br> PUBLIC HEALTH FUNDS

70.12.010 County tax levy for public health. [1975 lst ex.s. c 291 § 1; 1973 2nd ex.s. c $4 \S 4 ; 1973$ 1st ex.s. c 195 § 78; 1970 ex.s. c 47 § 6; 1943 c 163 § $1 ; 1939$ c 191 § 1; Rem. Supp. 1943 § 3997-2a.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1977.
70.12.080 State director may expend funds in counties. [1939 c 191 § 2; RRS § 6001-1.] Now codified as RCW 70.12.015.

## Chapter 70.28 <br> CONTROL OF TUBERCULOSIS <br> (FORMERLY: TUBERCULOSIS IN FIRST AND SECOND CLASS CITIES)

70.28.030 Duties of health board. [1899 c 71 § 3; RRS § 6111.] Repealed by 1967 c 54 § 19.

## Chapter 70.30

## TUBERCULOSIS HOSPITALS AND FACILITIES

70.30.010 County may establish and maintain hospital-PPowers of commissioners. [1967 c 54 § 8; 1913 c 172 § 1 ; RRS § 6114.] Repealed by 1972 ex.s. c 143 § 7.
70.30.020 Board of managers. [1945 c 68 § 1; 1913 c 172 § 2; Rem. Supp. 1945 § 6115 . Formerly RCW 70.30.020, part and RCW 70.30.030.] Repealed by 1972 ex.s. c 143 § 7.
70.30.030 Meetings——Expenses——Reports. [1945 c 68 § 1 , part; 1913 c 172 § 2, part; Rem. Supp. 1945 § 6115, part.] Now codified in RCW 70.30.020.
70.30.040 Medical director-—Qualifications-—Salary. [1967 c 54 § 9; 1913 c 172 § 3; RRS § 6116.] Repealed by 1972 ex.s. c 143 § 7.
70.30.050 Treasurer-—Duties. [1967 c 54 § 10; 1913 c 172 § 4; RRS § 6117.] Repealed by 1972 ex.s. c 143 § 7.
70.30.060 Admissions to hospital. [1967 c 54 § 11; 1913 c 172 § 5; RRS § 6118.] Repealed by 1972 ex.s. c 143 § 7.
70.30.070 Payment for care of patients. [1913 c 172 § 6; RRS § 6119.] Repealed by 1967 c 54 § 19. Later enactment, see RCW 70.30.071.
70.30.071 Payment for care of patients. [1967 c 54 § 12.] Repealed by 1972 ex.s. c 143 § 7.
70.30.080 State and county inspection. [1967 c 54 § $13 ; 1915$ c 80 § $1 ; 1913$ c 172 § 7; RRS § 6120.] Repealed by 1972 ex.s. c 143 § 7.
70.30.090 Hospital in connection with almshouse. [1913 c 172 § 8; RRS § 6121.] Repealed by 1967 c 54 § 19
70.30.100 Admission of nonresidents. [1967 c 54 § 14; 1913 c 172 § 9; RRS § 6122.] Repealed by 1972 ex.s. c 143 § 7.
70.30.120 State aid to city hospitals. [1913 c 172 § 14; RRS § 6126.] Repealed by 1967 c 54 § 19.
70.30.130 State aid only to approved hospitals. [1915 c 80 § 3; 1913 c 172 § 15 ; RRS § 6127.] Repealed by 1972 ex.s. c 143 § 7.
70.30.150 Use of hospital. [1913 c 172 § 16 ; RRS § 6128.] Repealed by 1967 c 54 § 19.
70.30.160 Duties and powers of commissioners as managers. [1913 c 172 § 12 ; RRS § 6125.] Repealed by 1972 ex.s. c 143 § 7.

## Chapter 70.32

## COUNTY AND STATE TUBERCULOSIS FUNDS

70.32.011 Transfer of surplus from county tuberculosis hospitalization fund for county purpose. [1959 c 117 § 4.] Repealed by 1967 c 54 § 19.
70.32.015 Report, deposit, of moneys collected. [1967 ex.s. c 110 § 12; 1953 ex.s. c 4 § 2.] Repealed by 1972 ex.s. c 143 § 7.
70.32.020 State tuberculosis equalization fund. [1951 c 204 § 1 ; 1945 c 66 § 2; 1943 c 162 § 2; Rem. Supp. 1945 § 6113-2.] Repealed by 1953 ex.s. c $4 \S 4$.
70.32.021 State aid to counties. [1967 ex.s. c 110 § 13; 1959 c 117 § 2; 1953 ex.s. c 4 § 1. Prior: 1951 c 204 § 1; 1945 c 66 § 2; 1943 c
162 § 2; Rem. Supp. 1945 § 6113-2.] Repealed by 1972 ex.s. c 143 § 7.
70.32.022 State aid to counties - Moneys transferred to general fund. [1955 c 327 § 1.] Repealed by 1967 c 54 § 19.
70.32.023 State aid to counties--Appropriations to be paid from general fund. [1955 c 327 § 2.] Repealed by 1967 c 54 § 19.
70.32.024 State aid to counties——Abolished. [1955 c 327 § 3.] Repealed by 1967 c 54 § 19.
70.32.025 State aid to counties- Warrants to be paid from general fund. [1955 c 327 § 4.] Repealed by 1967 c 54 § 19.
70.32.030 County budget to be submitted for approval. [1945 c 66 § 3; 1943 c 162 § 3; Rem. Supp. 1945 § 6113-3.] Repealed by 1972 ex.s. c 143 § 7.
70.32.040 Administrator of hospital. [1967 c 54 § 15; 1945 c 66 § 4; 1943 c 162 § 4; Rem. Supp. 1945 § 6113-4.] Repealed by 1972 ex.s. c 143 § 7 .
70.32.070 Construction. [1945 c 66 § 7; 1943 с 162 § 7; Rem. Supp. 1945 § 6113-7.] Repealed by 1967 c 54 § 19.
70.32.080 Transfer of patients from one hospital or facility to an-other--Authorized--Hearing——Refusal, effect. [1969 ex.s. c 161 § $1 ; 1967$ c 54 § $18 ; 1953$ ex.s. c 4 § 3.] Repealed by 1972 ex.s. c 143 § 7.
70.32.085 Minimum of two hospitals or facilities to be provided for. [1969 ex.s. c 161 § 2.] Repealed by 1972 ex.s. c 143 § 7.
70.32.090 Counties where tax levy more than adequate-—Surplus for general county or public hospital district purpose. [1973 1st ex.s. c $195 \S 80 ; 1971$ ex.s. c 277 § $24 ; 1967$ ex.s. c 110 § $15 ; 1961$ c $101 \S 1$; 1959 c 117 § 3.] Repealed by 1975 lst ex.s. c 291 § 24, effective January $1,1977$.

## Chapter 70.33 <br> STATE ADMINISTERED TUBERCULOSIS HOSPITAL FACILITIES

70.33.070 Certain provisions inapplicable, when. [1971 ex.s. c 277 § 25.] Repealed by 1972 ex.s. c 143 § 7.

Chapter 70.34
JOINT COUNTY TUBERCULOSIS SANATORIA
70.34.010 Joint sanatoria authorized--Powers of county commissioners. [1935 c 86 § 1 ; RRS § 6130-1.] Repealed by 1967 c 54 § 19.
70.34.020 Joint sanatorium committee. [1935 c 86 § 2; RRS § 6130-2.] Repealed by 1967 c 54 § 19.
70.34.030 Board of managers. [1935 c 86 § 3; RRS § 6130-3.] Repealed by 1967 c 54 § 19.
70.34.040 Board of managers- Organization, oath, meetings, duties-Medical director. [1935 c 86 § 4; RRS § 6130-4.] Repealed by 1967 c 54 § 19.
70.34.050 Admissions to sanatorium. [1935 c 86 § 5; RRS § 61305.] Repealed by 1967 c 54 § 19.
70.34.060 Payment for care of patients. [1935 c 86 § 6; RRS § 6130-6.] Repealed by 1967 c 54 § 19.
70.34.070 Discrimination prohibited——Admission of less than year's residence. [1935 c 86 § 7; RRS § 6130-7.] Repealed by 1967 c 54 § 19.
70.34.080 Admission of nonresidents. [1935 c 86 § 8; RRS § 61308.] Repealed by 1967 c 54 § 19.
70.34.090 State and county inspection. [1935 c 86 § 9; RRS § 6130-9.] Repealed by 1967 c 54 § 19.
70.34.100 Treasurer-D Duties. [1935 c 86 § 10; RRS § 613010.] Repealed by 1967 c 54 § 19.
70.34.130 Quarterly reports of board. [1935 c 86 § 13; RRS § 6130-13.] Repealed by 1967 c 54 § 19.
70.34.140 State aid only to approved sanatoria. [1935 c 86 § 14 ; RRS § 6130-14.] Repealed by 1967 c 54 § 19.
70.34.150 Budget--Levy. [1935 c 86 § 15; RRS § 6130-15.] Repealed by 1967 c 54 § 19.
70.34.160 County commissioners as managers. [1935 c 86 § 16; RRS § 6130-16.] Repealed by 1967 c 54 § 19.
70.34.170 Almshouse not to be used. [1935 c 86 § 17; RRS § 6130-17.] Repealed by 1967 c 54 § 19.
70.34.180 Other counties may join group--Procedure. [1935 c 86 § 18; RRS § 6130-18.] Repealed by 1967 c 54 § 19.
70.34.190 Withdrawal of a county-—Procedure. [1935 c 86 § 19; RRS § 6130-19.] Repealed by 1967 c 54 § 19.

## Chapter 70.35 <br> EASTERN TUBERCULOSIS HOSPITAL DISTRICTS

70.35.010 Purpose. [1971 ex.s. c 277 § 5.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.
70.35.020 Established——Counties constituting——Headquarters county--Powers. [1971 ex.s. c 277 §6.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.
70.35.030 District commission--Members, appointment ofVacancies, filling of-DDuties. [1971 ex.s. c 277 § 7.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.
70.35.040 Hospital superintendent--Appointment-Compen-sation--Qualification-DDuties. [1973 1st ex.s. c 213 § 5; 1971 ex.s. c 277 § 8.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1,1978 .
70.35.050 District commission--Powers and duties general-ly--Reimbursement for expenses--Organization and proceedings. [1971 ex.s. c 277 § 9.] Repealed by 1975 lst ex.s. c 291 § 24, effective January 1, 1978.
70.35.060 Agreements to use Edgecliff facilities. [1971 ex.s. c 277 § 10.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.
70.35.070 Tax levy directed-—Disposition of funds--Special fund in headquarters county. [1973 1st ex.s. c 195 § 82; 1972 ex.s. c 143 § $1 ; 1971$ ex.s. c 277 § 11.] Repealed by 1975 1st ex.s. c 291 § 24 , effective January 1, 1978.
70.35.075 Surplus funds-—Uses——Tuberculosis fund——Reports. [1972 ex.s. c 143 § 5.] Repealed by 1975 1st ex.s. c 291 § 24 , effective January $1,1978$.
70.35.080 Chapter 70.32 RCW provisions inapplicable, when. [1971 ex.s. c 277 § 12.] Repealed by 1975 1st ex.s. c 291 § 24, effective January $1,1978$.
70.35.090 State department authority over district. [1971 ex.s. c 277 § 13.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.
70.35.100 Payments for treatment at Edgecliff terminated, when. [197] ex.s. c 277 § 14.] Repealed by 1975 lst ex.s. c 291 § 24 , effective January $1,1978$.
70.35.110 Contracts to carry out tuberculosis control. [1972 ex.s. c 143 §6.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.

Chapter 70.36
STATE TUBERCULOSIS BUILDING COMMISSION
70.36.010 Commission authorized——Members. [1945 c 220 § 1 ; Rem. Supp. 1945 § 6130-60.] Repealed by 1967 c 54 § 19.
70.36.020 Vacancies——Expenses. [1945 c 220 § 2; Rem. Supp. 1945 § 6130-61.] Repealed by 1967 c 54 § 19.
70.36.030 Officers-_Survey of needs--Request for aid. [1945 c 220 § 3; Rem. Supp. 1945 § 6130-62.] Repealed by 1967 c 54 § 19.
70.36.040 Plans with requests——Action on requests. [1945 c 220 § 4; Rem. Supp. 1945 § 6130-63.] Repealed by 1967 c 54 § 19.
70.36.050 Allocation and payment of funds. [1945 c 220 § 5; Rem. Supp. 1945 § 6130-64.] Repealed by 1967 c 54 § 19.
70.36.060 Advice——Responsibility——Minimum beds. [1945 c 220 § 6; Rem. Supp. 1945 § 6160-65.] Repealed by 1967 c 54 § 19.

## Chapter 70.40 <br> HOSPITAL AND MEDICAL FACILITIES SURVEY AND CONSTRUCTION ACT

70.40.050 Advisory council-Appointment, term, compensation, meetings. [1959 c 252 § 5; 1949 c 197 § 5; Rem. Supp. 1949 § 609064.] Repealed by 1971 ex.s. c 189 § 17.

## Chapter 70.41 HOSPITAL LICENSING AND REGULATION

70.41.050 Hospital advisory council-Members-M ppoint-ment--Terms——Vacancies——Chairman. [1955 c 267 § 5.] Repealed by 1971 ex.s. c $189 \$ 17$.
70.41.060 Hospital advisory council--Meetings_—Officers—— Quorum. [1955 c 267 § 6.] Repealed by 1971 ex.s. c 189 § 17.
70.41.070 Hospital advisory council-Dexpenses——Duties. [1955 c 267 § 7.] Repealed by 1971 ex.s. c 189 § 17.

## Chapter 70.44 <br> PUBLIC HOSPITAL DISTRICTS

70.44.170 Treasurer-—Duties——Funds——Depositories. [1965 c 157 § 4; 1945 c 264 § 16; Rem. Supp. 1945 § 6090-45.] Repealed by 1967 c 227 § 9. Later enactment, see RCW 70.44.171.
70.44.180 Funds to be paid to treasurer. [1945 c 264 § 19; Rem. Supp. 1945 § 6090-48.] Repealed by 1967 c 227 § 9. Later enactment, see RCW 70.44.171.

## Chapter 70.46 <br> HEALTH DISTRICTS

70.46.010 Definitions. [1945 c 183 § 1; Rem. Supp. 1945 § 609910.] Repealed by 1969 ex.s. c 70 § 2.
70.46.070 District health officer--Duties——Salary——Removal. [1945 c 183 § 7; Rem. Supp. 1945 § 6099-16.] Repealed by 1967 ex.s. c 51 § 23. Later enactment, see RCW 70.05.050, 70.05.070.

## Chapter 70.58 <br> VITAL STATISTICS

70.58.060 Registration of physicians, midwives and undertakers. [1907 c 83 § 15 ; RRS § 6032.] Repealed by 1961 ex.s. c 5 § 19.
70.58.090 Data required in birth certificates. [1951 c 106 § 7; 1945 c 157 § 1; 1907 c 83 § 13; Rem. Supp. 1945 § 6030.] Repealed by 1961 ex.s. c 5 § 19.
70.58.140 Delayed registration of births--Appeal as to prior births. [1943 c 176 § 5; Rem. Supp. 1943 § 6011-5.] Repealed by 1961 ex.s. c 5 § 19.
70.58.220 Recordation of illegitimate births when parents intermarry. [1939 c 133 § 2; RRS § 6013-2.] Repealed by 1961 ex.s. c 5 § 19.

## Chapter 70.62 <br> TRANSIENT ACCOMMODATIONS——LICENSING—— <br> INSPECTIONS

70.62.010 through 70.62.130 [1915 c 169 §§ 1-6; 1909 c 29 §§ $1-$ 11; 1905 c 48 §§ 1, 2; RRS §§ 6869-6880.] Repealed by 1971 ex.s. c 239 § 13.

Chapter 70.74

## WASHINGTON STATE EXPLOSIVES ACT

70.74.060 Detached magazines——Distances. [1931 c 111 § 6.] Repealed by 1969 ex.s. c 137 § 32.
70.74.070 Distances when factory or magazine is screened. [1931 c 111 § 7; RRS §5440-7.] Repealed by 1969 ex.s. c 137 § 32.
70.74.080 Containers-—Marking. [1931 c 111 § 8; RRS § 54408.] Repealed by 1969 ex.s. c 137 § 32.
70.74.090 Magazines classified. [1931 c 111 § 9; RRS § 5440-9.] Repealed by 1969 ex.s. c 137 § 32.
70.74.190 Exemptions. [1931 c 111 § 20; RRS § 5440-20.] Repealed by 1969 ex.s. c 137 § 32.
70.74.200 Municipal ordinances unaffected. [1931 c 111 § 21 ; RRS § 5440-21.] Repealed by 1969 ex.s. c 137 § 32.
70.74.260 Explosives in dwellings--Penalty. [1917 c 36 § 130; RRS § 8765.] Now codified as RCW 78.40.491.

Chapter 70.77
STATE FIREWORKS LAW
70.77.010 through 70.77.110 [1953 c 34 §§ 1-4; 1951 c 174 §§ $1-$ 11.] Repealed by 1961 c 228 § 92.

Chapter 70.79
BOILERS AND UNFIRED PRESSURE VESSELS
70.79.340 Inspection fees——Shop inspections-—"Second-hand" boilers. [1951 c 32 § 33.] Repealed by 1970 ex.s. c 21 § 3.

## Chapter 70.82

CEREBRAL PALSY PROGRAM
70.82.020 Cerebral palsy fund created. [1947 c 240 § 2; No RRS.] Cerebral palsy fund abolished and moneys transferred to general fund by 1955 c 326.
See: RCW 70.82.021-70.82.024.

## Chapter 70.87

ELEVATORS, LIFTING DEVICES, AND MOVING WALKS
70.87.130 Permits for construction, alteration, relocation or instal-lation--Annual operating permits--Fee schedules. [1969 ex.s. c 108 § 3; 1963 c 26 § 13.] Repealed by 1970 ex.s. c 22 § 3.

## Chapter 70.89

SAFETY GLAZING MATERIAL

## (FORMERLY: SAFETY GLASS IN SLIDING GLASS DOORS

70.89.020 Glass in sliding doors and assemblies to be of safety glazing material——Identification. [1963 c 128 § 2.] Repealed by 1973 1st ex.s. c 2 § 9
70.89.030 Sales, installations of materials not meeting requirements of RCW 70.89.010 declared unlawful. [1965 c 45 § 1 ; 1963 c 128 § 3.] Repealed by 1973 1st ex.s. c 2 § 9.

## Chapter 70.92 <br> PUBLIC BUILDINGS——PROVISION FOR AGED AND HANDICAPPED

70.92.010 Specifications for public buildings to make provision for the aged and handicapped. [1967 c 35 § 1.] Repealed by 1975 1st ex.s. c 110 § 10, effective July $1,1976$.
70.92.020 Specifications for public buildings to make provision for the aged and handicapped-Buildings to which applicable. [1967 c 35 § 2.] Repealed by 1975 lst ex.s. c 110 § 10, effective July 1, 1976.
70.92.030 Standards to be adopted, kept current-—Exceptions, when--Authority to enforce higher specifications. [1967 c 35 § 3.] Repealed by 1975 lst ex.s. c 110 § 10, effective July 1, 1976.
70.92.040 Remodeling or rehabilitation of existing buildingsApplication to. [1967 c 35 § 4.] Repealed by 1975 1st ex.s. c 110 § 10 , effective July 1, 1976.
70.92.050 Approval of administrative authority before contract awarded. [1967 c 35 § 5.] Repealed by 1975 lst ex.s. c 110 § 10 , effective July 1, 1976.
70.92.060 Responsibility for enforcement. [1967 c 35 § 6.] Repealed by 1975 lst ex.s. c $110 \S 10$, effective July 1, 1976.

## Chapter 70.92A <br> PUBLIC ACCOMMODATIONS——PROVISION FOR PHYSICALLY HANDICAPPED

70.92A.010 Specifications for public accommodations to make provision for physically handicapped. [1971 ex.s. c 219 § 1.] Repealed by 1975 1st ex.s. c 110 § 10, effective July 1, 1976.
70.92A. 020 Specifications for public accommodations to make provision for physically handicapped--Accommodations to which applicable. [1971 ex.s. c 219 § 2.] Repealed by 1975 1st ex.s. c 110 § 10 , effective July 1, 1976.
70.92A.030 Minimum standards and specifications--Exceptions. [1971 ex.s. c 219 § 3.] Repealed by 1975 lst ex.s. c 110 § 10 , effective July 1, 1976.
70.92A. 040 Remodeling or rehabilitation of existing buildingsApplication to. [1971 ex.s. c 219 §4.] Repealed by 1975 1st ex.s. c 110 § 10, effective July 1, 1976.
70.92A. 050 Responsibility for enforcement. [1971 ex.s. c 219 §5.] Repealed by 1975 lst ex.s. c 110 § 10, effective July 1, 1976.
70.92A.060 Handicap symbol-Display--Signs showing location of entrance for handicapped. [1974 ex.s. c 96 § 11.] Repealed by 1975 1st ex.s. c 110 § 10, effective July 1, 1976.

Chapter 70.94
WASHINGTON CLEAN AIR ACT
(FORMERLY: AIR POLLUTION CONTROL)
70.94.010 Declaration of policy. [1957 c 232 § 1.] Repealed by 1967 c 238 § 66.
70.94.020 Declaration of cause and purpose. [1957 c 232 § 2.] Repealed by 1967 c 238 § 66.
70.94.050 Tests and surveys--Hearing——Resolution of necessity. [1957 c 232 § 5.] Repealed by 1973 lst ex.s. c 193 § 12.
70.94.060 Air pollution control districts authorized. [1957 c 232 § 6.] Repealed by 1967 c 238 § 66.
70.94.061 Declaration of public policy-—Purpose of RCW 70.94.062, 70.94.064, 70.94.066, 70.94.068, 70.94.069——Encouragement of local agencies——Responsibility. [1967 c 238 § 7.] Repealed by 1969 ex.s. c 168 § 46.
Construction-—Saving——1969 ex.s. c 168: RCW 70.94.902.
70.94.062 Regional authorities designated-Boundaries. [1967 c 238 § 8.] Repealed by 1969 ex.s. c 168 § 46.

Construction——Saving——1969 ex.s. c 168: RCW 70.94.902.
70.94.064 First class, second class regional authorities definedDetermination of population. [1967 c 238 § 9.] Repealed by 1969 ex.s. c 168 § 46.

Construction-—Saving——1969 ex.s. c 168: RCW 70.94.902.
70.94.065 Formation pursuant to hearing by state board. [1963 c 27 § 3.] Repealed by 1967 c 238 § 66.
70.94.066 Activation date of first class authorities-Meet-ings--When second class authorities may be activated. [1967 c 238 § 10.] Repealed by 1969 ex.s. c 168 § 46.

Construction-—Saving——1969 ex.s. c 168: RCW 70.94.902.
70.94.080 Powers and duties of district, county commissioners, county and district treasurers--Tax levies. [1957 c 232 § 8.] Repealed by 1967 c 238 § 66.
70.94.090 Tax levy authorized——Vote. [1957 c 232 § 9.] Repealed by 1967 c $238 \$ 66$.
70.94.140 Powers of city, town, county, district in controlling and preventing air pollution. [1957 c 232 § 14.] Repealed by 1967 c 238 § 66.
70.94.150 Permissive contents of ordinances, resolutions, rulesConsiderations in determining causes of air pollution. [1957 c 232 § 15.] Repealed by 1967 c 238 § 66.
70.94.160 Enforcement of ordinances, resolutions, rules. [1963 c 27 § 2; 1957 c 232 § 16.] Repealed by 1967 c 238 § 66.
70.94.180 Variances-—When permitted. [1957 c 232 § 18.] Repealed by 1967 c 238 § 66.
70.94.190 Variances-—Balancing equities——Revocation, modification. [1957 c 232 § 19.] Repealed by 1967 c 238 § 66.
70.94.210 Violations of provisions controlling air pollution-Notice-OOrder to remedy. [1957 c 232 § 21.] Repealed by 1967 c 238 § 66.
70.94.220 Hearing on and appeal from control officer's order. [1957 c 232 § 22.] Repealed by 1967 c 238 § 66.
70.94.250 Exemptions from chapter. [1967 c 238 §42; 1957 c 232 § 25.] Repealed by 1971 ex.s. c 232 § 7.
70.94.300 State air pollution control board established- Composition, appointment, terms, vacancies, quorum--Executive director. [1969 ex.s. c 168 § 32; 1967 c 238 § 44; 1961 c 188 § 1.] Repealed by 1970 ex.s. c 62 § 30.
70.94.310 Meetings of state board. [1961 c 188 § 2.] Repealed by 1970 ex.s. c 62 § 30.
70.94.320 Members of state board to serve without compensa-tion--Expenses and per diem. [1969 ex.s. c 168 § 33; 1961 c 188 § 3.] Repealed by 1970 ex.s. c $62 \S 30$.
70.94.330 Duties of director of health with approval of state board——Standards. [1961 c 188 § 4.] Repealed by 1967 c 238 § 66.
70.94.360 Entry upon public or private property-—Investigation results confidential——Disclosure. [1961 c 188 § 7.] Repealed by 1967 c 238 § 66 .
70.94.415 Emergency action by director or state board-—Emergency powers of governor and other officers not affected. [1969 ex.s. c 168 § 43; 1967 c 238 § 57.] Repealed by 1971 ex.s. c 194 § 7.
70.94.500 Penalty for violation of chapter. [1961 c 188 § 9.] Repealed by 1967 c 238 § 66.
70.94.520 Purposes of RCW 70.94.530-70.94.560. [1969 ex.s. c 168 § 47.] Repealed by 1973 lst ex.s. c 193 § 12.
70.94.530 Air pollution control districts designated. [1969 ex.s. c 168 § 48.] Repealed by 1973 lst ex.s. c 193 § 12.
70.94.540 Divisions--Duties of district offices. [1969 ex.s. c 168 § 49.] Repealed by 1973 1st ex.s. c 193 § 12.
70.94.550 First and second class districts defined-Determination of population. [1969 ex.s. c 168 §50.] Repealed by 1973 1st ex.s. c 193 § 12 .
70.94.560 Establishment of district offices. [1969 ex.s. c 168 § 51.] Repealed by 1973 lst ex.s. c 193 § 12.
70.94.900 Severability. [1957 c 232 § 27.] Repealed by 1967 c 238 § 66.
70.94.910 Severability——1961 Act. [1961 c 188 § 10.] Repealed by 1967 c 238 § 66 .

## Chapter 70.96 <br> ALCOHOLISM

70.96.010 Declaration of purpose. [1959 c 85 § 1.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.020 Definitions. [1959 c 85 § 2.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A. 010 .
70.96.030 Research, educational, treatment program to be established. [1959 c 85 § 3.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.040 Powers and duties of department--General- " Resident" defined. [1959 c 85 § 4.] Repealed by 1972 ex.s. c 122 § 26 , effective January 1, 1975. See note following RCW 70.96A.010.
70.96.050 Powers and duties of department--Personnel, services, facilities. [1959 c 85 § 5.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.060 Powers and duties of department--Acquisition of additional facilities. [1959 c 85 § 6.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.070 Powers and duties of department-—Acceptance, refusal of gifts, grants--Disposition of money. [1959 c 85 § 7.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.080 Powers and duties of department--Cooperation with public and private agencies. [1959 c 85 § 8.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A. 010 .
70.96.090 Powers and duties of department——Regulations. [1959 c 85 § 9.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.100 Applications for voluntary admittance-—Contents. [1959 c 85 § 10.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.110 Admission to treatment program——Demand for discharge. [1959 c 85 § 11.] Repealed by 1972 ex.s. c 122 § 26 , effective January 1, 1975. See note following RCW 70.96A.010.
70.96.120 Liability of officer or employee for detention of person voluntarily admitted. [1959 c 85 § 12.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.130 Support of patient - Expense, charges, reimburse-ment-Contracts for services. [1959 c 85 § 13.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A. 010.
70.96.140 Collection of unpaid charges--Disposition of collections. [1959 c 85 § 14.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
70.96.900 Severability. [1959 c 85 § 16.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A. 010 .

## Chapter 70.96A

## UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT

70.96A.130 Emergency commitment. [1972 ex.s. c 122 § 13.] Repealed by 1974 ex.s. c 175 § 3.

## Chapter 70.98 <br> NUCLEAR ENERGY AND RADIATION

70.98.060 Technical advisory board on radiation control. [1970 ex.s.c 18 § 17 ; 1961 c 207 § 6.] Repealed by 1971 ex.s. c 189 § 17.
70.98.070 Advisory council on nuclear energy and radiation. [1975'76 2nd ex.s. c 34 § $162 ; 1970$ ex.s. c 18 § 18; 1969 c 44 § $1 ; 1965$ c 88 § $4 ; 1961$ c 207 § 7.] Repealed by 1975-'76 2nd ex.s. c 108 § 43.

Severability——Effective date——1975-76 2nd ex.s. c 108: See notes following RCW 43.21F.010.

## Title 71 <br> MENTAL ILLNESS AND INEBRIACY

## MENTAL ILLNESS--COMMITMENT PROCEDURE (SUCCESSOR LAW: SEE CHAPTER 71.05 RCW)

71.02.010 Definitions. [1959 c 25 § 71.02.010. Prior: 1951 c 139 § 2.] Repealed by 1973 1st ex.s. c 142 § 66. Later enactment, see RCW 72.23.010.
71.02.020 Construction of chapter-Criminal insane——"Insane" as used in other statutes. [1959 c 25 § 71.02.020. Prior: 1951 c 139 § 4; 1949 c 198 § 15; Rem. Supp. 1949 § 6953-15.] Repealed by 1973 lst ex.s. c 142 § 66. Later enactment, see RCW 72.23.910.
71.02.030 Voluntary patients——Right to receive——Application. [1951 c 139 § 11.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.070.
71.02.040 Voluntary patients——Legal competency——Record. [1951 c 139 § 12.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.080.
 Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.090.
71.02.060 Voluntary patients——Policy——Duration——Residence qualification. [1951 c 139 § 14.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.100.
71.02.070 Voluntary patients-—Limitation as to number. [1951 c 139 § 15.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.110.
71.02.080 Voluntary patients-Charges for bospitalization. [1951 c 139 § 16.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.120.
71.02.090 Involuntary patients——Application to court for hospitalization. [1959 c 25 § 71.02 .090 . Prior: 1957 c 28 § 1 ; 1951 c 139 § 17; 1949 c 198 §4; Rem. Supp. 1949 § 6953-4.] Repealed by 1973 1st ex.s c 142 § 66 .
71.02.100 Involuntary patients-—Liability of applicant. [1959 c 25 § 71.02.100. Prior: 1951 c 139 § 31; 1949 c 198 § 3; Rem. Supp. 1949 § 6953-3.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.110 Involuntary patients--Probate matter-—Court commissioners. [1959 c 25 § 71.02 .110 . Prior: 1951 c 139 § 39.] Repealed by 1973 1st ex.s. c $142 \S 66$.
71.02.120 Involuntary patients--Hearing date-—Detention pending hearing. [1959 c 196 § 9; 1959 c 25 § 71.02.120. Prior: 1951 c 139 § 18; 1949 c 198 § 8, part; Rem. Supp. 1949 § 6953-8, part.] Repealed by 1973 lst ex.s. c $142 \S 66$.
71.02.130 Hospital facilities——Examination and treatment of patient——Costs. [1959 c 196 § 10; 1959 c 25 § 71.02.130. Prior: 1957 c 49 § 1; 1951 c 139 § 28.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.140 Notice of hearing——Service. [1959 c 25 § 71.02.140. Prior: 1951 c 139 § 19; 1949 c 198 § 5; Rem. Supp. 1949 § 6953-5.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.150 Property of patient--Safeguarding. [1959 c 25 § 71.02.150. Prior: 1951 c 139 § 32; 1949 c 198 § 6; Rem. Supp. 1949 § 6953-6.] Repealed by 1973 lst ex.s. c $142 \S 66$.
71.02.160 Hearings--Time and place--Privacy. [1959 c 25 § 71.02.160. Prior: 1951 c 139 § 33; 1949 c 198 § 9; Rem. Supp. 1949 § 6953-9.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.170 Hearings——Evidence. [1959 c 25 § 71.02.170. Prior: 1951 c 139 § 21; 1949 c 198 §§ 10, part, and 12; Rem. Supp. 1949 §§ 6953-10, part, and 6953-12.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.180 Hearings——Subpoenas——Witness fees. [1959 c 25 § 71.02.180. Prior: 1951 c 139 § 34; 1949 c 198 § 10, part; Rem. Supp. 1949 § 6953-10, part.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.190 Hearings——Representation for patient. [1959 c 25 § 71.02.190. Prior: 1951 c 139 § 22; 1949 c 198 § 11; Rem. Supp. 1949 § 6953-11.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.200 Hearings--Order of hospitalization. [1959 c 25 § 71.02.200. Prior: 1951 c 139 § 20.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.210 Jury trial——Request for-_Date, detention pending. [1959 c 25 § 71.02.210. Prior: 1951 c 139 § 23; 1949 c 198 § 8, part; Rem. Supp. 1949 § 6953-8, part.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.220 Jury trial——Evidence——Order of hospitalization. [1959 c 25 § 71.02.220. Prior: 1951 c 139 § 24.] Repealed by 1973 1st ex.s. c 142 § 66 .
71.02.230 Liability for detention charges and court costs of persons found mentally ill. [1971 ex.s. c 292 § $63 ; 1967$ ex.s. c 127 § 3; 1959 c 25 § 71.02.230. Prior: 1957 c 24 § 1; 1951 c 139 § 51.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.240 Order of hospitalization or custody-—Inventory of personal effects. [1959 c 25 § 71.02.240. Prior: 1951 c 139 § 25.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.250 Files confidential, exception--Record entries. [1959 c 51 § 1 ; 1959 c 25 § 71.02.250. Prior: 1951 c 139 § 38; 1949 c 198 § 13; Rem. Supp. 1949 § 6953-13.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.255 Examination of case data on court order-—Exception. [1959 c 51 § 2.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.260 Alien patients——Report. [1959 c 25 § 71.02.260. Prior: 1951 c 139 § 30.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.270 Orders and reports--Forms. [1959 c 25 § 71.02.270. Prior: 1951 c 139 § 35.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.280 Orders and reports——Copies to hospital——Inadequate reports. [1959 c 25 § 71.02.280. Prior: 1951 c 139 § 37.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.290 Orders——Execution. [1959 c 25 § 71.02.290. Prior: 1951 c 139 § 36.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.300 Jurisdiction of court to continue. [1959 c 25 § 71.02.300. Prior: 1951 c 139 § 27.] Repealed by 1973 lst ex.s. c 142 § 66.
71.02.420 Hospitalization charges-—Change in rate. [1959 c 25 § 71.02.420. Prior: 1951 c 139 §54.] Repealed by 1967 ex.s. c 127 § 11.
71.02.430 Hospitalization charges--Certification to court. [1959 c 25 § 71.02.430. Prior: 1951 c 139 §55.] Repealed by 1967 ex.s. c 127 § 11.
71.02.440 State hospitals designated. [1951 c 139 § 6.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.020.
71.02.450 State hospitals--Allocation of patients. [1967 c 24 § 1; 1959 c 25 § 71.02 .450 . Prior: 1951 c 139 § 29.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.460 Federal patients--Agreements authorized. [1951 c 139 § 65.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.260.
71.02.470 Nonresidents——Hospitalization. [1951 c 139 § 67.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.280.
71.02.480 Transfer of patients——Authority of transferee. [1951 c 139 § 68.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.290.
71.02.500 Exclusions from state hospitals——Idiots, imbeciles, etc. [1951 c 139 § 66.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.270.
71.02.510 Superintendent——Qualifications——Powers. [1951 c 139 § 7.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.030.
71.02.520 Superintendent as witness - Exemptions from military, jury duty. [1951 c 139 § 9.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.050.
71.02.530 History of patient. [1951 c 139 § 40.] Repealed by 1959 c 28 §72.98.040. Later enactment, see RCW 72.23.130.
71.02.540 Seal of hospital. [1951 c 139 §8.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.040.
71.02.550 Minors——Confinement in adult wards. [1951 c 139 § 46.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.200.
71.02.560 Minors——Special wards and attendants. [1951 c 139 § 47.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.210.
71.02.570 Patient's property——Superintendent as custodian-— Management and accounting. [1953 c 217 § 2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.230.
71.02.575 Patient's property-—Delivery to superintendent as ac-quittance--Defense, indemnity. [1953 c 217 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.240.
71.02.580 Funds donated to patients. [1951 c 139 § 50.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.250.
71.02.590 Letters to or from patients. [1957 c 54 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.220.
71.02.600 Gifts——Record——Use. [1951 c 139 § 10.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.060.
71.02.610 Parole or discharge——Revocation of parole. [1951 c 139 § 41.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.140.
71.02.620 Parole——Revocation by court. [1951 c 139 § 42.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.150.
71.02.630 Escape--Apprehension and return. [1951 c 139 § 43.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.23.160.
71.02.640 Discharge, parole, death, escape--Notice-CCertificate of discharge. [1951 c 139 § 44.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.180.
71.02.650 Legal competency——Effect of application or dis-charge--Examination before discharge. [1959 c 25 § 71.02.650. Prior: 1951 c 139 § 3; 1949 c 198 § 16; Rem. Supp. 1949 § 6953-16.] Repealed by 1973 1st ex.s. c 142 § 66.
71.02.660 Death——Report to coroner. [1951 c 139 § 45.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.190.
71.02.700 Commitment to veterans administration or other federal agency-General provision. [1951 c 53 § 18(1).] Now codified in RCW 73.36.165.
71.02.710 Commitment to veterans administration or other federal agency-Courts of other states, orders, jurisdiction recognized. [1951 c 53 § 18(2).] Now codified in RCW 73.36.165.
71.02.720 Transfer to veterans administration or other federal agency. [1951 c 53 § 18(3).] Now codified in RCW 73.36.165.

## Chapter 71.03

Chapter 71.03
MENTAL ILLNESS--TEMPORARY DETENTION AND CARE
(LATER ENACTMENT: SEE CHAPTER 71.05 RCW) (LATER ENACTMENT: SEE CHAPTER 71.05 RCW)
71.03.010 through 71.03.900 [1959 c 196 §§ 2-8.] Repealed by 1973 lst ex.s. c 142 § 66.

Chapter 71.04
NONRESIDENT INSANE, FEEBLE-MINDED AND EPILEPTICS
71.04.010 through 71.04.260. Repealed by 1951 c 139 § 69 and 1953 c 232 § 5.
71.04.270 Deportation of aliens--Return of residents. [1957 c 29 § 1; 1953 c 232 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.25.010.
71.04.280 Return of nonresidents——Reciprocity——Expense—— Resident of this state defined. [1957 c 29 § 2; 1953 c 232 § 2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.25.020.
71.04.290 Assistance--Payment of expenses. [1957 c 29 § 3; 1953 c 232 § 3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.25.030.
71.04.300 Bringing committed person into state without permis-sion--Penalty. [1957 c 29 § 4; 1953 c 232 § 4.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.25.040.

## Cbapter 71.06 <br> SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS

71.06.090 Procedure on petition--Termination of commit-ment--Further dispositions. [1959 c 25 § 71.06 .090 . Prior: 1951 c 223 § 8; 1949 c 198 § 28, part; Rem. Supp. 1949 § 6953-28, part.] Repealed by 1967 c 104 § 7.
71.06.110 Procedure on petition--Imprisonment or parole. [1959 c 25 § 71.06.110. Prior: 1951 c 223 § 9.] Repealed by 1967 c 104 § 7.

## Chapter 71.08

## INTOXICATION AND DRUNKARDS

71.08.010 Punishment for intoxication in public place. [1959 c 25 § 71.08.010. Prior: 1909 c 249 § 416; RRS § 2668.] Repealed by 1972 ex.s. c $122 \S 26$, effective January 1, 1975. See note following RCW 70.96A. 010 .
71.08.020 Common drunkard, who may be adjudged. [1959 c 25 § 71.08.020. Prior: 1909 c 249 § 417; RRS § 2669.] Repealed by 1972 ex.s. c 122 § 26 , effective January 1, 1975. See note following RCW 70.96A.010.
71.08.030 Habitual drunkard, who may be adjudged. [1959 c 25 § 71.08.030. Prior: 1883 p 32 § 1, part; Code 1881 § 1673 ; 1879 p 113 § 1; RRS § 1708.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
71.08.040 Complaint, who may make. [1959 c 25 § 71.08.040. Prior: 1883 p 32 § 1, part; Code 1881 § 1674; 1881 p 13 § 1; 1879 p 113 § 2; RRS § 1709.] Repealed by 1972 ex.s. c 122 § 26, effective January 1,1975 . See note following RCW 70.96A.010.
71.08.050 Summons--Hearing——Determination. [1959 c 25 § 71.08.050. Prior: 1883 p 32 § 1, part; Code 1881 § 1672 ; 1881 p 13 § 2; 1879 p 114 § 3; RRS § 1710 .] Repealed by 1972 ex.s. c 122 § 26 , effective January 1, 1975. See note following RCW 70.96A.010.
71.08.060 Fees of officers--Costs. [1959 c 25 § 71.08.060. Prior: 1883 p 32 § 1, part; Code 1881 § 1673 ; 1881 p 13 § 3 ; 1879 p 114 § 4; RRS § 1711.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
71.08.070 Penalty for furnishing intoxicants to habitual drunkard. [1959 c 25 § 71.08.070. Prior: Code 1881 § 1674; 1879 p 114 § 5; RRS § 1712.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
71.08.080 Civil liability for furnishing intoxicants to habitual drunkard. [1959 c 25 § 71.08.080. Prior: Code 1881 § 1675 ; 1879 p 114 § 6; RRS § 1713.] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
71.08.090 Vacation of court order. [1959 c 25 § 71.08.090. Prior: Code 1881 § 1677 ; 1881 p 14 § 4; RRS § 1715 .] Repealed by 1972 ex.s. c 122 § 26, effective January 1, 1975. See note following RCW 70.96A.010.
71.08.100 Cancellation of liquor permit-_Interdiction by decree. [1933 ex.s. c $62 \S 53$; RRS § 7306-53.] Now codified as RCW 66.20.135.
71.08.110 Revocation of interdiction. [1933 ex.s. c 62 § 54; RRS § 7306-54.] Now codified as RCW 66.20.137.

## Chapter 71.12 <br> PRIVATE ESTABLISHMENTS

71.12.010 Definitions. [1949 c $198 \S \S 25,40,53$; Rem. Supp. 1949 §§ 6953-25, 6953-40, 6953-53.] Repealed by 1959 c 25 § 71.98.040. Later enactment, see RCW 71.12.455.
71.12.170 through 71.12.200 Chronic alcoholics. [1949 c 198 §§ 21-24; Rem. Supp. 1949 §§ 6953-21-_6953-24.] Repealed by 1957 c 136 § 21 and 1959 c $25 \S 71.98 .040$.
71.12.580 Proceedings as to mental condition of patient——Representation of patient--Examination. [1959 c 25 § 71.12.580. Prior: 1949 c 198 § 67; Rem. Supp. 1949 § 6953-66.] Repealed by 1973 c 142 § 66.
71.12.600 Nonliability of applicant for commitment of a person to state institutions. [1949 c 198 § 3; Rem. Supp. 1949 § 6953-3.] Repealed by 1951 c 139 § 69 and 1959 c 25 § 71.98.040. See RCW 71.02.100.
71.12.610 Unlawful commitment to state institution-—Penalty. [1949 c 198 § 2; Rem. Supp. 1949 § 6953-2.] Repealed by 1951 c 139 § 69 and 1959 c 25 § 71.98.040.
71.12.620 Escape of inmate——Penalty for assisting. [1957 c 225 § 1 ; 1949 c 198 § 20; Rem. Supp. 1949 § 6953-20.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.170 and 72.33.260.
71.12.630 Bringing narcotics, intoxicating liquors, weapons, etc., into institution or its grounds prohibited--Penalty. [1949 c 198 §52; Rem. Supp. 1949 § 6953-52.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.300.
71.12.650 Laws relating to insane persons charged with crime or criminally insane not affected. [1949 c 198 § 15 ; Rem. Supp. 1949 § 6953-15.] Repealed by 1951 c 139 § 69 and 1959 c $25 \S 71.98 .040$. Later enactment, see RCW 71.02.020 and 71.06.080.
71.12.660 Construction of chapter. [1949 c 198 § l; Rem. Supp. 1949 § 6953-1.] Repealed by 1951 c 139 § 69 and 1959 c 25 § 71.98.040. Later enactment, see RCW 71.02.900.

## Chapter 71.16 <br> ALCOHOLISM

[1957 c 136.] Repealed by 1959 c 28 § 72.98 .040 and 1959 c 85 § 19.

## Chapter 71.24

## COMMUNITY MENTAL HEALTH SERVICES ACT

71.24.170 Support of local outpatient mental health services. [1967 ex.s. c 111 § 17.] Repealed by 1969 c 61 § 2.
71.24.180 Reimbursement for capital improvements. [1967 ex.s. c 111 § 18.] Repealed by 1971 ex.s. c 204 § 3.

## Title 72

## STATE INSTITUTIONS

## Chapter 72.01 <br> ADMINISTRATION (FORMERLY: DEPARTMENT OF INSTITUTIONS)

72.01.020 Department established——Director, qualifications, appointment, term. [1959 c 28 § 72.01.020. Prior: 1957 c 272 § 1; 1955 c 195 § 1. Formerly RCW 43.28.010.] Repealed by 1970 ex.s. c 18 § 62.

Savings- 1970 ex.s. c 18: "Such repeals shall not be construed as affecting any existing right acquired under the provisions of the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor the term of office or appointment or employment of any person appointed or employed thereunder." [1970 ex.s. c $18 \S 62$, last paragraph.] This applies to RCW 72.01.020, 72.01.030, 72.01.040, 72.01.061, 72.01.062, 72.01.064, 72.01.065, 72.01.066, 72.01.067, 72.01.070, 72.01.080, 72.01.330 through 72.01.360, 72.02.010 through 72.02.030, 72.04A. 010 through 72.04A.040, 72.05.030, 72.05.040, 72.06.020 through 72.06.040, 72 .50.010 through 72.50.110, 28B.50.190, 28B.50.210, 28B.50.260 and 43.20.020.
72.01.030 Divisions of department. [1967 c 134 § 1; 1959 c 28 § 72.01.030.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.040 Assistants and subordinate employees. [1959 c 28 § 72.01.040. Prior: 1955 c 195 § 4(2). Formerly RCW 43.28.020, part.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.061 Personnel of department, institutions, and board of prison terms and paroles--Jurisdiction of personnel board--Probationary status. [1959 c 293 § 1.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.062 Personnel of department, institutions, and board of prison terms and paroles-Basis for appointment to employmentEstablishment of requirement standards. [1959 c 293 § 2.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.064 Personnel of department, institutions, and board of prison terms and paroles--Recruitment and filling of vacancies. [1959 c 293 § 4.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.065 Personnel of department, institutions, and board of prison terms and paroles- -Schedule of salaries and wages. [1959 c 293 § 5.] Repealed by 1970 ex.s. c 18 § 62.

Savings-—1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.066 Personnel of department, institutions, and board of prison terms and paroles--Probationary period. [1959 c 293 § 6.] Repealed by 1970 ex.s. c 18 § 62 .

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.067 Personnel of department, institutions, and board of prison terms and paroles-DDischarge, demotion, suspension. [1959 c 293 § 7.] Repealed by 1970 ex.s. c 18 § 62.

Savings-— 1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.070 Oath of office. [1959 c 28 § 72.01.070.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.080 Bonds. [1959 c 28 § 72.01.080.] Repealed by 1970 ex.s. c 18 § 62 .
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.250 Interfaith advisory committee. [1959 c 190 § 1; 1959 c 28 § 72.01.250. Prior: 1955 c 248 § 5. Formerly RCW 72.04.200.] Repealed by 1971 ex.s. c 189 § 17.
72.01.330 Advisory commission--Appointment-—Qualifications. [1959 c 28 § 72.01.330. Prior: 1957 c 272 § 3. Formerly RCW 43.28.120.] Repealed by 1970 ex.s. c 18 § 62.

Savings- 1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.340 Advisory commission-—Terms of commission members. [1959 c 28 § 72.01.340. Prior: 1957 c 272 § 4. Formerly RCW 43.28.130.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.350 Advisory commission-—Meetings, per diem, expenses of commission. [1959 c 28 § 72.01.350. Prior: 1957 c 272 § 5. Formerly RCW 43.28.140.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.360 Commission is advisory body. [1959 c 28 § 72.01.360. Prior: 1957 c 272 § 6. Formerly RCW 43.28.150.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.01.390 Transfer of juvenile from correctional institution to state hospital. [1959 c 145 § 1.] Repealed by 1973 1st ex.s. c 142 § 66.
72.01.400 Transfer of juvenile from correctional institution to state hospital-Terms defined. [1959 c 145 § 2.] Repealed by 1973 1st ex.s. c $142 \S 66$.

## Chapter 72.02 <br> ADULT CORRECTIONS (FORMERLY: DIVISION OF ADULT CORRECTIONS)

72.02.010 Division of adult corrections-—Established. [1959 c 28 § 72.02.010. Prior: 1957 c 272 § 13. Formerly RCW 43.28.080.] Repealed by 1970 ex.s. c 18 § 62 .
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.02.020 Supervisor of adult corrections. [1959 c 28 § 72.02.020. Prior: 1957 c 272 § 14. Formerly RCW 43.28.090.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.02.030 Supervisor of adult corrections-—Qualifications. [1959 c 28 § 72.02.030. Prior: 1957 c 272 § 15. Formerly RCW 43.28.100.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
Chapter 72.03
DIVISION OF ALCOHOLISM
72.03.010 through 72.03.170. [1959 c 28 §§ 72.03.01072.03.170.] Repealed by 1959 c 85 § 19.

## Chapter 72.04 GENERAL PROVISIONS

72.04.010 Definitions. [1907 c 166 § 10; RRS § 10919.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.010.
72.04.020 Superintendents--Appointment--Terms--Salaries——Assistants. [1907 c 166 § 5; 1901 c 119 § 6; RRS § 10902.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.01.060.
72.04.040 Quarters for personnel——Charges. [1957 c 188 § 1 ; 1907 c 166 § 6; 1901 c 119 § 6; RRS § 10903.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.280.
72.04.050 Gifts, acceptance of. [1901 c 119 § 8; RRS § 10904.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.270.
72.04.060 Rules and regulations. [1907 с 166 § 7; 1901 c 119 § 9; RRS § 10905.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.090.
72.04.070 Purchase of supplies. [1901 c 119 § 10; RRS § 10906.] Repealed by 1955 c 285 § 19. Later enactment, see RCW 43.19.180.
72.04.080 Estimates. [1907 c 166 § 8; 1901 c 119 § 11 ; RRS § 10907.] Repealed by 1955 c 285 § 19. Later enactment, see RCW 43.19.200.
72.04.090 Destruction of buildings-—Reconstruction. [1957 c 25 § 1; 1891 c 147 § 29; RRS § 10908.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.130.
72.04.100 Construction or repair of buildings. [1901 c 119 § 12 ; RRS § 10909.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.110.
72.04.110 Record of inmates. [1907 c 166 § 9; 1901 c 119 § 13; RRS § 10910.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.290.
72.04.120 Removal or transfer of insane convict or hospital patient. [1909 c 249 § 32; RRS § 2284.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.030.
72.04.130 Employment of teachers. [1947 c 211 § 1; Rem. Supp. 1947 § 10319-1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.200.
72.04.140 Fire protection. [1947 c 188 § 1 ; Rem. Supp. 1947 § 10898a.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.190.
72.04.150 Political influence forbidden. [1901 c 119 § 15 ; RRS § 10917.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.310.
72.04.160 Institutional chaplains--Appointment. [1955 c 248 § 1.] Repealed by 1959 c 28 § 72.98 .040 . Later enactment, see RCW 72.01.210.
72.04.170 Institutional chaplains——Duties. [1955 c 248 § 2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.220.
72.04.180 Institutional chaplains--Offices, chapels, supplies. [1955 c 248 § 3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.230.
72.04.190 Supervisor of chaplains. [1955 c 248 § 4.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.240.
72.04.200 Interfaith advisory committee. [1955 c 248 § 5.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.250.

## Chapter 72.04A <br> PROBATION AND PAROLE

(FORMERLY: DIVISION OF PROBATION AND PAROLE)
72.04A.010 Division of probation and parole——Established. [1967 c 134 § 3.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.04A. 020 Supervision of probation and parole. [1967 c 134 § 4.] Repealed by 1970 ex.s. c 18 § 62.

Savings-—1970 ex.s. c 18: See note following RCW 72.01.020.
72.04A.030 Supervision of probation and parole——Chief parole and probation officer under board of prison terms and paroles to become supervisor. [1967 c 134 § 5.] Repealed by 1970 ex.s. c 18 § 62.

Savings—— 1970 ex.s. c 18: See note following RCW 72.01.020.
72.04A.040 Supervision of probation and parole--Powers and duties. [1967 c 134 § 6.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.

## Chapter 72.05

CHILDREN AND YOUTH SERVICES (FORMERLY: DIVISION OF CHILDREN AND YOUTH SERVICES)
72.05.030 Division of children and youth services established. [1959 c 28 § 72.05.030. Prior: 1951 c 234 § 3. Formerly RCW 43.19.270.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.05.040 Supervisor of children and youth services-Appoint-ment--Qualifications. [1959 c 28 § 72.05.040. Prior: 1957 c 272 § 7; 1951 c 234 § 4. Formerly RCW 43.19.280.] Repealed by 1970 ex.s. c 18 § 62.
Savings—— 1970 ex.s. c 18: See note following RCW 72.01.020.
72.05.050 through 72.05.120 Merit system for employees of division of children and youth services. [1959 c 28 §§ 72.05.05072.05.120; 1951 c 234 §§ $5-12$. Formerly RCW 43.19.290-_ 43.19.360.] Repealed by 1959 c 293 § 8. Later enactment, see RCW 72.01.061 through 72.01.067.
72.05.180 State council for children and youth created-M Mem-bers--Terms——Expenses——Meetings. [1959 c 28 § 72.05.180. Prior: 1951 c 234 § 17. Formerly RCW 43.19.430.] Repealed by 1971 ex.s. c $189 \S 17$.
72.05.190 State council for children and youth created- -Functions of council. [1959 c 28 § 72.05.190. Prior: 1951 c 234 § 18. Formerly RCW 43.19.440.] Repealed by 1971 ex.s. c 189 § 17.

## Chapter 72.06 <br> MENTAL HEALTH

(FORMERLY: DIVISION OF MENTAL HEALTH)
72.06.020 Supervisor of mental health. [1959 c 28 § 72.06.020. Prior: 1957 c 272 § 10 . Formerly RCW 43.28.050.] Repealed by 1970 ex.s.c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.06.030 Supervisor of mental health——Qualifications. [1959 c 28 § 72.06.030. Prior: 1957 c 272 § 11. Formerly RCW 43.28.060.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.06.040 Supervisor of mental health--Powers and duties. [1959 c 28 § 72.06.040. Prior: 1957 c 272 § 12. Formerly RCW 43.28.070.] Repealed by 1970 ex.s. c 18 § 62.
Savings—— 1970 ex.s. c 18: See note following RCW 72.01.020.
72.06.080 Mental health——Duties of local agencies--Local committees authorized. [1959 c 28 § 72.06 .080 . Prior: 1955 c 136 § 5. Formerly RCW 43.28.630.] Repealed by 1967 ex.s. c 111 § 27.
72.06.090 Mental health——Local health department's staff-State financial assistance. [1959 c 28 § 72.06.090. Prior: 1955 c 136 § 6. Formerly RCW 43.28.640.] Repealed by 1967 ex.s. c 111 § 27.

## Chapter 72.08 <br> STATE PENITENTIARY

72.08.030 Superintendent-Oath——Bond——Term. [(i) 1895 c 131 § $1 ; 1891$ c 147 § 6; RRS § 10212. (ii) 1891 c 147 § 26; RRS § 10230.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.060.
72.08.060 Removal of officer or employee for misconduct, etc. [1891 c 147 § 11; RRS § 10217.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.01.060.
72.08.100 Treatment of prisoners. [1959 c 28 § 72.08.100. Prior: 1955 c 94 § 2; 1891 c 147 § 19, part; RRS § 10222, part.] Repealed by 1965 ex.s. c 9 § 6 .
72.08.110 Procedure as to insane convicts. [1959 c 28 § 72.08.110. Prior: 1955 c 94 § 3; 1891 c 147 § 19, part; RRS § 10222, part.] Repealed by 1973 lst ex.s. c 142 § 66.
72.08.140 Extra emoluments prohibited. [1959 c 28 § 72.08.140. Prior: 1891 c 147 § 22; RRS § 10226.] Repealed by 1969 ex.s. c 234 § 38.
72.08.150 Trafficking with prisoners--Penalties. [1959 c 28 § 72.08.150. Prior: 1955 c 77 § 1; 1891 c 147 § 23; RRS § 10227.] Repealed by 1969 ex.s. c 234 § 38.
72.08.180 through 72.08.200 Chaplain of the penitentiary. [1905 c 38 §§ 1-3; RRS §§ $10234-10236$.] Repealed by 1955 c 248 § 6. Later enactment, see RCW 72.01.210 through 72.01.250.
72.08.210 Outside ministers not excluded. [1929 c 59 § 2; RRS § 10236-1.] Repealed by 1959 c 28 § 72.98 .040 . Later enactment, see RCW 72.01.260.
72.08.220 Useful employment of prisoners--Contract system barred. [1943 c 175 § 1; Rem. Supp. 1943 § 10279-1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.64.010.
72.08.230 Rules and regulations. [1943 c 175 § 2; Rem. Supp. 1943 § 10279-2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.64.020.
72.08.240 Branch institutions--Honor camps for certain purposes. [1943 c 175 § 3; Rem Supp. 1943 § 10279-3.) Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.64.050.
72.08.250 Crediting of earnings. [1927 c 305 § 3; RRS § 102233.] Repealed by 1959 c 28 § 72.98 .040 . Later enactment, see RCW 72.64.040.
72.08.260 Payment to prisoners or beneficiaries. [1927 c 305 § 5; RRS § 10223-5.] Repealed by 1959 c 28 § 72.98.040.
72.08.270 through 72.08.330 Trusty camps. [1939 c 220 §§ 1-7; RRS §§ 10249-21——10249-27.] Repealed by 1955 c 128 § 5. See chapter 72.64 RCW.
72.08.342 Clotbing, transportation, funds on release of prisoner. [1951 c 152 § 1.] Repealed by 1957 c 21 § 2.
72.08.343 Clothing, transportation, funds on release of prisoners. [1959 c 28 § 72.08.343. Prior: 1957 c 21 § 1; 1955 c 94 § 4; 1951 c 152 § 1.] Repealed by 1971 ex.s. c 171 § 3. Later enactment, see RCW 72.02. 100 .
72.08.350 through 72.08.370 Federal prisoners, or from other states. [1951 c 135 §§ 1-3.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.68.080-72.68.100.

## Chapter 72.12 <br> STATE REFORMATORY

72.12.030 Superintendent--Salary-Bond. [1927 c 212 § 3; RRS § 10280-3.] Repealed by 1959 c 28 § 72.98.040. See RCW 72 . 01.060 and 72.01.080.
72.12.080 Crediting of earnings. [1957 c 19 § 2; RRS § 10280-9.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.64.040.
72.12.110 Register to be kept. [1927 c 212 § 14, part; RRS § 10280-14, part.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.12.100.
72.12.122 Clothing, transportation, funds on release of prisoners. [1959 c 28 § 72.12.122. Prior: 1957 c 21 § 1; 1955 c 94 § 4; 1951 c 152 § 1.] Repealed by 1971 ex.s. c 171 § 3. Later enactment, see RCW 72.02.100.

Chapter 72.16
GREEN HILL SCHOOL
72.16.030 Management. [1909 p 257 § 4; RRS § 4627.] Repealed by 1959 c 28 § 72.98.040. See RCW 72.01.050 and 72.01.090.
72.16.040 Superintendent. [(i) 1909 p 257 § 5; RRS § 4628. (ii) 1890 p 275 § 13; RRS § 10302. (iii) 1890 p 276 § 16, part; RRS § 10304, part.] Repealed by 1959 c 28 § 72.98.040. See RCW 72.01.060.
72.16.050 Bond of superintendent. [1890 p 275 § 15 ; RRS § 10303.] Repealed by 1959 c 28 § 72.98.040. See RCW 72.01.080.
72.16.060 Assistants and employees. [1909 p 257 § 6; RRS § 4629.] Repealed by 1959 c 28 § 72.98.040. See RCW 72.01.060.
72.16.080 Investigations--Return of incorrigibles. [1959 c 28 § 72.16.080. Prior: 1890 p 276 § 17; RRS § 10305.] Repealed by 1961 c 302 § 17. Later enactments, chapter 13.04 RCW, particularly RCW 13.04.190-13.04.250.

## Chapter 72.19

JUVENILE CORRECTIONAL INSTITUTION IN KING COUNTY
72.19.080 General obligation bond issue to provide buildings-Proceeds from bond sale, grants, donations, etc.--Deposit in juvenile correctional institution building construction account. [1963 ex.s. c 27 § 2.] Repealed by 1973 1st ex.s. c 59 § 6 .
72.19.090 General obligation bond issue to provide buildings-Appropriation from juvenile correctional institution building construction account-—Purpose. [1963 ex.s. c 27 § 3.] Repealed by 1973 1st ex.s. c 59 § 6.
72.19.091 General obligation bond issue to provide buildings-Expenditures for purchase of equipment. [1965 ex.s. c 10 § 1.] Repealed by 1973 1st ex.s. c 59 § 6 .

## Chapter 72.20 <br> MAPLE LANE SCHOOL

72.20.030 Bond of superintendent. [1913 c 157 § 4; RRS § 4634.] Repealed by 1959 c 28 § 72.98.040. See RCW 72.01.080.

Chapter 72.23
STATE HOSPITALS FOR THE MENTALLY ILL
72.23.090 Voluntary patients--Detention. [1971 ex.s. c 292 § 51; 1959 c 28 § 72.23.090. Prior: 1951 c 139 § 13; 1949 c 198 § 19, part; Rem. Supp. 1949 § 6953-19, part. Formerly RCW 71.02.050.] Repealed by 1973 lst ex.s. c 142 § 66.
72.23.140 Parole or discharge--Revocation of parole. [1959 c 28 § 72.23.140. Prior: 1951 c 139 § 41. Formerly RCW 71.02.610.] Repealed by 1973 lst ex.s. c 142 § 66 .
72.23.150 Parole--Revocation by court--Emergency detention. [1959 c 28 § 72.23.150. Prior: 1951 c 139 § 42. Formerly RCW 71.02.620.] Repealed by 1973 lst ex.s. c 142 § 66.
72.23.220 Letters to or from patients. [1959 c 28 § 72.23.220. Prior: 1957 c 54 § 1; 1951 c 139 § 48. Formerly RCW 71.02.590.] Repealed by 1973 lst ex.s. c $142 \S 66$.
72.23.270 Exclusions from state hospitals-_Idiots, imbeciles, etc. [1959 c 28 § 72.23.270. Prior: 1951 c 139 § 66. Formerly RCW 71.02.500.] Repealed by 1973 lst ex.s. c 142 § 66.

## Chapter 72.24 <br> STATE HOSPITALS FOR INSANE

72.24.010 Western state hospital. [(i) 1886 p 141 § 1; RRS § 6913. (ii) 1915 c 81 § 2; RRS § 6915. Prior: 1890 p 482 § 1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.020.
72.24.020 Eastern state hospital. [(i) 1888 p 108 § 1 ; RRS § 6914. (ii) 1915 c 81 § 3; RRS § 6916.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.020.
72.24.030 Northern state hospital. [1915 c 81 § 1 ; RRS § 6917.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.23.020.
72.24.040 Management-—Superintendents. [1915 c 81 § 4; RRS § 6921.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see chapter 72.01 RCW.
72.24.050 Qualification, powers and term of superintendent. [ 1890 p 484 § 8; RRS § 6923.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.030.
72.24.060 Exemption from civil duties. [1890 p 485 § 9; RRS § 6924.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.050.
72.24.070 Seal. [ 1890 p 491 § 36; RRS § 6925.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.040.
72.24.080 Acceptance of gifts. [1903 c 110 § 1 ; RRS § 6926.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.23.060.
72.24.090 Report of gifts——Remittance. [1903 c 110 § 2; RRS § 6927.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.23.060.
72.24.100 Disposition of donated moneys. [1903 c 110 § 3; RRS § 6928.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.060.
72.24.110 Use of moneys. [1903 c 110 § 4; RRS § 6929.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.060.
72.24.120 Preference in admission of patients. [ 1890 p 492 § 40 ; RRS § 6947. Prior: Code 1881 § 2261; 1877 p 277 § $15 ; 1875$ p 87 § 15.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.110.
72.24.130 History of patient to be ascertained. [1883 p 38 § 5; Code 1881 § 2267; RRS § 6948. Prior: 1877 p 229 § 21.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.130.
72.24.140 Allocation of patients to hospitals. [1939 c 42 § 1 , part, last am'ds 1890 p 438 § 3; RRS § 6949, part.] Repealed by 1959 c 25 § 71.98.040. Later enactment, see RCW 71.02.450.
72.24.150 Transfer of patients. [1939 c 42 § l, part, last am'ds 1890 p 483 § 3; RRS § 6949, part.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.290.
72.24.160 Commitment of war veteran patients. [1939 c 42 § 1 , part, last am'ds 1890 p 483 § 3; RRS § 6949, part.] Repealed by 1959 c 25 § 71.98.040. Later enactment, see RCW 73.36.165.
72.24.170 Parole or discharge of patients. [1915 c 81 § 7; 1890 p 492 § 38; RRS § 6950. Prior: Code 1881 §§ 2264, 2265; 1877 p 228 § 18; 1875 p 87 § 18.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.140.
72.24.180 Notice of death or discharge to be given. [1915 c 81 § 8; RRS § 6951.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.180.
72.24.190 Mail of patients. [ 1890 p 491 § 34 ; RRS § 6954.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.220.
72.24.200 Coroner's inquest in certain death cases. [1890 p 491 § 35; RRS § 6955.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.190.
72.24.210 Proceeding on escape of patient. [1890p492§37; RRS § 6956.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.160.
72.24.220 Voluntary application for admission for observation. [1931 c 77 § 1 ; RRS § 6954-1.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.070.
72.24.230 Examination--Observation period--Possible commitment. [1931 c 77 § 2; RRS § 6954-2.] Repealed by 1959 c 28 § 72.98.040. Later enactment, see RCW 72.23.090.

Chapter 72.25
NONRESIDENT INSANE, FEEBLE-MINDED, SEXUAL PSYCHOPATHS, AND PSYCHOPATHIC DELINQUENTS
72.25.040 Bringing committed person into state without permis-sion-—Penalty. [1965 c 78 § 4; 1959 c 28 § 72.25.040. Prior: 1957 c 29 § 4; 1953 c 232 § 4. Formerly RCW 71.04.300.] Repealed by 1973 lst ex.s. c 142 § 66.

## Chapter 72.28 <br> LAKELAND VILLAGE

72.28.010 through 72.28.160. [1905 c 70 §§ $1,2,7,8,9$; RRS §§ $4655,4658,1909 \mathrm{pp} \mathrm{260} ,\mathrm{261} \mathrm{§§} \mathrm{3}, \mathrm{4}, \mathrm{6}, \mathrm{7}, \mathrm{8;} \mathrm{RRS} \mathrm{§§} \mathrm{4674}, \mathrm{4675}$, 4677, 4678, 4679; 1913 c 173 §§ 2, 4-15; RRS §§ 4660, 4662-4673. 1947 c 157 § 1 , last am'ds 1917 c 64 § 1; Rem. Supp. 1947 § 4656.] Repealed by 1957 c 102 § 26. Later enactment, see chapter 72.33 RCW.

## Chapter 72.32 <br> RAINIER STATE SCHOOL

72.32.010 through 72.32 .180 [1937 c 10 §§ 2-5, 7-20; RRS §§ 4679-2-4679-20. 1947 c 157 § 2; Rem. Supp. 1947 § 4679a.] Repealed by 1957 c 102 § 26. Later enactment, see chapter 72.33 RCW.

## Chapter 72.33

## STATE RESIDENTIAL SCHOOLS

72.33.060 Division of vocational rehabilitation to make services available. [1959 c 28 § 72.33.060. Prior: 1957 c 102 § 6.] Repealed by 1967 c 118 § 11 .
72.33.120 Admission to school--Voluntary application. [1959 c 154 § 1 ; 1959 c 28 § 72.33.120. Prior: 1957 c 102 § 12. (i) 1913 c 173 § 2; RRS § 4660. (ii) 1913 c 173 § 3; RRS § 4661. (iii) 1913 c 173 § 4; RRS § 4662. (iv) 1913 c 173 § 9; RRS § 4667. (v) 1909 c 97 p 260 § 3; RRS § 4674. (vi) 1937 c 10 § 8; RRS § 4679-8. (vii) 1937 c 10 § 9; RRS § 4679-9. (viii) 1937 c 10 § 10; RRS § 4679-10. (ix) 1937 c 10 § 11 ; RRS § 4679-11. (x) 1937 c 10 § 15 ; RRS § 4679-15. (xi) 1937 c 10 § 16 ; RRS § 4679-16.] Repealed by 1975 1st ex.s. c 246 § 12.
72.33.250 Chapter to be liberally construed. [1957 c 102 § 25.] Repealed by 1959 c $28 \S 72.98 .040$. Later enactment, see RCW 72.33.900.
72.33.675 Financial responsibility for costs of care, support and treatment of residents--Attorney general as guardian of estatePowers and duties. [1967 c 141 § 6.] Repealed by 1970 ex.s. c 75 § 3.

## Chapter 72.40

## STATE SCHOOLS FOR BLIND AND DEAF

72.40.030 Annual terms. [1959 c 28 § 72.40.030. Prior: 1909 c 97 p 258 § 2; 1903 c 140 § $2 ; 1897$ c 118 § 246; 1886 p 139 § 23; RRS § 4646.] Repealed by 1970 ex.s. c 50 § 7.

## Chapter 72.44

MCKAY MEMORIAL RESEARCH HOSPITAL
72.44.010 through 72.44.110 [1949 c 173; 1947 с 178; 1945 c 53; 1941 c 67; 1939 c 46; Rem. Supp. 1949 §§ 6130-31-_6130-41a.] Repealed by 1955 c 72 § 4.
72.44.120 Sale of hospital authorized. [1955 c 72 § 1.] Temporary. Decodified.
72.44.130 Condition of sale. [llllll 1955 c 72 § 2.] Temporary. Decodified.

## Chapter 72.48 <br> STATE NARCOTIC FARM COLONY

72.48.010 Establishment authorized. [1959 c 28 § 72.48.010. Prior: 1935 c 84 § 1; RRS § 10242-1.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
72.48.020 Definitions. [1959 c 28 § 72.48.020. Prior: 1935 c 84 § 2; RRS § 10242-2.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
72.48.030 Complaint——Arrest——Trial——Order. [1959 c 28 § 72.48.030. Prior: 1935 c 84 § 3; RRS § 10242-3.] Repealed by 1975'76 2nd ex.s. c 103 § 3.
72.48.040 Cost of maintenance, transportation, etc. [1959 c 28 § 72.48.040. Prior: 1935 c 84 § 4; RRS § 10242-4.] Repealed by 1975'76 2nd ex.s. c 103 § 3.
72.48.050 Parole or discharge. [1959 c 28 § 72.48.050. Prior: 1935 c 84 §5; RRS § 10242-5.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
72.48.060 Voluntary patients. [1959 c 28 § 72.48.060. Prior: 1935 c 84 § 6; RRS § 10242-6.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
72.48.070 Witness fees-—Drug addict's transportation expense, payment. [1959 c 28 § 72.48.070. Prior: 1935 c 84 § 7; RRS § 10242-7.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
72.48.080 Bringing in prohibited articles--Penalty. [1959 c 28 § 72.48.080. Prior: 1935 c 84 § 9; RRS § 10242-9.] Repealed by 1975'76 2nd ex.s. c 103 § 3.
72.48.090 Assisting escape--Penalty. [1959 c 28 § 72.48.090. Prior: 1935 c 84 § 10; RRS § 10242-10.] Repealed by 1975-'76 2nd ex.s. c 103 § 3 .
72.48.100 Conniving at improper commitment-—Penalty. [1959 c 28 § 72.48.100. Prior: 1935 c 84 § 11 ; RRS § 10242-11.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.
72.48.110 Care of persons pending construction of institution. [1959 c 28 § 72.48.110. Prior: 1935 c 84 § 8; RRS § 10242-8.] Repealed by 1975-'76 2nd ex.s. c 103 § 3.

## Chapter 72.50

## STATE BUREAU OF CRIMINAL IDENTIFICATION

72.50.010 Bureau established-—Purpose. [1959 c 28 § 72.50.010. Prior: 1955 c 318 § 1 . Formerly RCW 43.29.010.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.020 Superintendent——Employees. [1959 c 28 § 72.50.020. Prior: 1955 c 318 § 2. Formerly RCW 43.29.020.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.030 Powers and duties. [1959 c 28 § 72.50.030. Prior: 1955 c 318 § 3. Formerly RCW 43.29.030.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.040 Submission to taking of identifying data. [1959 c 28 § 72.50.040. Prior: 1955 c 318 § 4. Formerly RCW 43.29.040.] Repealed by 1970 ex.s. c 18 § 62 .
Reviser's note: RCW 72.50 .040 was repealed and amended by the 1970 extraordinary session of the legislature.
For rule of construction concerning sections both repealed and amended in the same session, see RCW 1.12.025.
72.50.050 Criminal activity information to be furnished bureau. [1959 c 28 § 72.50.050. Prior: 1955 c 318 § 5. Formerly RCW 43.29.050.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.060 Mandatory fingerprint cards for certain crimes. [1959 c 28 § 72.50.060. Prior: 1955 c 318 § 6. Formerly RCW 43.29.060.] Repealed by 1970 ex.s. c 18 § 62.
Savings--1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.070 Information as to proceedings and modus operandi to be furnished bureau. [1959 c 28 § 72.50.070. Prior: 1955 c 318 § 7. Formerly RCW 43.29.070.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.080 Availability of records--Fugitive circulars. [1959 c 28 § 72.50.080. Prior: 1955 c 318 § 8. Formerly RCW 43.29.080.] Repealed by 1970 ex.s. c 18 § 62 .
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.090 Duties of officials in charge of institutions-DDuties of bureau. [1959 c 28 § 72.50.090. Prior: 1955 c 318 § 9. Formerly RCW 43.29.090.] Repealed by 1970 ex.s. c 18 § 62.

Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.100 Bureau's files privileged--Who may obtain transcripts. [1959 c 28 § 72.50.100. Prior: 1955 c 318 § 10. Formerly RCW 43.29.100.] Repealed by 1970 ex.s. c 18 § 62.
Savings——1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.110 Transfer of records, etc. [1959 c 28 § 72.50.110. Prior: 1955 c 318 § 11. Formerly RCW 43.29.110.] Repealed by 1970 ex.s. c 18 § 62.
Savings-—1970 ex.s. c 18: See note following RCW 72.01.020.
72.50.120 Records of identification-DDefinitions. [1969 ex.s. c 256 § 1.] Repealed by 1972 ex.s. c 152 § 24.
72.50.130 Records of identification--Agencies sending records to send information as to final disposition of all charges brought. [1969 ex.s. c 256 § 2.] Repealed by 1972 ex.s. c 152 § 24.
72.50.140 Records of identification-Confidentiality. [1969 ex.s. c 256 § 3.] Repealed by 1972 ex.s. c 152 § 24.
72.50.150 Records of identification--Records of arrest to contain notation stating disposition of charges. [1969 ex.s. c 256 § 4.] Repealed by 1972 ex.s. c $152 \S 24$.
72.50.160 Records of identification-—Proceedings to enforce compliance with RCW 72.50.120 through 72.50.170. [1969 ex.s. c 256 § 5.) Repealed by 1972 ex.s. c 152 § 24.
72.50.170 Records of identification--Liability in damages for violation of RCW 72.50.140. [1969 ex.s. c 256 § 6.] Repealed by 1972 ex.s. c 152 § 24 .

## Chapter 72.52 <br> PROVIDING FUNDS FOR BUILDINGS AT STATE OPERATED INSTITUTIONS

[1957 c 298; 1957 c 299; 1949 c 230.] Now codified as chapter 72.99 RCW

## Chapter 72.66 <br> FURLOUGHS FOR PRISONERS

72.66.020 Furloughs authorized for certain prisoners-Condi-tions--Time limitations. [1971 ex.s. c 58 § 3.] Repealed by 1973 c 20 § 19.
72.66.030 Application of prisoner for furlough-—Contents of ap-plication- - Recommendation for approval or denial of application by superintendent. [1971 ex.s. c 58 § 4.] Repealed by 1973 c 20 § 19.
72.66.040 Final approval or denial of application by secretary- Terms and conditions of furlough--Multiple furloughs author-ized--Prisoner's oath required. [1971 ex.s. c 58 § 5.] Repealed by 1973 c 20 § 19.
72.66.100 Liability of state for damages to persons or property due to criminal conduct of furloughed prisoner--Limitation. [1972 ex.s. c 72 § 1.] Repealed by 1973 1st ex.s. c 122 § 18, effective July 1, 1974. See RCW 7.68.900 and the footnote following that section.

## Chapter 72.68 <br> TRANSFER, REMOVAL, TRANSPORTATION--DETENTION CONTRACTS

72.68.030 Removal or transfer of insane convict or hospital patient. [1959 c 28 § 72.68.030. Prior: 1909 c 249 § 32; RRS § 2284. Formerly RCW 72.04.120.] Repealed by 1972 ex.s. c 59 § 5.

Title 73

## VETERANS AND VETERANS' AFFAIRS

Chapter 73.04<br>GENERAL PROVISIONS

73.04.025 Public records——Free copies. [1951 c 53 § 16.] Now codified as RCW 73.36.155.

## Chapter 73.08 <br> VETERANS' RELIEF

73.08.020 Tax levy authorized. [1945 c 144 § 7, last am'ds 1888 p 210 § 7; Rem. Supp. 1945 § 10742.] Now codified as RCW 73.08.080.

Chapter 73.12
VETERANS' LOAN INSURANCE
73.12.020 Powers and duties of director. [1955 c 285 § 17. Prior: 1945 c 217 § 3, part; Rem. Supp. 1945 § 10758-82, part.] Repealed by 1959 c 301 § 6.

Chapter 73.16

## EMPLOYMENT AND REEMPLOYMENT

73.16.030 Reemployment of returned veterans. [1943 c 274 § 1 ; 1941 c 201 § 1; Rem. Supp. 1943 § 10758-3.] Repealed by 1953 c 212 § 7.
73.16.040 Leaves of absence of elective and judicial officers. [1941 c 201 § 2 ; Rem. Supp. 1941 § 10758 -4.] Repealed by 1953 c 212 § 7.
73.16.050 Restoration without loss of seniority or benefits. [1941 c 201 § 3; Rem. Supp. 1941 § 10758-5.] Repealed by 1953 c 212 § 7.
73.16.060 Enforcement of provisions--Penalty. [1941 c 201 §4; Rem. Supp. 1941 § 10758-6.] Repealed by 1953 c 212 § 7.

## Chapter 73.20

ACKNOWLEDGMENTS AND POWERS OF ATTORNEY
73.20.020 Effect upon instruments as evidence. [1945 c 271 § 1 , part; Rem. Supp. 1945 § 10758-13a, part.] Now codified in RCW 73.20.010.
73.20.030 Requirements as to certification. [1945 c 271 § 1 , part; Rem. Supp. 1945 § 10758-13a, part.] Now codified in RCW 73.20.010.
73.20.040 Proof of authority. [1945 c 271 § 1, part; Rem. Supp. 1945 § $10758-13 \mathrm{a}$, part.] Now codified in RCW 73.20.010.

## Chapter 73.24 BURIAL

73.24.010 County burial of indigent deceased veterans. [1949 c 15 § 1, last am'ds 1888 p 209 § 6; Rem. Supp. 1949 § 10757.] Now codified as RCW 73.08.070.

## Chapter 73.32 <br> VETERANS' BONUS——1949 ACT

73.32.090 Sale of bonds. [1949 c 180 § 7, part; Rem. Supp. 1949 § 10747g, part.] Now codified in RCW 73.32.080.
73.32.100 Registration of bonds. [1949 c 180 § 7, part; Rem. Supp. 1949 § 10747 g , part.] Now codified in RCW 73.32.080.
73.32.110 Bonds constitute prior claim on taxes authorized and on retirement fund. [1949 c 180 § 7, part; Rem. Supp. 1949 § 10747g, part.] Now codified in RCW 73.32.080.

Title 74
PUBLIC ASSISTANCE

## Chapter 74.04

GENERAL PROVISIONS——ADMINISTRATION
74.04.010 Definitions. [1947 c 289 § 1; 1939 c 216 § 1 ; Rem. Supp. 1947 § 10007-10la.] Now codified in RCW 74.04.005.
74.04.020 Public assistance committee created. [1959 c 26 § 74.04.020. Prior: 1953 c 174 § 8; 1939 c 216 § 2; RRS § 10007-102a.] Repealed by 1965 ex.s. c 90 § 11 .
74.04.030 Personnel administration-—Merit system. [1959 c 26 § 74.04.030. Prior: 1941 c 128 § $1 ; 1939$ c 216 § 3; Rem. Supp. 1941 § 10007-103a.] Repealed by Initiative Measure No. 207 § 33 (1961 c 1 § 33). Later enactment, see chapter 41.06 RCW.
74.04.034 State advisory committee created. [1959 c 26 § 74.04.034. Prior: 1953 c 174 § 9.] Repealed by 1965 ex.s. c 90 § 11. Later enactment, see chapter 74.32 RCW.
74.04.035 State advisory committee——Powers and duties. [1959 c 26 § 74.04.035. Prior: 1955 c 379 § 1 ; 1953 c 174 § 10.] Repealed by 1965 ex.s. c $90 \S 11$. Later enactment, see chapter 74.32 RCW.
74.04.090 County plan of assistance. [1943 c 172 § 1; 1939 c 216 § 7; Rem. Supp. 1943 § 10007-107a.] Repealed by 1953 c 174 § 52.
74.04.100 Quarterly budget of federal aid assistance. [1939 c 216 § 8, part; RRS § 10007-108a, part.] Repealed by 1953 c 174 § 52.
74.04.110 Review of budget——Approval by committee. [1939 c 216 § 8, part; RRS § 10007-108a, part.] Repealed by 1953 c 174 § 52.
74.04.130 Payment of federal aid assistance. [1939 c 216 § 9; RRS § 10007-109a.] Repealed by 1953 c 174 § 52.
74.04.140 Advisory committees. [1937 c 180 § 11; RRS § 10007111.] Repealed by 1953 c 174 § 52.
74.04.141 County advisory committees. [1959 c 26 § 74.04.141. Prior: 1953 c 174 § 11.] Repealed by 1965 ex.s. c 90 § 11. Later enactment, see RCW 74.32.090.
74.04.150 State levy for public assistance. [1971 ex.s. c 281 § 17 ; 1970 ex.s. c 92 § 3; 1969 ex.s. c 262 § 66; 1959 c 26 § 74.04.150. Prior: 1953 c 174 § 43 ; 1943 c 172 § 2, part; 1941 c 128 § 3; 1939 c 216 § 10, part; Rem. Supp. 1943 § 10007-110a, part.] Repealed by 1973 1st ex.s. c 195 § 133.
Severability--Effective dates and termination dates--Construc-tion--1973 1st ex.s. c 195: See notes following RCW 84.52.043.
74.04.151 Transfer of responsibilities from ccunties to stateEffective date. [1953 ex.s. c 3 § l.] Decodified.
74.04.160 Overplus to current expense fund for general purposes. [1943 c 172 § 2, part; 1939 c 216 § 10, part; Rem. Supp. 1943 § 10007-110a, part.] Repealed by 1953 c 174 § 52.
74.04.170 Deficiency--Special state grants-in-aid. [1943 c 172 § 3; 1939 c 216 § 11; Rem. Supp. 1943 § 10007-111a.] Repealed by 1953 c 174 § 52.
74.04.190 State-wide and regional programs authorized. [1939 c 216 § 13; RRS § 10007-113a.] Repealed by 1953 c 174 § 52.
74.04.220 Work relief and direct relief grants. [1939 c 216 § 16 ; RRS § 10007-116a.] Repealed by 1953 c 174 § 52.
74.04.240 General assistance-—Persons eligible generally. [1939 c 216 § 18 ; RRS § $10007-118 \mathrm{a}$.$] Repealed by 1953$ c 174 § 52.
74.04.255 Applications for general assistance——Verification. [1951 2nd ex.s. c 21 § 1.] Repealed by 1953 c 174 § 52.
74.04.260 Limitation on amounts of grants. [1939 c 216 § 20; RRS § 10007-120a.] Repealed by 1953 c 174 § 52.
74.04.320 Limitation on use of moneys appropriated. [1939 c 216 § 29, part; RRS § 10007-129a.] Repealed by 1953 c 174 § 52.

## Chapter 74.08 <br> ELIGIBILITY GENERALLY--STANDARDS OF ASSISTANCE——OLD AGE ASSISTANCE

74.08.010 Definitions. [1957 c 63 § 1; 1953 c 174 § 17; 1951 c 122 § 1 ; 1951 c 1 § 3; 1949 c 6 § 3; Rem. Supp. 1949 § 9998-33c.] Now codified in RCW 74.04.005.
74.08.020 Exempt "home," "personal property and belongings" defined. [1951 c 1 § 4.] Repealed by 1953 c 174 § 52.
74.08.110 Grants not recoverable as debt due state except in certain circumstances. [1949 c 6 § 12; Rem. Supp. 1949 § 9998-331.] Repealed by 1953 c 174 § 52.
74.08.111 Recovery of public assistance payments. [1953 c 174 § 36.] Repealed by 1957 c 63 § 11.
74.08.130 Copy of law to be furnished. [1949 c 6 § 14; Rem. Supp. 1949 § 9998-33n.] Repealed by 1953 c 174 § 52.
74.08.140 through 74.08.200 Medical service. [1951 c 1 § 7; 1949 c 6 § 15.] Repealed by 1953 ex.s. c 5 § 15 . Later enactment, see chapter 74.09 RCW.
74.08.220 Penalty. [1941 c 1 § 17; Rem. Supp. 1941 § 9998-50.] Repealed by 1953 c 174 § 52.
74.08.230 Staff and employees. [1941 c 1 § 19; Rem. Supp. 1941 § 9998-52.) Repealed by 1953 c 174 § 52.
74.08.240 Records confidential. [1941 c 1 § 20; Rem. Supp. 1941 § 9998-53.] Repealed by 1953 c 174 § 52.
74.08.250 Provisions applicable to other public assistance categories. [1951 c 1 § 8; 1949 c 6 § 16; Rem. Supp. 1949 § 9998-33p.] Repealed by 1953 c 174 § 52.
74.08.270 Legislature to appropriate funds--Old age appropriations to be earmarked. [1959 c 26 § 74.08.270. Prior: 1957 c 63 § 5; 1951 c 1 § 9; 1949 c 6 § 19; Rem. Supp. 1949 § 9998-33s.] Repealed by 1965 ex.s. c 2 § 2.
74.08.274 Ratable reductions--Computation. [1951 c 274 § 1.] Repealed by 1957 c 63 § 11 .
74.08.275 Ratable reductions--Modification if in conflict with federal act. [1951 c 274 § 2.] Repealed by 1957 c 63 § 11.
74.08.295 Assistance from more than one federal aid category pro-hibited-—Exception. [1959 c 26 § 74.08.295. Prior: 1953 c 174 § 29.] Repealed by 1963 c 211 § 6 and 1963 c 228 § 31.
74.08.300 Possession of property, etc.-—Duty to notify-—De-duction--Recovery. [1953 c 174 § 34; 1935 c 182 § 13; RRS § 9998-13.] Repealed by 1957 c 63 § 11.
74.08.310 Cancellation of aid improperly granted. [1935 c 182 § 14; RRS § 9998-14.] Repealed by 1953 c 174 § 52.
74.08.320 Reconsideration of grants--Cancellation-—Suspension. [1935 c 182 § 15 ; RRS § 9998-15.] Repealed by 1953 c 174 § 52.
74.08.330 Fraud——Assistance procurement——Real property disposal-Penalty. [1959 c 26 § 74.08.330. Prior: 1953 c 174 § 41 ; 1951 2nd ex.s. c 17 § 1 ; 1935 c 182 § 20; RRS § 9998-20.] Repealed by 1965 ex.s. c $34 \S 2$.
74.08.350 Other aid not barred by age. [1935 c 182 § 22; RRS § 9998-22.] Repealed by 1953 c 174 § 52.
74.08.360 Branch offices, agencies. [1937 c 156 § 11; 1935 c 182 § 23; RRS § 9998-23.] Repealed by 1953 c 174 § 52.
74.08.390 through 74.08 .520 Medical services. [1953 ex.s. c 5.] Repealed by 1955 c 273 § 20. Later enactment, see chapter 74.09 RCW.

> Chapter 74.09
> MEDICAL CARE
74.09.090 Use of county institutions, budgets-—Charges to noncovered patients-D Duties of division. [1965 ex.s. c 36 § $1 ; 1959$ c 26 § 74.09.090. Prior: 1955 c 273 § 10.] Repealed by 1967 ex.s. c 30 § 7.
74.09.100 State welfare medical care committee. [1959 c 26 § 74.09.100. Prior: 1955 c 273 § 11.] Repealed by 1965 ex.s. c $90 \S 11$. Later enactment, see chapter 74.32 RCW.
74.09.400 Medical assistance to the aged——Established. [1963 c 211 § 1.] Repealed by 1967 ex.s. c 30 § 7.
74.09.410 Medical assistance to the aged--Qualifications of applicants. [1963 c 211 § 2.] Repealed by 1967 ex.s. c 30 § 7.
74.09.420 Medical assistance to the aged--Care and services provided. [1963 c 211 § 3.] Repealed by 1967 ex.s. c 30 § 7.
74.09.430 Medical assistance to the aged--Nursing home services. [1965 ex.s. c 36 § 2; 1963 c 211 § 4.] Repealed by 1967 ex.s. c 30 § 7.
74.09.440 Medical assistance to the aged--Powers and duties of department. [1963 c 211 § 5.] Repealed by 1967 ex.s. c 30 § 7.

## Chapter 74.10 <br> DISABILITY ASSISTANCE

74.10.040 State-wide plan of administration created. [1951 c 176 § 4.] Repealed by 1953 c 174 § 52.
74.10.050 Department of social security to administer. [1951 c 176 § 5.] Repealed by 1953 c 174 § 52.
74.10.060 Hearing and appeal. [1951 c 176 § 6.] Repealed by 1953 c 174 § 52.
74.10.080 Medical services. [1951 c 176 § 8.] Repealed by 1953 c 174 § 52.

## Chapter 74.11 <br> VOCATIONAL REHABILITATION OF NONDISABLED VOCATIONALLY HANDICAPPED PERSONS

74.11.010 Purpose. [1963 c 118 § 1; 1959 c 26 § 74.11.010. Prior: 1955 c 380 § 1.] Repealed by 1967 c 118 § 11.
74.11.020 Definitions. [1963 c 118 § 2; 1959 c 26 § 74.11.020. Prior: 1955 c 380 § 2.] Repealed by 1967 c 118 § 11.
74.11.030 Persons eligible-Denial of public assistance. [1963 c 118 § 3; 1959 c 26 § 74.11.030. Prior: 1955 c 380 § 3.] Repealed by 1967 c 118 § 11 .
74.11.040 Powers and duties of board. [1965 c 35 § $1 ; 1963$ c 118 § 4; 1959 c 26 § 74.11.040. Prior: 1955 c 380 § 4.] Repealed by 1967 c 118 § 11 .
74.11.050 State treasurer designated custodian of funds. [1959 c 26 §74.11.050. Prior: 1955 c 380 §5.] Repealed by 1967 c 118 § 11.
74.11.060 Procedure for planning program. [1959 c 26 § 74.11.060. Prior: 1955 c 380 § 6.] Repealed by 1967 c 118 § 11.
74.11.070 Acceptance of public grants. [1963 c 118 § 5; 1959 c 26 §74.11.070. Prior: 1955 c 380 § 7.] Repealed by 1967 c 118 § 11.
74.11.900 Severability [1959 c 26 § 74.11.900. Prior: 1955 c 380 § 8.] Decodified.

## Chapter 74.12 <br> AID TO FAMILIES WITH DEPENDENT CHILDREN

74.12.020 State-wide plan adopted--Department as single state agency. [(i) 1937 c 114 § 2; RRS § 9992-102. (ii) 1937 c 114 § 5; RRS § 9992-105.] Repealed by 1953 c 174 § 52.
74.12.040 Application for aid. [1937 c 114 § 9; RRS § 9992-109.] Repealed by 1953 c 174 § 52.
74.12.050 Determination of application and amount of aid. [1937 c 114 § 3; RRS § 9992-103.] Repealed by 1953 c 174 § 52.
74.12.070 Aid inalienable and exempt from process. [1937 c 114 § 10; RRS § 9992-110.] Repealed by 1953 c 174 § 52.
74.12.080 Limitation on taking custody of children. [1937 c 114 § 12, part; RRS § 9992-112, part.] Repealed by 1953 c 174 § 52.
74.12.090 Reports by supervisor. [1937 c 114 § 11; RRS § 9992111.] Repealed by 1953 c 174 § 52.
74.12.100 Cooperation with federal agencies. [1937 c 114 § 12, part; RRS § 9992-112, part.] Repealed by 1953 c 174 § 52.
74.12.110 Rules and regulations. [1937 c 114 § 13; RRS § 9992113.] Repealed by 1953 c 174 § 52.
74.12.120 Gifts and bequests. [1937 c 114 § 15 ; RRS § 9992-115.] Repealed by 1953 c 174 § 52.
74.12.130 Child welfare services. [1963 c 228 § 20; 1959 c 26 § 74.12.130. Prior: 1953 c 174 § 44; 1947 c 260 § 1; 1941 c 242 § 3 ; 1937 c 114 § 6; Rem. Supp. 1947 § 9992-106.] Repealed by 1965 c 30 § 5. Later enactment, see chapter 74.13 RCW.
74.12.140 through 74.12.200 Child welfare agencies. [1933 c 172 §§ 3 through 7; RRS §§ 10802-2 through 10802-6.] Repealed by 1953 c 112 § 1 .
74.12.210 Services to crippled children. [1941 c 129 § 1; Rem. Supp. 1941 § 9992-107a.] Now codified as RCW 43.20.130.
74.12.220 Rules and regulations. [1941 c 129 § 2; Rem. Supp. 1941 § 9992-107b.] Now codified as RCW 43.20.140.
74.12.230 Source of funds. [1959 c 26 § 74.12.230. Prior: 1937 c 114 § 14; RRS § 9992-114.] Repealed by 1965 c 30 § 5.

## Chapter 74.13 <br> CHILD WELFARE SERVICES

74.13.030 Duties of the department-Child welfare and day care advisory committee. [1965 c 30 § 4.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.13.031.
74.13.142 Termination of director's authority to provide adoption support. [1973 c 61 § 2 ; 1971 ex.s. c 63 § 16.] Repealed by 1975 c 53 § 2.

## Chapter 74.14 <br> CHILD WELFARE AGENCIES

74.14.010 Definitions. [1959 c 26 § 74.14.010. Prior: 1955 c 366 § 1; 1951 c 270 § 2.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.020.
74.14.020 Standards for child welfare agencies. [1959 c 26 § 74.14.020. Prior: 1951 c 270 §3.] Repealed by 1967 c 172 § 23.
74.14.030 License application, issuance, expiration, renewal. [1959 c 26 § 74.14.030. Prior: 1951 c 270 § 5.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.100.
74.14.040 License issuance, expiration, and renewal. [1959 c 26 § 74.14.040. Prior: 1951 c 270 § 4.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.110.
74.14.050 Fire protection--Fire marshal's certificate required. [1959 c 26 § 74.14.050. Prior: 1951 c 270 § 6.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.050.
74.14.060 Health protection--Board of health certificate required. [1959 c 26 § 74.14.060. Prior: 1951 c 270 § 7.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.060.
74.14.070 Provisional licenses. [1959 c 26 § 74.14.070. Prior: 1951 c 270 § 8.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.120.
74.14.080 License-Denial, suspension, revocation--Hearing. [1959 c 26 § 74.14.080. Prior: 1951 c 270 § 9.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.130.
74.14.090 Appeal from denial, suspension or revocation of license. [1959 c 26 § 74.14.090. Prior: 1951 c 270 § 10.] Repealed by 1967 c 172 § 23.
74.14.100 Articles of incorporation and amendments--Copies to be furnished the department. [1959 c 26 § 74.14.100. Prior: 1951 c 270 § 11.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.070.
74.14.110 Access to agencies, records. [1959 c 26 § 74.14.110. Prior: 1951 c 270 § 12.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.080.
74.14.120 "Foster home" defined--Exceptions. [1959 c 26 § 74.14.120. Prior: 1951 c 270 § 13.] Repealed by 1967 c 172 § 23.
74.14.130 Foster homes-Certificate of approval--Standards——Supervision. [1959 c 26 § 74.14.130. Prior: 1951 c 270 § 14.] Repealed by 1967 c 172 § 23.
74.14.140 Action against unlicensed agencies and homes authorized. [1959 c 26 § 74.14.140. Prior: 1951 c 270 § 15.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.140.
74.14.150 Agencies, homes conducted by religious organiza-tions--Application of chapter. [1959 c 26 § 74.14.150. Prior: 1951 c 270 § 16.] Repealed by 1967 c 172 § 23. Later enactment, see RCW 74.15.170.

## Chapter 74.16 <br> AID TO BLIND PERSONS

74.16.010 Department as supervising agency. [1937 c 132 § 6; RRS § 10007-4.] Repealed by 1953 c 174 § 52.
74.16.011 Advisory committee for the blind. [1959 c 26 § 74.16.011. Prior: 1955 c 379 § 2.] Repealed by 1965 ex.s. c 90 § 11. Later enactment, see chapter 74.32 RCW.
74.16.020 Administration by counties. [1937 c 132 § 7; RRS § 10007-5.] Repealed by 1953 c 174 § 52.
74.16.050 Amount of grants--How determined. [1941 c 170 § 3; 1937 c 132 § 10; Rem. Supp. 1941 § 10007-8.] Repealed by 1953 c 174 § 52.
74.16.060 Payments to guardians. [1937 c 132 § 11; RRS § 10007-9.] Repealed by 1953 c 174 § 52.
74.16.070 Reinvestigation. [1937 c 132 § 12 ; RRS § 10007-10.] Repealed by 1953 c 174 § 52.
74.16.090 Old age assistance recipients ineligible. [1937 c 132 § 14; RRS § 10007-12.] Repealed by 1953 c 174 § 52.
74.16.100 Penalty for fraudulent claims. [1937 c 132 § 15 ; RRS § 10007-13.] Repealed by 1953 c 174 § 52.
74.16.110 Cancellation or varying amount of aid. [1937 c 132 § 16; RRS § 10007-14.] Repealed by 1953 c 174 § 52.
74.16.130 Rules and regulations. [1941 c 170 § 5; 1937 c 132 § 17 ; Rem. Supp. 1941 § 10007-15.] Repealed by 1953 c 174 § 52.
74.16.140 Cooperation with federal authorities. [1937 c 132 § 18; RRS § 10007-16.] Repealed by 1953 c 174 § 52.
74.16.150 Gifts and bequests. [1937 c 132 § 19; RRS § 10007-17.] Repealed by 1953 c 174 § 52.
74.16.160 Annual report by supervisor. [1937 c 132 § 20; RRS § 10007-18.] Repealed by 1953 c 174 § 52.
74.16.180 Vocational training. [1961 c 234 § 1 ; 1959 c 26 § $74-$ .16.180. Prior: 1953 c 174 § 45; 1949 c 166 § $15 ; 1937$ c 132 § 4; 1921 c 72 §§ 1, 2; Rem. Supp. 1949 § 10007-2.] Repealed by 1967 c 59 § 3.
74.16.200 Self-support aid-_General qualifications for. [1959 c 26 § 74.16.200. Prior: 1949 c 166 § 3; Rem. Supp. 1949 § 10007-21c.] Repealed by 1967 c 59 § 3.
74.16.210 Self-support aid--False statement to procure--Fraud--Penalty. [1959 c 26 § 74.16.210. Prior: 1949 c 166 § 4; Rem. Supp. 1949 § 10007-21d.] Repealed by 1967 c 59 § 3.
74.16.220 Self-support aid——Application for-—Investiga-tion--Review. [1959 c 26 § 74.16.220. Prior: 1949 c 166 § 5; Rem. Supp. 1949 § 10007-21e.] Repealed by 1967 c 59 § 3.
74.16.230 Self-support aid——After-acquired resource——Report——Effect. [1959 c 26 § 74.16.230. Prior: 1949 c 166 § 6; Rem. Supp. 1949 § 10007-2lf.] Repealed by 1967 c 59 § 3.
74.16.240 Self-support aid——Maximum property allowable—— Definitions. [1959 c 26 § 74.16.240. Prior: 1949 c 166 § 7; Rem. Supp. 1949 § 10007-21g.] Repealed by 1967 c 59 § 3.
74.16.250 Self-support aid——Amount of aid——Determination. [1959 c 26 § 74.16.250. Prior: 1955 c 379 § 3; 1949 c 166 § 8; Rem. Supp. 1949 § 10007-2lh.] Repealed by 1967 c 59 § 3.
74.16.260 Self-support aid——Treatment and operations available. [1959 c 26 § 74.16.260. Prior: 1949 c 166 § 9, part; Rem. Supp. 1949 § 10007-21 i, part.] Repealed by 1967 c 59 § 3.
74.16.270 Self-support aid——Aid funds inalienable. [1959 c 26 § 74.16.270. Prior: 1949 c 166 § 9, part; Rem. Supp. 1949 § 10007-21i.] Repealed by 1967 c 59 § 3.
74.16.280 Self-support aid——Appeal from denial of aid. [1959 c 26 § 74.16.280. Prior: 1949 c 166 § 10 ; Rem. Supp. 1949 § $10007-$ 21 j .] Repealed by 1967 c 59 § 3.
74.16.290 Self-support aid——Administration-—Cooperation for federal assistance. [1959 c 26 § 74.16.290. Prior: 1949 c 166 § 11 ; Rem. Supp. 1949 § 10007-21k.] Repealed by 1967 c 59 § 3.
74.16.296 Self-support aid-—Purpose. [1959 c 26 § 74.16.296. Prior: 1949 c 166 § 1 ; Rem. Supp. 1949 § 10007-21a.] Repealed by 1967 c 59 § 3.
74.16.297 Self-support aid-—Construction. [1959 c 26 § 74.16297. Prior: 1949 c 166 § 2; Rem. Supp. 1949 § 10007-21b.] Repealed by 1967 c 59 § 3 .
74.16.310 Preference in operation of vending stands in public buildings. [1963 c 144 § 1.] Repealed by 1975 lst ex.s. c 251 § 5.

## Chapter 74.20 <br> SUPPORT OF DEPENDENT CHILDREN

74.20.030 Agreements to undertake duties of enforcement of support. [1959 c 322 § 4.] Repealed by 1963 c 206 § 16.
74.20.050 Duty of department to enforce child support-—Limited to public assistance cases. [1959 c 322 § 6.] Repealed by 1963 c 206 § 16.
74.20.070 Enforcement of support in absence of agreement between attorney general and prosecuting attorney. [1959 c 322 § 8.] Repealed by 1963 c 206 § 16.
74.20.080 Cooperation among law enforcement officers. [1959 c 322 § 9.] Repealed by 1963 c 206 § 16.
74.20.090 Reports by prosecuting attorneys of counties not under agreement. [1959 c 322 § 10.] Repealed by 1963 c 206 § 16.
74.20.100 Disposition of moneys collected- Report of clerk of superior court. [1963 c 206 § 4; 1959 c 322 § 11.] Repealed by 1969 ex.s. c 173 § 19.

Repeal and saving-- 1969 ex.s. c 173: "Section 11, chapter 322, Laws of 1959 as amended by section 4, chapter 206, Laws of 1963 and RCW 74.20.100; and section 14, chapter 206, Laws of 1963 and RCW 74.20.290 are each repealed: Provided, That such repeals shall not be construed as affecting any existing right acquired under the provisions of the statutes repealed; nor any rule, regulation or order adopted pursuant thereto, nor as affecting any proceeding instituted thereunder." [1969 ex.s. c 173 § 19.]
74.20.110 Appearance without warrant-OOrders--Filing. [1959 c 322 § 12.] Repealed by 1963 c 206 § 16.
74.20.120 Effect of order or decree in divorce or separate maintenance action--Filing. [1959 c 322 § 13.] Repealed by 1963 c 206 § 16.
74.20.130 Index and file of orders--Unauthorized use——Penalty. [1959 c 322 § 14.] Repealed by 1963 c 206 § 16.
74.20.140 Orders to be filed without fee. [1959 c 322 § 15.] Repealed by 1963 c 206 § 16.
74.20.150 Further action to enforce support-—Process. [1959 c 322 § 16.] Repealed by 1963 c 206 § 16.
74.20.170 Assistance not to be withheld-Consent to recov-ery--Subrogation. [1959 c 322 § 18.] Repealed by 1963 c 206 § 16.
74.20.180 Hearing before department in lieu of action--No-tice--Time and place. [1959 c 322 § 19.] Repealed by 1963 c 206 § 16.
74.20.190 Hearing before department in lieu of action-DDepartmental order. [1959 c 322 § 20.] Repealed by 1963 c 206 § 16.
74.20.200 Hearing before department in lieu of action--Appeal from departmental order--Lien--Collection process--Appeal from decision of superior court - - Bond. [1959 c 322 § 21.] Repealed by 1963 c 206 § 16.
74.20.290 Parental responsibility for reimbursement of public assistance payments - - Compromise of claims. [1963 c 206 § 14.] Repealed by 1969 ex.s. c 173 § 19.

Repeal and saving - 1969 ex.s. c 173: See note following RCW 74.20.100.
74.20.292 Acceptance of public assistance for cbild constitutes consent to recovery by department from amount required to be paid under divorce decree. [1969 ex.s. c 173 § 17.] Repealed by 1971 ex.s. c 164 § 28.

Reviser's note: Laws of 1971 ex. sess. c 164 § 28 reads as follows: "Sec. 28. Section 17, chapter 173, Laws of 1969 ex. sess. and RCW 74.20 .292 are hereby repealed. Said repeal is not intended to affect any existing or accrued right or any action or proceeding already taken or
instituted, or any rule, regulation or order already promulgated or administrative action already taken. Said repeal is not intended to revive any law heretofore repealed."
74.20.900 Severability. [1959 c 322 § 22.] Repealed by 1963 c 206 § 13.

Severability——1959 c 26: RCW 74.98.030.

## Chapter 74.24

HOUSING AUTHORITIES LAW
[1939 c 23; 1941 c 69; RRS §§ 6889-1 through 6889-23d.] Now codified as chapter 35.82 RCW.

## Chapter 74.28 <br> HOUSING COOPERATION LAW

[1939 c 24; RRS §§ 6889-31 through 6889-39.] Now codified as chapter 35.83 RCW.

## Chapter 74.32 <br> PLACES OF REFUGE

74.32.010 through 74.32.100. [1951 c 117 § 20; 1945 c 100 §§ $1-$ 4; 1943 c 70 §§ $1-8$; Rem. Supp. 1945 §§ 8358a-8358i.] Repealed by 1957 c 253 § 21.

## Chapter 74.32 <br> ADVISORY COMMITTEES

74.32.010 State advisory committee-Created-Composi-tion-—Terms——Vacancies. [1965 ex.s. c 90 § 2.] Repealed by 1971 ex.s. c 189 § 17.
74.32.020 Powers and duties. [1965 ex.s. c 90 § 3.] Repealed by 1971 ex.s. c 189 § 17.
74.32.030 Departmental committees--Created. [1965 ex.s. c 90 § 4.] Repealed by 1971 ex.s. c 189 § 17.
74.32.040 Departmental committees——Composition-—Chair-men--Terms--Vacancies. [1967 c 172 § 22; 1965 ex.s. c 90 § 5.] Repealed by 1971 ex.s. c $189 \$ 17$.
74.32.050 Departmental committees——Child welfare and day care advisory committee--Appointment criteria--Powers and duties. [1965 ex.s. c 90 § 6.] Repealed by 1967 c 172 § 23.
74.32.051 Departmental committees——Child welfare and day care advisory committee--Members--Terms--Vacancies--Appointments. [1970 ex.s. c 18 § $21 ; 1969$ ex.s. c 172 § $3 ; 1967$ c 172 § 18.] Repealed by 1971 ex.s. c 189 § 17.
74.32.053 Departmental committees--Subcommittee of child welfare and day care advisory committee-_Establishment-M Membership. [1970 ex.s. c 18 § 22; 1967 c 172 § 19.] Repealed by 1971 ex.s. c 189 § 17 .
74.32.055 Departmental committees-—Functions of child welfare and day care advisory committee and subcommittee- Expenses and per diem. [1967 c 172 § 20.] Repealed by 1971 ex.s. c 189 § 17.
74.32.060 Departmental committees-Advisory committee for the blind--Appointment criteria-—Powers and duties. [1965 ex.s. c 90 § 7.] Repealed by 1971 ex.s. c 189 § 17.
74.32.070 Departmental committees-Medical care advisory committee--Powers and duties. [1965 ex.s. c 90 § 8.] Repealed by 1971 ex.s. c 189 § 17.
74.32.080 State and departmental committees--Members' expenses. [1965 ex.s. c 90 § 9.] Repealed by 1971 ex.s. c 189 § 17.
74.32.090 County advisory committees. [1965 ex.s. c 90 § 10.] Repealed by 1971 ex.s. c $189 \$ 17$.
74.32.900 Severability. [1965 ex.s. c 90 § 12.] Repealed by 1971 ex.s. c 189 § 17 .

Chapter 74.36
LEGAL AID--1939 ACT
[1939 c 93; RRS §§ 10007-201 through 10007-215.] Now codified as chapter 2.50 RCW .

## Chapter 74.36 <br> WASHINGTON STATE COUNCIL ON AGING

 Vacancies--Officers--Suhcommittees--Expenses--Meetings. [1970 ex.s. c 18 § $23 ; 1965$ c 39 § 2.] Repealed by 1971 ex.s. c 189 § 17.
74.36.020 Powers and duties. [1970 ex.s. c 18 § 24; 1965 c 39 § 3.] Repealed by 1971 ex.s. c 189 § 17.
74.36.030 Staff, housing, and supplies--Contributions and gifts. [1970 ex.s. c 18 § $25 ; 1965$ c 39 § 4.] Repealed by 1971 ex.s. c 189 § 17.
74.36.040 Interdepartmental committee on aging. [1970 ex.s. c 18 § 26; 1965 c 39 § 5.] Repealed by 1971 ex.s. c 189 § 17.
74.36.050 Executive secretary. [1965 c 39 § 6.] Repealed by 1970 ex.s. c 18 § 62 .
Savings--1970 ex.s. c 18: See note following RCW 72.01.020

## Chapter 74.40 <br> ACCEPTANCE OF OLD AGE AND SURVIVORS' INSURANCE

[1941 c 205; Rem. Supp. 1941 §§ 9998-57 through 9998-61.] Now codified as chapter 41.47 RCW.

## Chapter 74.44

DETERMINATION OF DISABILITY--OLD AGE AND SURVIVORS' INSURANCE
[1955 c 200 §§ 1, 2.] Now codified as RCW 43.17 .120 and 43.17.130.

## Title 75 <br> FOOD FISH AND SHELLFISH

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Chapter 75.28
LICENSES
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75.28.015 Licensing districts--Gear licenses issued for specific vessel or reef net area--Nontransferable, exception. [1957 c 171 § 4.] Repealed by 1959 c 309 § 27.
75.28.080 Personal commercial fishing license. [1955 c 12 § 75.28.080. Prior: 1953 c 207 § 1; 1951 1st ex.s. c 7 § 1; 1951 c 271 § 6 ; 1949 c 112 § 66; Rem. Supp. 1949 § 5780-504.] Repealed by 1965 ex.s. c 73 § 18.
75.28.090 Fishing guide license. [1955 c 212 § 4; 1955 c 12 § 75 .28.090. Prior: 1951 c 271 § 7; 1949 c 112 § 67; Rem. Supp. 1949 § 5780-505.] Repealed by 1969 c 90 § 2.
75.28.195 Reel purse seine, drum purse seine, license. [1955 c 12 § 75.28.195. Prior: 1953 c 207 § 5.] Repealed by 1959 c 309 § 27.
75.28.200 Beam trawl license. [ 1955 c 12 § 75.28.200. Prior: 1951 c 271 § 18 ; 1949 c 112 § 69(10); Rem. Supp. 1949 § 5780-507(10).] Repealed by 1959 c 309 § 27.

Chapter 75.32
PRIVILEGE AND CATCH FEES ON FOOD FISH AND SHELLFISH
75.32.010 "Columbia River district" defined. [1955 c 12 § 75.32.010. Prior: 1949 c 107 § 1(2), part; Rem. Supp. 1949 § 5780-60(2), part.] Repealed by 1963 ex.s. c $10 \S 3$.
75.32.040 Canners, processors, dealers--Columbia River dis-trict--Privilege fees. [1955 c 12 § 75.32.040. Prior: 1949 c 107 § 1(2), part; Rem. Supp. 1949 § 5780-60(2), part.] Repealed by 1963 ex.s.c 10 § 3.
75.32.060 Fishing guides--Privilege fees. [1955 c 12 § 75.32.060. Prior: 1949 c 107 § 1(4); Rem. Supp. 1949 § 5780-60(4).] Repealed by 1955 c 212 § 14.
75.32.075 Landing fee. [1951 c 271 § 45.] Repealed by 1953 c 207 § 7.
75.32.100 Delinquent payments--Interest--Lien. [1955 c 12 § 75.32.100. Prior: 1951 c 271 § 37; 1949 c 107 § 3; Rem. Supp. 1949 § $5780-62$.] Repealed by 1963 ex.s. c $9 \S 3$.

## Title 76

## FORESTS AND FOREST PRODUCTS

## Chapter 76.04 <br> FOREST PROTECTION

76.04.040 Payment of expenses of suppressing fires. [1911 c 125 § 3; RRS § 5783. Prior: 1905 c 164 § 3.] Repealed by 1971 ex.s. c 207 § 15.

Construction-—1971 ex.s. c 207: See note following RCW 76.04.010.
76.04.160 Precautions to be observed in burning - Penalty. [1945 c 12 § 1, last am'ds 1909 c 249 § 270; Rem. Supp. 1945 § 2522.] Repealed by 1953 c 24 § 3.
76.04.230 Certificates of clearance. [1957 c 154 § 1 ; 1955 c 142 § 8; 1951 c 58 § 3; 1945 c 102 § $1 ; 1941$ c 140 § $1 ; 1929$ c 207 § $2 ; 1927$ c 223 § 2; Rem. Supp. 1945 § 5792-1.] Repealed by 1971 ex.s. c 207 § 15.

Construction-—1971 ex.s. c 207: See note following RCW 76.04.010.
76.04.250 Spark emitting, electric, gasoline, diesel, etc., engines regulated. [1959 c 151 § 1 ; 1957 c 111 § 7; 1955 c 142 § 10. Prior: 1953 c 24 § 4 ; 1951 c 58 § 4 ; 1941 c 63 § 1 , part; 1937 c 152 § 1 , part; 1923 c 184 § 6, part; 1911 c 125 § 14, part; 1905 c 164 §§ 6, 10, part; 1903 c 114 § 11 ; Rem. Supp. 1941 § 5794, part.] Repealed by 1965 ex.s. c 12 § 13. Later enactment, see RCW 76.04.251-76.04.273.
76.04.253 Location of fire equipment. [1965 ex.s. c 12 § 4.] Repealed by 1973 1st ex.s. c 24 § 5 .
76.04.254 Substitution of fire tools. [1965 ex.s. c 12 § 5.] Repealed by 1973 1st ex.s. c $24 \S 5$.
76.04.255 Reduction of requirements. [1965 ex.s. c 12 § 6.] Repealed by 1973 1st ex.s. c 24 § 5.
76.04.256 Water requirements. [1965 ex.s. c 12 § 7.] Repealed by 1973 1st ex.s. c 24 § 5.
76.04.257 Equipment to be kept in serviceable condition-—Tool box requirements. [1965 ex.s. c 12 § 8.] Repealed by 1973 lst ex.s. c 24 § 5.
76.04.260 Locomotives, steam logging engines or hoilers - Speeder patrols. [1965 ex.s. c 12 § 9; 1955 c 142 § 11. Prior: 1953 c 24 § 7; 1951 c 58 § 5; 1941 c 63 § 1, part; 1937 c 152 § 1, part; 1923 c 184 § 6, part; 1911 c 125 § 14, part; 1905 c 164 § 10, part; Rem. Supp. 1941 §5794, part.] Repealed by 1973 lst ex.s. c 24 § 5.
76.04.320 Spark emitting, electric engines——Watchman-—Removal of snags. [1959 c 151 § 4; 1955 c 142 § 13; 1951 c 58 § 7; 1923 c 184 § 8; 1911 c 125 § 17 ; RRS § 5797. Prior: 1905 c 164 § $10 ; 1903$ c 114 §11.] Repealed by 1973 1st ex.s. c $24 \S 5$.

## Chapter 76.08 <br> FOREST PRACTICES

76.08.010 Definitions. [1971 ex.s. c 207 § 10; 1957 c 79 § $1 ; 1953$ c 44 § 1 ; 1947 c 218 § $1 ; 1945$ c 193 § 2; Rem. Supp. 1947 §5823-11.] Repealed by 1974 ex.s. c 137 § 34.
76.08.020 Policy enunciated. [1945 c 193 § 1; Rem. Supp. 1945 § 5823-10.] Repealed by 1974 ex.s. c 137 § 34.
76.08.030 Cutting permits——Penalty. [1955 c 115 § 1; 1947 c 218 § 2; 1945 c 193 § 3; Rem. Supp. 1947 § 5823-12.] Repealed by 1974 ex.s. c 137 § 34.
76.08.040 Protection of seed supply or restocking required. [1957 c 79 § 2 ; 1947 c 218 § 3; 1945 c 193 § 4; Rem. Supp. 1947 § 5823-13.] Repealed by 1974 ex.s. c 137 § 34.
76.08.050 Minimum requirements for eastern Washington. [1971 ex.s. c 207 § 11 ; 1957 c $79 \S 3 ; 1947$ c 218 § 4; 1945 c $193 \S 5$; Rem. Supp. 1947 § 5823-14.] Repealed by 1974 ex.s. c 137 § 34.
76.08.060 Minimum requirements for western Washington. [1971 ex.s. c 207 § 12 ; 1953 c 44 § 2; 1947 c 218 § 5; 1945 c 193 § 6; Rem. Supp. 1947 § 5823-15.] Repealed by 1974 ex.s. c 137 § 34.
76.08.070 Optional methods for insuring future growth. [1945 c 193 § 7; Rem. Supp. 1945 § 5823-16.] Repealed by 1974 ex.s. c 137 § 34.
76.08.080 Enforcement-Discontinuance of operation-DDeposit or bond--Penalty. [1961 c 40 § 1; 1955 c 115 § 2; 1953 c 44 § 3; 1947 c 218 § 6; 1945 c 193 § 8; Rem. Supp. 1947 § 5823-17.] Repealed by 1974 ex.s. c 137 § 34.
76.08.090 Exempted removal of trees-—Permits-—Lien. [1953 c 44 § $4 ; 1945$ c 193 § 9; Rem. Supp. 1945 § 5823-18.] Repealed by 1974 ex.s. c 137 § 34.

Repeal and savings——RCW 76.08.010-76.08.090: See RCW 76.09.915.

## Chapter 76.12 <br> REFORESTATION

76.12.010 Definitions. This section has no session law background, and is accordingly decodified.
76.12.130 Price and terms of sales of timber. [1937 c 76 § 1 ; RRS § 5812-7a.] Repealed by 1969 ex.s. c 14 § 5.

Chapter 76.36
MARKS AND BRANDS
76.36.080 Fees. [1925 ex.s. c 154 § 8; RRS § 8381-3.] Repealed by 1963 c 98 § 1 .

Chapter 76.40
LOG PATROLS
76.40.129 Same——Director must comply with order--Limitation on issuance or reinstatement. [1953 c 140 § 8.] Repealed by 1955 c 108 § 9 .

## Chapter 76.44 <br> INSTITUTE OF FOREST PRODUCTS

76.44.060 Reports to legislature. This section was of temporary application, and is accordingly decodified.

## Title 77 <br> GAME AND GAME FISH <br> Chapter 77.04 <br> DEPARTMENT OF GAME

77.04.070 Official bond--Oaths. [1955 c 36 § 77.04.070. Prior: 1947 c 275 § 7; Rem. Supp. 1947 §5992-17.] Repealed by 1973 c 95 § 12.

## Chapter 77.16 <br> PROHIBITED ACTS AND PENALTIES

77.16.155 Importation of domesticated game fish. [1955 c 36 § 77.16.155. Prior: 1951 c 126 § 2.] Repealed by 1957 c 241 § 1.

## Chapter 77.20 <br> BEAVER <br> (FORMERLY: BEAVER, FOX, MINK, MARTEN, AND CHINCHILLA)

77.20.070 Fox, mink, marten declared personal property. [1955 c 36 § 77.20.070. Prior: 1947 c 275 § 70; Rem. Supp. 1947 § 5992-79.] Repealed by 1955 c 321 § 7. Later enactment, see chapter 16.72 RCW.
77.20.080 Branding required——Recording. [1955 c 36 § 77.20.080. Prior: 1947 c 275 § 81; Rem. Supp. 1947 § 5992-80.] Repealed by 1955 c 321 § 7. Later enactment, see chapter 16.72 RCW.
77.20.090 Quarantine controls over fur ranches. [1955 c 36 § 77.20.090. Prior: 1949 c 142 § 1; Rem. Supp. 1949 § 5992-70a.] Repealed by 1955 c 321 § 7. Later enactment, see chapter 16.72 RCW.

## Chapter 77.32 <br> LICENSES

77.32.030 Supplemental elk license. [1947 c 275 § 95; Rem. Supp. 1947 § 5992-104.] Repealed by 1953 c 75 § 13.
77.32.031 Supplemental steelheal seal-_Fee, exempt persons, disposition of moneys from--Penalty. [1975 1st ex.s. c 15 §4; 1969 ex.s. c 17 § 1.] Section expired March 31, 1976.
77.32.040 Supplemental elk license fees. [1947 c 275 § 96; Rem. Supp. 1947 § 5992-105.] Repealed by 1953 c 75 § 13.
77.32.100 Resident state bunting and fishing license. [1975 1st ex.s. c $15 \S 5 ; 1970$ ex.s. c $29 \S 3 ; 1965$ c $48 \S 1 ; 1957$ c $176 \S 3 ; 1955$ c 36 § 77.32.100. Prior: 1953 c 75 § 4; 1947 c 128 § 2; Rem. Supp. 1947 § 5897-2.] Section expired December 31, 1975.
77.32.103 Resident state bunting license. [1975 1st ex.s. c 15 § 6; 1970 ex.s. c 29 § 4 ; 1965 c 48 § 2 ; 1957 c 176 § $4 ; 1955$ c 36 § $77.32-$ .103. Prior: 1953 c 75 § 5.] Section expired December 31, 1975.
77.32.105 Resident state fishing license. [1975 1st ex.s. c 15 § 7; 1970 ex.s. c 29 § $5 ; 1965$ c 48 § 3 ; 1957 c 176 § 5 ; 1955 c $36 \S 77.32-$ .105. Prior: 1953 c 75 § 6.] Section expired December 31, 1975.
77.32.110 Resident county bunting and fishing license. [1975 1st ex.s. c 15 § 8; 1970 ex.s. c 29 § 6; 1965 c 48 § $4 ; 1957$ c 176 § 6; 1955 c 36 § 77.32.110. Prior: 1953 c 75 § 7; 1947 c 128 § 1; Rem. Supp. 1947 § 5897-1.] Section expired December 31, 1975.
77.32.113 Resident county fishing license. [1975 1st ex.s. c 15 § 9; 1970 ex.s. c 29 § $7 ; 1965$ c 48 § $5 ; 1957$ c 176 § 7; 1955 c 36 § 77.32.113. Prior: 1953 c 75 § 8.] Section expired December 31, 1975.
77.32.130 Nonresident state hunting license. [1975 1st ex.s. c 15 § 10; 1970 ex.s. c 29 § 8; 1957 c 176 § 8; 1955 c 36 § 77.32.130. Prior: 1953 c 75 § $9 ; 1947$ c 275 § 102 ; 1931 c 108 § 5; 1927 c 258 § $8 ; 1925$ ex.s. c 178 § 44; Rem. Supp. 1947 § 5992-111.] Section expired December 31, 1975.
77.32.140 Nonresident state bunting license. [1955 c 36 § 77.32.140. Prior: 1953 c 75 § 10; 1947 c 275 § 103 ; 1931 c 108 § 5; 1927 c 258 § 8; 1925 ex.s. c 178 § 44; Rem. Supp. 1947 § 5992-112.] Repealed by 1957 c 176 § 12, effective January 1, 1958. See RCW 77.32.130.
77.32.150 Nonresident state fishing license. [1975 1st ex.s. c 15 § 11; 1970 ex.s. c 29 § $9 ; 1957$ c 176 § 9; 1955 c 36 § 77.32.150. Prior: 1953 с 75 § 11 ; 1949 с 205 § $4 ; 1947$ с 275 § $104 ; 1931$ c 108 § 5; 1927 c 258 § 8; 1925 ex.s. c 178 § 44; Rem. Supp. 1949 § 5992-113.] Section expired December 31, 1975.
77.32.160 Transient's limited state fishing license. [1975 1st ex.s. c $15 \S 12 ; 1970$ ex.s. c $29 \S 10 ; 1957$ c 176 § $10 ; 1955$ c 36 § 77.32.160. Prior: 1953 c 75 § 12 ; 1947 c 275 § 105 ; 1931 c 108 § 6; 1925 ex.s. c 178 § 45; Rem. Supp. 1947 § 5992-114.] Section expired December 31, 1975.
77.32.170 Alien's state bunting and fishing license. [1947 c 275 § 106; Rem. Supp. 1947 § 5992-115.] Repealed by 1953 c 75 § 13.
77.32.180 Alien's county fishing license. [1947 c 275 § 107; Rem. Supp. 1947 § 5992-116.] Repealed by 1953 c 75 § 13.
77.32.190 Trapper's license. [1975 1st ex.s. c $15 \$ 13 ; 1970$ ex.s. c 29 § 11 ; 1963 c 177 § 7; 1957 c 176 § 11 ; 1955 c 36 § 77.32.190. Prior: 1947 c 275 § 108 ; 1929 c 221 § 4; 1925 ex.s. c 178 § 51; Rem. Supp. 1947 § 5992-117.] Section expired December 31, 1975.
77.32.200 Taxidermist's license. [1975 1st ex.s. c 15 § 15; 1970 ex.s. c 29 § 12; 1955 c 36 § 77.32.200. Prior: 1947 c 275 § 109; Rem. Supp. 1947 § 5992-118.] Section expired December 31, 1975.
77.32.210 Fur dealer's license. [1975 1st ex.s. c $15 \S 16 ; 1955$ c 36 § 77.32.210. Prior: 1947 c 275 § 110; Rem. Supp. 1947 § 5992-1 19.] Section expired December 31, 1975.
77.32.225 Fishing guide license——Rules, records, reports. [1975 1st ex.s. c 15 § $17 ; 1970$ ex.s. c 29 § 13; 1957 c 176 § 13.] Section expired December 31, 1975.
77.32.255 Duplicate licenses and permits. [1975 1st ex.s. c 15 § 18; 1970 ex.s. c 29 § 15.] Section expired December 31, 1975.

Chapter 77.40

## SHOOTING GROUNDS

77.40.020 Grounds withdrawn from sale or lease. [1955 c 36 § 77.40.020. Prior: 1941 c 165 § 2; Rem. Supp. 1941 § 7993-5.] Repealed by 1969 ex.s. c 129 § 4.

# 78 <br> MINES, MINERALS, AND PETROLEUM 

Chapter 78.08
LOCATION OF MINING CLAIMS
78.08.010 "Lode" defined. [1899 c 45 § 4; RRS § 8625.] Now codified as RCW 78.08.075.
78.08.130 Discovery shaft provisions inapplicable west of Cascades. [1899 c 45 § 9; RRS § 8630.] Repealed by 1955 c 357 § 2.

## Chapter 78.20 <br> PROSPECTING LEASES AND CONTRACTS TO MINE MINERALS, EXCEPT COAL, ON STATE LANDS

78.20.010 "Person" defined. [(i) 1927 c 255 § 155 , part; RRS § $7797-155$, part. Prior: 1917 c 148 § 1; 1915 c 152 § $1 ; 1897$ c 102 § 1. (ii) 1927 c 255 § 156, part; RRS § 7797-156, part; prior: 1917 c 148 § 2; 1901 c 151 §§ 1,2 ; 1897 c 102 §§ 2-5.] Now codified in RCW 79. .01.616 and 79.01.620.
78.20.020 Leases and contracts authorized--Conditions. [1927 c 255 § 155, part; RRS § 7797-155, part. Prior: 1917 c 148 § 1 ; 1915 c 152 § $1 ; 1897$ c 102 § 1.] Now codified in RCW 79.01.616.
78.20.030 Application for lease-—Rental and fee. [1927 c 255 § 156, part; RRS §7797-156, part. Prior: 1917 c 148 § 2; 1901 c 151 §§ 1, 2; 1897 c 102 §§ 2-5.] Now codified in RCW 79.01.620.
78.20.040 Prospecting lease on leased land-_Procedure. [1927 c 255 § 157; RRS § 7797-157. Prior: 1917 c 148 § 3; 1899 c 147 § 1 ; 1897 c 102 § 6.] Now codified as RCW 79.01.624.
78.20.050 Term and conditions of lease. [1945 c 103 § $1 ; 1927$ c 255 § 158; Rem. Supp. 1945 § 7797-158. Prior: 1897 c 102 § 4.] Now codified as RCW 79.01.628.
78.20.060 Preference right to new lease. [1927 c 255 § 159 ; RRS § 7797-1 59.] Now codified as RCW 79.01.632.
78.20.070 Mining contracts-—Procedure for issuance——Terms. [1927 c 255 § 160; RRS § 7797-160. Prior: 1901 c 151 § 4.] Now codified as RCW 79.01.636.
78.20.080 Form of contract. [1927 c 255 § 161; RRS § 7797-161. Prior: 1917 c 148 § 3; 1899 c 147 § 1 ; 1897 c 102 § 6.] Now codified as RCW 79.01.640.
78.20.090 Royalties——Renewal of contract. [1945 c 103 § 2 ; 1927 c 255 § 162; Rem. Supp. 1945 § 7797-162.] Now codified as RCW 79.01.644.
78.20.100 Consolidation of contracts. [1945 c 103 § 3; Rem. Supp. 1945 § 7797-162a.] Now codified as RCW 79.01.648.

## Chapter 78.24

OPTION CONTRACTS AND COAL LEASES ON STATE LANDS
78.24.010 Leases and option contracts authorized. [1927 c 255 § 163; RRS § 7797-163.] Now codified as RCW 79.01.652.
78.24.020 Application for option contract--Fee. [1927 c 255 § 164; RRS § 7797-164.] Now codified as RCW 79.01.656.
78.24.030 Investigation-—Grant of contract——Rights of contract bolder. [1927 c 255 § 165; RRS § 7797-165.] Now codified as RCW 79.01.660.
78.24.040 Application for lease-—Lease——Terms——Royalties. [1927 c 255 § 167; RRS § 7797-167.] Now codified as RCW 79.01.668.
78.24.050 Lease without option contract. [1927 c 255 § 168; RRS § 7797-168.] Now codified as RCW 79.01.672.
78.24.060 Inspection of works and records--Secrecy. [1927 c 255 § 169; RRS § 7797-169.] Now codified as RCW 79.01.676.
78.24.070 Action to determine damage to surface owner or lessee. [1927 c 255 § 166; RRS § 7797-166.] Now codified as RCW 79.01.664.
78.24.080 Use and sale of materials from land. [1927 c 255 § 170; RRS § 7797-170.] Now codified as RCW 79.01.680.
78.24.090 Suspension of mining——Termination of lease. [1927 c 255 § 171; RRS §7797-171.] Now codified as RCW 79.01.684.
78.24.100 Condition of premises on termination-—Removal of personalty. [1927 c 255 § 172; RRS § 7797-172.] Now codified as RCW 79.01.688.
78.24.110 Re-lease——Procedure——Preference to lessee. [1927 c 255 § 173; RRS § 7797-173.] Now codified as RCW 79.01.692.
78.24.120 Waste prohibited. [1927 c 255 § 174; RRS § 7797-174.] Now codified as RCW 79.01.696.

## Chapter 78.28 <br> PETROLEUM PERMITS AND LEASES ON STATE LANDS

78.28.010 through 78.28.270 [(i) 1951 c 146 § 37. (ii) 1937 c 61; RRS §§ 7797-175-7797-185q.] Repealed by 1955 c 131 § 24.
78.28.280 Definitions. [1955 c 131 § 1.] Now codified as RCW 79.14.010.
78.28.290 Leases authorized——Terms——Duration. [1955 c 131 § 2.] Now codified as RCW 79.14.020.
78.28.300 Rental fees-MMimum royalties. [1955 c 131 § 3.] Now codified as RCW 79.14.030.
78.28.310 Compensation to owners of private rights and to state for surface damage. [1955 c 131 § 4.] Now codified as RCW 79.14.040.
78.28.320 Drilling operations beyond lease term——Lease provisions. [1955 c 131 § 5.] Now codified as RCW 79.14.050.
78.28.330 Surrender of lease——Liability. [1955 c 131 § 6.] Now codified as RCW 79.14.060.
78.28.340 Royalties. [1955 c 131 § 7.] Now codified as RCW 79.14.070.
78.28.350 Leases of land within a geologic structure. [1955 c 131 § 8.] Now codified as RCW 79.14.080.
78.28.360 Cancellation of leases——New leases. [1955 c 131 § 9.] Now codified as RCW 79.14.090.
78.28.370 Cooperative or unit plans--Communization or drilling agreements. [1955 c 131 § 10.] Now codified as RCW 79.14.100.
78.28.380 Customary provisions in leases. [1955 c 131 § 11.] Now codified as RCW 79.14.110.
78.28.390 Rules and regulations. [1955 c 131 § 12.] Now codified as RCW 79.14.120.
78.28.400 Wells to be located minimum distance from bounda-ries-Exception. [1955 c 131 § 13.] Now codified as RCW 79.14.130.
78.28.410 Rights of way over public lands-—Payment for timber. $\left[\begin{array}{ll}1955 \text { c } 131 \text { § 14.] Now codified as RCW 79.14.140. }\end{array}\right.$
78.28.420 Sales of timber——Rules. [1955 c 131 § 15.] Now codified as RCW 79.14.150.
78.28.430 Development after discovery. [1955 c 131 § 16.] Now codified as RCW 79.14.160.
78.28.440 Spacing and offsetting of wells. [1955 c 131 § 17.] Now codified as RCW 79.14.170.
78.28.450 Lands may be withheld from leasing. [1955 c 131 § 18.] Now codified as RCW 79.14.180.
78.28.460 Payment of royalty share——Royalty in kind. [1955 c 131 § 19.] Now codified as RCW 79.14.190.
78.28.470 Prior permits validated——Relinquishment for new leases. [1955 c 131 § 20.] Now codified as RCW 79.14.200.
 Now codified as RCW 79.14.210.
78.28.490 Appeal from rulings of commissioner. [1955 c 131 § 22.] Now codified as RCW 79.14.220.
78.28.900 Severability. [1955 c 131 § 23.] Now codified as RCW 79.14.900.

| COMPARATIVE TABLE |  | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| Chapters $78.32,78.34,78.36$ and 78.38 RCW were recodified June 1, 1958 and are now codified in Chapter 78.40 RCW as follows: |  | 78.34 .140 | 78.40 .654 |
| Formerly | Herein | 78.34.150 <br> 78.34 .160 | $78.40 .690$ |
|  |  | $\begin{aligned} & 78.34 .160 \\ & 7834170 \end{aligned}$ | $\begin{aligned} & 78.40 .693 \\ & 78.40 .699 \end{aligned}$ |
| 78.32 .010 | 78.40 .010 | 78.34.180 | 78.40.732 |
| 78.32.030 | 78.40 .773 | 78.34.190 | 78.40 .732 |
|  | 78.40 .705 | 78.34.200 | 78.40 .765 |
|  | 78.40 .717 | 78.34 .210 | 78.40 .729 |
| 78.32 .040 | 78.40 .594 78.40 .366 | 78.34 .220 | 78.40 .339 |
| 78.32.050 | 78.40.723 | 78.34.230 | 78.40 .711 |
| 78.32 .060 | 78.40 .723 | 78.34 .400 | 78.40 .780 |
| 78.32 .070 | 78.40 .714 | 78.34.410 | 78.40 .780 |
| 78.32 .200 | 78.40.130 | 78.34.420 | 78.40 .783 |
|  | 78.40.133 | 78.34.430 | 78.40 .786 |
| 78.32.210 | 78.40.100 | 78.34 .440 | 78.40 .797 |
|  | 78.40.103 | 78.34.450 | 78.40 .450 |
| 78.32.220 | 78.40.106 | 78.34.460 | 78.40 .453 |
| 78.32 .230 | 78.40.106 |  | 78.40 .456 |
|  | 78.40 .136 | 78.34 .470 | 78.40 .702 |
| 78.32 .240 | 78.40 .100 | 78.34.480 | 78.40 .459 |
|  | 78.40.139 | 78.34 .490 | 78.40 .462 |
| 78.32 .250 | 78.40.109 | 78.34.600 | 78.40 .789 |
| 78.32 .260 | 78.40 .112 | 78.34 .610 | 78.40 .342 |
| 78.32 .270 | 78.40 .115 | 78.34.620 | 78.40 .345 |
| 78.32 .280 | 78.40 .118 | 78.34.630 | 78.40.354 |
| 78.32 .290 | 78.40 .121 | 78.34.640 | 78.40 .357 |
| 78.32 .400 | 78.40 .390 | 78.34 .650 | 78.40 .360 |
| 78.32 .410 | 78.40 .393 | 78.34.660 | 78.40.363 |
| 78.32 .420 | 78.40 .396 | 78.34 .670 | 78.40.372 |
| 78.32 .430 | 78.40 .309 | 78.34.680 | 78.40.378 |
| 78.32 .440 | 78.40 .142 | 78.34.690 | 78.40.381 |
|  | 78.40 .145 | 78.34.700 | 78.40.687 |
| 78.32 .450 | 78.40 .312 | 78.34.710 78.720 | 78.40 .217 78.40 .369 |
|  | 78.40 .315 | 78.34.730 | 78.40.369 |
| 78.32 .460 | 78.40 .324 |  |  |
| 78.32 .470 | 78.40 .318 | 78.34 .740 78.34.750 | 78.40 .663 78.40 .666 |
| 78.32 .480 | 78.40 .402 | 78.34 .750 78.34 .760 | 78.40 .666 78.40 .600 |
| 78.32 .490 | 78.40 .405 | 78.34.760 78.34.770 | 78.40 .600 78.40 .603 |
| 78.32.500 | 78.40 .408 | 78.34.780 | 78.40 .229 |
| 78.32.510 | 78.40 .417 | 78.34.790 | 78.40 .642 |
| 78.32.520 | 78.40.414 | 78.34.800 | 78.40.791 |
| 78.32.530 78.32 .540 | 78.40.411 78.40 .420 | 78.34 .810 | 78.40 .794 |
| 78.32.550 | 78.40.429 | 78.34 .820 | 78.40 .223 |
| 78.32 .560 | 78.40.423 | 78.36.010 | 78.40 .500 |
| 78.32 .570 | 78.40.426 | 78.36.020 | 78.40 .503 |
| 78.32.580 | 78.40 .178 | 78.36.030 | 78.40 .509 |
| 78.32 .590 | 78.40.432 | 78.36.040 | 78.40 .506 |
| 78.32 .600 | 78.40.435 | 78.36.050 | 78.40 .512 |
| 78.32 .610 | 78.40 .438 | 78.36 .060 | 78.40 .657 |
| 78.32 .620 | 78.40 .181 | 78.36.070 | 78.40 .660 |
| 78.32 .800 | 78.40 .735 | 78.36.200 | 78.40 .327 |
| 78.32 .810 | 78.40 .738 | 78.36.210 | 78.40 .330 |
| 78.32 .820 | 78.40 .741 | 78.36 .220 | 78.40 .336 |
| 78.32 .830 | 78.40 .744 | 78.36.230 | 78.40 .333 |
| 78.32 .840 | 78.40 .747 | 78.36 .400 | 78.40 .160 |
| 78.32 .850 | 78.40 .750 | 78.36 .410 | 78.40 .163 |
| 78.32 .860 | 78.40 .753 | 78.36.420 | 78.40 .166 |
| 78.32 .870 | 78.40 .756 | 78.36.430 | 78.40.169 |
| 78.32 .880 | 78.40 .759 | 78.36.440 | 78.40 .172 |
| 78.34.010 | 78.40 .585 |  | 78.40 .175 |
| 78.34.020 | 78.40 .588 | 78.36 .450 | 78.40.184 |
| 78.34 .030 | 78.40 .591 | 78.36 .460 | 78.40.187 |
| 78.34 .040 | 78.40 .606 | 78.36.470 | 78.40 .190 |
| 78.34.050 | 78.40 .609 |  | 78.40 .193 |
| 78.34.060 | 78.40 .612 | 78.36.480 | 78.40 .199 |
|  | 78.40 .615 |  | 78.40 .202 |
| 78.34 .070 | 78.40 .618 | 78.36 .490 | 78.40 .205 |
| 78.34 .080 | 78.40 .621 | 78.36.500 | 78.40 .196 |
| 78.34.090 | 78.40 .627 | 78.36.510 | 78.40 .208 |
| 78.34.100 | 78.40 .630 | 78.36.520 | 78.40 .211 |
| 78.34.110 | 78.40 .633 | 78.36.530 | 78.40 .214 |
| 78.34.120 | 78.40 .296 |  | 78.40 .226 |
|  | 78.40 .639 | 78.36 .540 | 78.40 .281 |
| 78.34.130 | 78.40 .636 | 78.36.600 | 78.40 .540 |

[^25]| Formerly | Herein |
| :---: | :---: |
| 78.36 .610 | 78.40 .543 |
| 78.36.620 | 78.40 .546 |
| 78.36 .630 | 78.40.549 |
| 78.36.640 | 78.40.552 |
| 78.36.650 | 78.40.555 |
| 78.36 .660 | 78.40.558 |
| 78.36 .670 | 78.40.561 |
| 78.36 .680 | 78.40.564 |
| 78.36 .690 | 78.40.567 |
| 78.36 .700 | 78.40.570 |
| 78.36 .710 | 78.40.570 |
| 78.36 .720 | 78.40.573 |
| 78.36 .730 | 78.40.576 |
| 78.36 .740 | 78.40.581 |
| 78.36 .750 | 78.40 .645 |
| 78.36 .800 | 78.40 .270 |
| 78.36 .810 | 78.40 .696 |
| 78.36 .820 | 78.40.273 |
| 78.36 .830 | 78.40 .276 |
| 78.36 .840 | 78.40 .279 |
| 78.36 .850 | 78.12.061 |
|  | 78.12.062 |
| 78.36 .860 | 78.40.284 |
| 78.36 .870 | 78.40.287 |
| 78.36 .880 | 78.40.290 |
|  | 78.40 .536 |
| 78.36 .890 | 78.40.293 |
| 78.36 .900 | 78.40 .521 |
| 78.38.010 | 78.40 .720 |
| 78.38 .020 | 78.40.515 |
| 78.38 .030 | 78.40.518 |
| 78.38 .040 | 78.40.524 |
| 78.38 .050 | 78.40 .527 |
| 78.38 .060 | 78.40 .530 |
| 78.38 .070 | 78.40.533 |
| 78.38 .080 | 78.40 .708 |
| 78.38 .200 | 78.40 .470 |
| 78.38 .210 | 78.40 .473 |
| 78.38.220 | 78.40.473 |
|  | 78.40 .675 |
|  | 78.40 .759 |
| 78.38 .230 | 78.40 .476 |
| 78.38 .240 | 78.40.488 |
| 78.38.250 | 78.40 .651 |
| 78.38.260 | 78.40 .482 |
| 78.38.270 | 78.40 .441 |
| 78.38.280 | 78.40 .485 |
| 78.38.290 | 78.40 .669 |
| 78.38 .300 | 78.40 .672 |
| 78.38.310 | 78.40 .479 |
| 78.38 .320 | 78.40 .726 |
| 78.38.330 | 78.40 .444 |
| 78.38 .340 | 78.40 .732 |
| 78.38.350 | 78.40 .684 |
|  | 78.40 .441 |
| 78.38.360 | 78.40.579 |
| 78.38.370 | 78.40 .681 |
| 78.38.500 | 78.40.399 |
| 78.38.510 | 78.40.300 |
| 78.38.520 | 78.40.303 |
| 78.38.530 | 78.40.351 |
| 78.38.540 | 78.40.306 |
| 78.38.550 | 78.40.321 |
| 78.38.560 | 78.40.348 |
| 78.38.570 | 78.40.375 |
| 78.38.580 | 78.40.375 |
| 78.38.800 | 78.40.235 |
| 78.38.810 | 78.40.238 |
| 78.38.820 | 78.40.241 |
| 78.38 .830 | 78.40.244 |
| 78.38.840 | 78.40.247 |
| 78.38.850 | 78.40.250 |
| 78.38.860 | 78.40.253 |
| 78.38.870 | 78.40.256 |


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| 78.38 .880 | $\mathbf{7 8 . 4 0 . 2 5 9}$ |
| 78.38 .890 | $\mathbf{7 8 . 4 0 . 2 6 2}$ |

Chapter 78.40
COAL MINING CODE
78.40.491 Explosives in dwellings--Penalty-—Exception. [1969 ex.s. c 137 § 22; 1917 c 36 § 130; RRS § 8765. Prior: 1911 c 65 § 2. Formerly RCW 70.74.260.] Repealed by 1970 ex.s. c 72 § 7.

## Chapter 78.48 <br> MINE TO MARKET ROADS

78.48.010 Commission--Members——Chairman. [1939 c 175 § 1; RRS § 6450-25a.] Repealed by 1975 1st ex.s. c 139 § 1.
78.48.020 Mine to market road defined. [1945 c 222 § 1 ; 1939 c 175 § 2; Rem. Supp. 1945 § 6450-25b.] Repealed by 1975 1st ex.s. c 139 § 1.
78.48.030 Petition-_Filing——Contents. [1945 c 222 § 2; 1943 c 146 § $1 ; 1939$ c 175 § 3; Rem. Supp. 1945 § 6450-25c.] Repealed by 1975 lst ex.s. c 139 § 1.
78.48.040 Action on petition by the commission. [1945 c 222 § 3; 1943 c 146 § 2; 1939 c 175 § 4; Rem. Supp. 1945 § 6450-25d.] Repealed by 19751 st ex.s. c 139 § 1 .
78.48.050 Right of way-—Construction. [1945 c 222 §4; 1943 c 146 § 3; 1939 c 175 § 5; Rem. Supp. 1945 § 6450-25e.] Repealed by 1975 1st ex.s. c 139 § 1.
78.48.060 Counties notified when road is completed-Maintenance. [1945 c 222 § 6; 1939 c 175 § 7; Rem. Supp. 1945 § 6450-25g.] Repealed by 1975 1st ex.s. c 139 § 1.
78.48.080 Funds and contributions-—Expenditure. [1973 c 106 § 36; 1951 c 49 § $1 ; 1945$ c 222 § $5 ; 1943$ c 146 § $4 ; 1939$ c 175 § 6 ; Rem. Supp. 1945 § 6450-25f.] Repealed by 1975 1st ex.s. c 139 § 1.

## Chapter 78.52

OIL AND GAS CONSERVATION
78.52.060 Hearings in general. [1951 c 146 § 5.] Now codified as RCW 78.52.025.
 Now codified as RCW 78.52.031.
78.52.090 Failure of witness to attend or testify——Contempt. [1951 c 146 § 8.] Now codified as RCW 78.52.033.
78.52.110 Attorney for committee. [1951 c 146 § 9.] Now codified as RCW 78.52.035.

Title 79
PUBLIC LANDS
Chapter 79.01
PUBLIC LANDS ACT
79.01.156 Sale of land after removal of timber or other valuable material. [1927 c 255 § 39; RRS § 7797-39. Prior: 1915 c 147 § 2; 1909 c 223 § 3 ; 1907 c 256 § 6; 1901 c 148 § $1 ; 1899$ c 129 § $1 ; 1897$ c 89 § 12 ; 1895 c 178 § 23. Formerly RCW 79.12.180.] Repealed by 1959 c 257 § 48.
79.01.180 Certificate of appraisement to county auditor-—Post-ing--Notice to applicant-Objection to appraisement. [1927 c 255 §45; RRS § 7797-45. Prior: 1903 c 79 § 1 ; 1897 c 79 § 13 ; 1895 c 178 § 22. Formerly RCW 79.12.290.] Repealed by 1959 c 257 § 48.
79.01.614 Leases for prospecting and contracts for mining of valuable minerals and specified materials--Definitions. [1965 c 56 § 1.] Repealed by 1967 c 163 § 7.

1967 Act adopted to implement Amendment 42——Severability: See notes following RCW 64.16.005.

## Chapter 79.04

 DEFINITIONS79.04.010 "Public lands", "state lands". [1927 c 255 § 1; RRS § 7797-1.] Now codified as RCW 79.01.004.
79.04.020 "Outer harbor line". [1927 c 255 § 2; RRS § 7797-2.] Now codified as RCW 79.01.008.
79.04.030 "Harbor area". [1927 c 255 § 3; RRS § 7797-3.] Now codified as RCW 79.01.012.
79.04.040 "Inner harbor line". [1927 c 255 § 4; RRS § 7797-4.] Now codified as RCW 79.01.016.
79.04.050 "First class tidelands". [1927 c 255 § 5; RRS § 7797-5.] Now codified as RCW 79.01.020.
79.04.060 "Second class tidelands". [1927 c 255 § 6; RRS § 7797-6.] Now codified as RCW 79.01.024.
79.04.070 "First class shorelands". [1927 c 255 § 7; RRS § 7797-7.] Now codified as RCW 79.01.028.
79.04.080 "Second class shorelands". [1927 c 255 § 8; RRS § 7797-8.] Now codified as RCW 79.01.032.
79.04.090 "Improvements". [1927 c 255 § 9; RRS § 7797-9.] Now codified as RCW 79.01.036.
79.04.100 "Commissioner", "board". This section has no session law background and is accordingly decodified.

Chapter 79.08
GENERAL PROVISIONS
79.08.010 Hearings-—Witnesses--Compelling attendance. [1927 c 255 § 186; RRS § 7797-186.] Now codified as RCW 79.01.704.
79.08.020 Duty of attorney general. [1927 c 255 § 194; RRS § 7797-194.] Now codified as RCW 79.01.736.
79.08.030 Court review of actions. [1927 c 255 § 125; RRS § 7797-125.] Now codified as RCW 79.01.500.
79.08.040 Blank forms of applications. [1927 c 255 § 21 ; RRS § 7797-21.] Now codified as RCW 79.01.084.
79.08.050 Selection to complete uncompleted grants. [1927 c 255 § 19; RRS § 7797-19.] Now codified as RCW 79.01.076.
79.08.060 Relinquishment on failure or rejection of selection. [1927 c 255 § 20; RRS § 7797-20.] Now codified as RCW 79.01.080.
79.08.1068 State lands used for state parks-—Trust lands-How full market value rental determined when parties disagree. [1967 ex.s. c 63 § 7.] Repealed by 1969 ex.s. c 189 § 4.
79.08.107 State lands used by state parks commission as public parks shall be rent free. [1965 c 56 § 16.] Repealed by 1967 ex.s. c 63 § 9.
79.08.130 Applications for federal certification that lands are nonmineral. [1927 c 255 § 77; RRS § 7797-77.] Now codified as RCW 79.01.308.
79.08.220 State school lands used by cities and counties for park and recreational purposes--Such purposes deemed highest and best use. [1971 ex.s. c 246 § 2.] Repealed by 1973 c 57 § 1.
79.08.230 State school lands leased to cities and towns as open space lands——Registration-Classification under chapter 84.34 RCW. [1971 ex.s. c 246 § 3.] Repealed by 1973 c 57 § 1.
79.08.240 State school lands leased to cities and towns as open space land--Cost of lease to be equivalent to property taxes levied on similar private land classified under chapter $\mathbf{8 4 . 3 4}$ RCW. [1971 ex.s. c 246 § 4.] Repealed by 1973 c 57 § 1.

Chapter 79.12

## SALES AND LEASES OF PUBLIC LANDS AND MATERIALS

79.12.010 Who may purchase or lease——Application——Deposit. [1927 c 255 § 22; RRS § 7797-22.] Now codified as RCW 79.01.088.
79.12.020 Inspection and appraisal-Minimum price of educational lands. [1941 c 217 § 2; 1935 c 136 § 1; 1927 c 255 § 23; Rem. Supp. 1941 § 7797-23.] Now codified as RCW 79.01.092.
79.12.030 Maximum and minimum areas subject to sale or lease--Exception--Approval of regents-DDration of leases. [1955 c 394 § 1 ; 1927 c 255 § 24; RRS § 7797-24.] Now codified as RCW 79.01.096.
79.12.040 Maximum area of urban or suburban state landPlatting. [1927 c 255 § 25 ; RRS § 7797-25.] Now codified as RCW 79.01.100.
79.12.050 Vacation of plat by commissioner. [1927 c 255 § 26; RRS § 7797-26.] Now codified as RCW 79.01.104.
79.12.060 Vacation on petition--Preference right to purchase. [1927 c 255 § 27; RRS § 7797-27.] Now codified as RCW 79.01.108.
79.12.070 Entire section may be inspected. [1927 c 255 § 28; RRS § 7797-28.] Now codified as RCW 79.01.112.
79.12.080 Date of sale limited by time of appraisal. [1935 c 55 § 1 (adding section 29 to 1927 c 255 in lieu of original section 29 which was vetoed); RRS § 7797-29.] Now codified as RCW 79.01.116.
79.12.090 Survey to determine area subject to sale or lease. [1927 c 255 § 30; RRS § 7797-30.] Now codified as RCW 79.01.120.
79.12.100 Timber and valuable materials sold separately, when. [1929 c 220 § 1 ; 1927 c 255 § 31 ; RRS § 7797-31.] Now codified as RCW 79.01.124.
79.12.110 Separate appraisement dispensed with, when. [1927 c 255 § 32; RRS § 7797-32.] Now codified as RCW 79.01.128.
79.12.120 Cash payment-—Time limit on removal--Rever-sion--Extension. [1927 c 255 § 33; RRS § 7797-33.] Now codified as RCW 79.01.132.
79.12.130 Separate appraisement of improvements before sale or lease-—Damages and waste to be deducted. [1927 c 255 § 34; RRS § 7797-34.] Now codified as RCW 79.01.136.
79.12.140 Possession after termination of lease——Removal of improvements. [1927 c 255 § 35; RRS § 7797-35.] Now codified as RCW 79.01.140.
79.12.150 Reversion of unremoved improvements--Payment by purchaser. [1927 c 255 § 36; RRS § 7797-36.] Now codified as RCW 79.01.144.
79.12.160 Deposit by purchaser to cover value of improvements. [1935 c 57 § 1 ; 1927 c 255 § 37; RRS § 7797-37.] Now codified as RCW 79.01.148.
79.12.170 May examine witnesses, compel attendance, etc., in fixing values. [1927 c 255 § 38; RRS § 7797-38.] Now codified as RCW 79.01.152.
79.12.180 Sale of land after removal of timber or other material. [1927 c 255 § 39; RRS § 7797-39.] Now codified as RCW 79.01.156.
79.12.190 Rules and regulations for removal of timber. [1927 c 255 § 40; RRS § 7797-40.] Now codified as RCW 79.01.160.
79.12.200 Reservation of land for reforestation after timber removed. [1927 c 255 § 41 ; RRS § 7797-41.] Now codified as RCW 79.01.164.
79.12.210 Sale of timber damaged by fire. [1927 c 255 § 42; RRS § 7797-42.] Now codified as RCW 79.01.168.
79.12.220 Sale of timber damaged by storm or disease. [1937 c 84 § 1 ; RRS § 7797-42a.] Repealed by 1959 c 257 § 48.
79.12.230 Sale of timber damaged by storm or disease-Manner of sale--Bond. [1937 c 84 § 2; RRS § 7797-42b.] Repealed by 1959 c 257 § 48 .
79.12.232 Sale of timber on stumpage or scale basis. [1951 c 266 § 1.] Repealed by 1969 ex.s. c $14 \S 5$.
79.1 2.234 Sale of timber on stumpage or scale basis-C Contract provisions. [1951 c 266 § 2.] Repealed by 1969 ex.s. c 14 § 5.
[Disposition Table——p 154]
79.12.236 Sale of timber on stumpage or scale basis-CCash deposit required. [1959 c 257 § 41; 1951 c 266 § 3.] Repealed by 1969 ex.s. c 14 § 5.
79.12.240 Disposition of crops on forfeited land. [1927 c 255 § 43; RRS § 7797-43.] Now codified as RCW 79.01.172.
79.12.250 Road material--Sale to public authorities. [1927 c 255 § 44; RRS § 7797-44.] Now codified as RCW 79.01.176.
79.12.260 Subdivision of contracts or leases. [1955 c 394 § 2; 1927 c 255 § 59; RRS § 7797-59.] Now codified as RCW 79.01.236.
79.12.270 Assignment of contracts or leases. [1927 c 255 § 73; RRS § 7797-73.] Now codified as RCW 79.01.292.
79.12.280 Effect of mistake or fraud. [1927 c 255 § 60; RRS § 7797-60.] Now codified as RCW 79.01.240.
79.12.290 Certificate of appraisement to county auditor- Notice to applicant-—Objection to appraisement. [1927 c 255 § 45; RRS § 7797-45.] Now codified as RCW 79.01.180.
79.12.300 Fixing date of sale——Notice——Publication and posting. [1927 c 255 § 46; RRS § 7797-46.] Now codified as RCW 79.01.184.
79.12.310 Pamphlet list of lands or materials——Distribution. [1927 c 255 § 47; RRS § 7797-47.] Now codified as RCW 79.01.188.
79.12.320 Additional advertising. [1927 c 255 § 48; RRS § 7797-48.] Now codified as RCW 79.01.192.
79.12.330 Place of sale--Hours. [1927 c 255 § 49; RRS § 7797-49.] Now codified as RCW 79.01.196.
79.12.340 Sales at auction--Minimum price-—Exception as to minor timber sales. [1933 c 66 § $1 ; 1927$ c 255 § 50; RRS § 7797-50.] Now codified as RCW 79.01.200.
79.12.350 Conduct of sales--Payments-Memorandum of purchase. [1927 c 255 § 51; RRS § 7797-51.] Now codified as RCW 79.01.204.
79.12.360 Readvertisement of lands not sold. [1927 c 255 § 52; RRS § 7797-52.] Now codified as RCW 79.01.208.
79.12.370 Confirmation of sale. [1927 c 255 § 53; RRS § 7797-53.] Now codified as RCW 79.01.212.
79.12.380 Terms of payment-Deferral by reason of improvements. [1927 c 255 § 54.] Now codified as RCW 79.01.216.
79.12.390 Certificate to governor of payment in full——Deed. [1927 c 255 § 55; RRS § 7797-55.] Now codified as RCW 79.01.220.
79.12.400 Form of contract--Forfeiture——Extension of time. [1927 c 255 § 57.] Now codified as RCW 79.01.228.
79.12.410 Reservation in contract. [1927 c 255 § 56; RRS § 7797-56.] Now codified as RCW 79.01.224.
79.12.420 Bill of sale for materials. [1927 c 255 § 58 ; RRS § 7797-58.] Now codified as RCW 79.01.232.
79.12.430 Duration of leases——Restrictions. [1947 c 171 § 1 ; 1927 c 255 § 61; RRS § 7797-61.] Now codified as RCW 79.01.244.
79.12.440 List of lands to county auditor. [1927 c 255 § 62; RRS § 7797-62.] Now codified as RCW 79.01.248.
79.12.450 List to be posted——Lease to highest bidder. [1927 c 255 § 63; RRS § 7797-63.] Now codified as RCW 79.01.252.
79.12.460 Rental payment. [1927 c 255 § 64; RRS § 7797-64.] Now codified as RCW 79.01.256.
79.12.470 County auditor's return. [1927 c 255 § 65; RRS § 7797-65.] Now codified as RCW 79.01.260.
79.12.480 Rejection or approval of leases. [1927 c 255 § 66; RRS § 7797-66.] Now codified as RCW 79.01.264.
79.12.490 Record of leases--Notice to pay rent-—Forfeiture. [1933 c 139 § 1 ; 1927 c 255 § 67; RRS § 7797-67.] Now codified as RCW 79.01.268.
79.12.500 Improver's preference right to lease. [1927 c 255 § 68; RRS § 7797-68.] Now codified as RCW 79.01.272.
79.12.510 Renewal of leases. [1927 c 255 § 69; RRS § 7797-69.] Now codified as RCW 79.01.276.
79.12.520 Forfeiture. [1927 c 255 § 70; RRS § 7797-70.] Now codified as RCW 79.01.280.
79.12.530 Water right as improvement. [1927 c 255 § 71; RRS § 7797-71.] Now codified as RCW 79.01.284.
79.12.540 Removal of improvements. [1927 c 255 § 72; RRS § 7797-72.] Now codified as RCW 79.01.288.
79.12.550 Restrictions upon grazing leases. [1927 c 255 § 74; RRS § 7797-74.] Now codified as RCW 79.01.296.
79.12.560 Leased lands reserved from sale. [1927 c 255 § 75; RRS § 7797-75.] Now codified as RCW 79.01.300.

## Chapter 79.16

TIDELANDS, SHORELANDS, AND HARBOR AREAS
79.16.010 Definition. [1927 c 255 § 133; RRS § 7797-133.] Now codified as RCW 79.01.532.
79.16.020 Authority to lease——Conditions. [1927 c 255 § 126; RRS § 7797-126.] Now codified as RCW 79.01.504.
79.16.030 Terms of leases. [1927 c 255 § 127; RRS § 7797-127.] Now codified as RCW 79.01.508.
79.16.040 Construction or extension of docks, wharves, etc. [1927 c 255 § 128; RRS § 7797-128.] Now codified as RCW 79.01.512.
79.16.050 Re-leases of harbor areas. [1927 c 255 § 129; RRS § 7797-129.] Now codified as RCW 79.01.516.
79.16.060 Assessor's valuation-—Appeal. [1927 c 255 § 130; RRS § 7797-130.] Now codified as RCW 79.01.520.
79.16.070 Procedure to re-lease harbor areas. [1927 c 255 § 131; RRS § 7797-131.] Now codified as RCW 79.01.524.
79.16.080 Regulation of tolls. [1927 c 255 § 132; RRS § 7797-132.] Now codified as RCW 79.01.528.
79.16.090 Lease of unplatted first class tide or shore lands for booming purposes. [1927 c 255 § 134; RRS § 7797-134.] Now codified as RCW 79.01.536.
79.16.100 Lease of second class tide or shore lands for booming purposes. [1927 c 255 § 135; RRS § 7797-135.] Now codified as RCW 79.01.540.
79.16.110 Lease of platted shorelands. [1927 c 255 § 136; RRS § 7797-136.] Now codified as RCW 79.01.544.
79.16.120 Failure to re-lease--Appraisement of improvements. [1927 c 255 § 137; RRS § 7797-137.] Now codified as RCW 79.01.548.
79.16.200 First class tide and shore lands to be platted- Public waterways. [1927 c 255 § 107; RRS § 7797-107.] Now codified as RCW 79.01.428.
79.16.210 Streets, waterways, etc., validated. [1927 c 255 § 108; RRS § 7797-108.] Now codified as RCW 79.01.432.
79.16.220 Record of platted tide and shore lands. [1927 c 255 § 109; RRS § 7797-109.] Now codified as RCW 79.01.436.
79.16.230 Record of appraisement. [1927 c 255 § 110; RRS § 7797-110.] Now codified as RCW 79.01.440.
79.16.240 Notice of filing plat and record of appraisement - Appeal. [1927 c 255 § 111 ; RRS § 7797-111.] Now codified as RCW 79.01.444.
79.16.250 Preference right of upland owner--How exercised. [1927 c 255 § 112; RRS § 7797-112.] Now codified as RCW 79.01.448.
79.16.260 Sale of remaining tide or shore lands. [1927 c 255 § 113; RRS § 7797-113.] Now codified as RCW 79.01.452.
79.16.270 Petition for replat——Replatting and reappraisement. [1927 c 255 § 114; RRS § 7797-114.] Now codified as RCW 79.01.456.
79.16.280 Dedication of replat-—All interests must join. [1927 c 255 § 115; RRS § 7797-115.] Now codified as RCW 79.01.460.
79.16.290 Vacation by replat--Preference rigbt of tideland owner. [1927 c 255 § 116; RRS § 7797-116.] Now codified as RCW 79.01.464.
79.16.300 Procedure cumulative. [1927 c 255 § 117; RRS § 7797-117.] Now codified as RCW 79.01.468
79.16.310 Vacation of waterways--Extension of streets. [1927 c 255 § 118; RRS § 7797-118.] Now codified as RCW 79.01.472.
79.16.320 Effect of replat. [1927 c 255 § 119; RRS § 7797-119.] Now codified as RCW 79.01.476.
79.16.330 Sale of tidelands other than first class. [1927 c 255 § 120; RRS § 7797-120.] Now codified as RCW 79.01.480.
79.16.340 Sale of shorelands of second class--Preference right of upland owner. [1927 c 255 § 121; RRS § 7797-121.] Now codified as RCW 79.01.484.
79.16.350 Second class tide or shore lands detached from upland. [1927 c 255 § 122; RRS § 7797-122.] Now codified as RCW 79.01.488.
79.16.360 Accretions--Preference right to purchase. [1927 c 255 § 123; RRS § 7797-123.] Now codified as RCW 79.01.492.
79.16.370 Preference rights--Time limit on exercise. [1927 c 255 § 124; RRS § 7797-124.] Now codified as RCW 79.01.496.
79.16.390 Certain shorelands granted to city of Seattle. [1913 c 183 § 1, part; RRS § 9733, part.] Now codified in RCW 79.16.380.
79.16.420 Distraint or sale of improvements for taxes. [1927 c 255 § 189; RRS § 7797-189.] Now codified as RCW 79.01.716.

## Chapter 79.20 OYSTER LANDS

79.20.010 Leasing for artificial oyster beds authorized. [1951 c 271 § 39; 1927 c 255 § 142; RRS § 7797-142.] Now codified as RCW 79.01.568.
79.20.020 Who may lease--Application--Deposit. [1927 c 255 § 143; RRS § 7797-143.] Now codified as RCW 79.01.572.
79.20.030 Inspection and report by director of fisheries--Rental and term. [1951 c 271 § 40 ; 1927 c 255 § 144; RRS § 7797-144.] Now codified as RCW 79.01.576.
79.20.035 Survey and boundary markers. [1951 c 271 § 41.] Now codified as RCW 79.01.580.
79.20.050 Renewal lease. [1927 c 255 § 146; RRS § 7797-146.] Now codified as RCW 79.01.584.
79.20.070 Reversion for nonoyster use. [1927 c 255 § 148; RRS § 7797-148.] Now codified as RCW 79.01.588
79.20.080 Abandonment--Application for other lands. [1927 c 255 § 149; RRS § 7797-149.] Now codified as RCW 79.01.592.
79.20.120 Sale of small tracts adjoining oyster lands--Proce dure——Reversion. [1927 c 255 § 138; RRS § 7797-138.] Now codified as RCW 79.01.552.
79.20.130 Contract in lieu of deed to small oyster tracts. [1927 c 255 § 139; RRS § 7797-139.] Now codified as RCW 79.01.556.
79.20.140 Sale of reserved or reversionary rights. [1927 c 255 § 140; RRS § 7797-140.] Now codified as RCW 79.01.560.

## Chapter 79.24

## CAPITOL BUILDING LANDS

79.24.040 Appraisement and sale--Procedure--Agricultural leases. [1911 c 59 § 9; 1909 c 69 § 3; RRS § 7899.] Repealed by 1959 c 257 § 48.
79.24.050 Terms of sales. [1909 c 69 § 4; RRS § 7900.] Repealed by 1959 c 257 § 48.
79.24.070 Conveyance. [1911 c 59 § 11; 1909 c 69 § 6; RRS § 7902.] Repealed by 1959 c 257 § 48.
79.24.080 Secretary of capitol committee--Committee records. [1959 c 257 § 45 ; 1909 c 69 § 1; RRS § 7897.] Now codified as RCW 43.34.015.
79.24.090 Penalty for injury to capitol building lands. [1893 c 83 § 10; RRS § 8077.] Repealed by 1959 c 257 § 48.
79.24.610 Bonds authorized--Amount--Interest rate-Payable from certain revenues. [1969 ex.s. c 232 § $41 ; 1965$ ex.s. c 151 § 1.] Repealed by 1969 ex.s. c 272 § 10 and by 1970 ex.s. c 56 § 107.
79.24.612 Sale of bonds. [1969 ex.s. c $232 \S 42 ; 1965$ ex.s. c $151 \S$ 2.] Repealed by 1969 ex.s. c 272 § 10 and by 1970 ex.s. c $56 \S 107$
79.24.614 Maturities--Covenants-Where payable——Use of proceeds for refunding. [1965 ex.s. c 151 § 3.] Repealed by 1969 ex.s. c 272 § 10.
79.24.616 Signatures——Registration. [1965 ex.s. c 151 § 4.] Repealed by 1969 ex.s. c 272 § 10.
79.24.618 Payment of principal and interest——State building bond redemption fund--Reserve--Owner's remedies--Disposition of proceeds of sale. [1965 ex.s. c 151 §5.] Repealed by 1969 ex.s. c 272 § 10 .
79.24.620 Bonds as security and legal investment. [1965 ex.s. c 151 § 6.] Repealed by 1969 ex.s. c 272 § 10.
79.24.622 Use of bond proceeds. [1965 ex.s. c 151 § 7.] Repealed by 1969 ex.s. c 272 § 10.
79.24.624 Appropriation. [1965 ex.s. c 151 § 8.] Repealed by 1969 ex.s. c $272 \S 10$.
79.24.626 Powers and duties of state capitol committee-—Legislative committee. [1965 ex.s. c 151 § 9.] Repealed by 1969 ex.s. c 272 § 10 .
79.24.628 Severability. [1965 ex.s. c 151 § 10.] Repealed by 1969 ex.s. c 272 § 10 .

Chapter 79.32

## TIDE AND SHORE LAND GRANTS TO UNITED STATES

79.32.010 Use of such lands granted-_Purposes-—Limitations. [1927 c 255 § 150 ; RRS § 7797-150.] Now codified as RCW 79.01.596.
79.32.020 Application--Proof of upland use--Conveyance. [1927 c 255 § 151 ; RRS § 7797-151.] Now codified as RCW 79.01.600.
79.32.030 Easements over tide or shore lands to United States. [1927 c 255 § 152 ; RRS § 7797-152.] Now codified as RCW 79.01.604.
79.32.040 Reversion on cessation of use. [1927 c 255 § 153 ; RRS § 7797-153.] Now codified as RCW 79.01.608

## Chapter 79.36

## EASEMENTS OVER PUBLIC LANDS

79.36.010 Lands subject to easements for removal of materials from other lands. [1927 c 255 § 78; RRS § 7797-78.] Now codified as RCW 79.01.312.
79.36.020 Private easement over public lands subject to common user in removal of materials. [1927 c 255 § 79; RRS § 7797-79.] Now codified as RCW 79.01.316.
79.36.030 Reasonable facilities for transportation must be furnished. [1927 c 255 § 80; RRS § 7797-80.] Now codified as RCW 79.01.320.
79.36.040 Duty of public service commission. [1927 c 255 § 81 ; RRS § 7797-81.] Now codified as RCW 79.01.324.
79.36.050 Penalty for violation of orders--Reversion of easement. [1927 c 255 § 82; RRS § 7797-82.] Now codified as RCW 79.01.328.
79.36.060 Application for right of way--Appraisement of dam-age--Certificate. [1927 c 255 § 83; RRS § 7797-83.] Now codified as RCW 79.01.332.
79.36.070 Forfeiture for nonuser. [1927 c 255 § 84; RRS § 779784.] Now codified as RCW 79.01.336.
79.36.080 Right of way for roads and streets over public lands. [1945 c 145 § 1 ; 1927 c 255 § 85; Rem. Supp. 1945 § 7797-85.] Now codified as RCW 79.01.340.
79.36.090 Railroad rights of way. [1927 c 255 § 86; RRS § 7797-86.] Now codified as RCW 79.01.344.
79.36.100 Procedure to acquire. [1927 c 255 § 87; RRS § 7797-88.] Now codified as RCW 79.01.348.
79.36.110 Appraisement for railroad right of way. [1927 c 255 § 88; RRS § 7797-88.] Now codified as RCW 79.01.352.
79.36.120 Appraisement of improvements on right of way. [1927 c 255 § 89; RRS § 7797-89.] Now codified as RCW 79.01.356.
79.36.130 Release of damages as to improvements incidentally affected. [1927 c 255 § 90; RRS § 7797-90.] Now codified as RCW 79.01.360.
79.36.140 Right of way certificate. [1927 c 255 § 91; RRS § 7797-91.] Now codified as RCW 79.01.364.
79.36.150 Right of way for utility pipe lines, transmission lines, etc. [1945 c 147 § $1 ; 1927$ c 255 § 96; Rem. Supp. 1945 § 7797-96.] Now codified as RCW 79.01.384.
79.36.160 Procedure to acquire. [1945 c 147 § 2; 1927 c 255 § 97; Rem. Supp. 1945 § 7797-97.] Now codified as RCW 79.01.388.
79.36.170 Right of way certificate——Reversion for nonuser. [1945 c 147 § 3; 1927 c 255 § 98 ; Rem. Supp. 1945 § 7797-98.] Now codified as RCW 79.01.392.
79.36.180 Right of way for irrigation, diking and drainage purposes. [1945 c 147 § 4; 1927 c 255 § 99; Rem. Supp. 1945 § 7797-99.] Now codified as RCW 79.01.396.
79.36.190 Procedure to acquire. [1945 c 147 § 5; 1927 c 255 § 100; Rem. Supp. 1945 § 7797-100.] Now codified as RCW 79.01.400.
79.36.200 Right of way certificate. [1927 c 255 § 101; RRS § 7797-101.] Now codified as RCW 79.01.404.
79.36.210 Grant of overflow rights. [1927 c 255 § 102; RRS § 7797-102.] Now codified as RCW 79.01.408.
79.36.220 Procedure not exclusive. [1927 c 255 § 103; RRS § 7797-103.] Now codified as RCW 79.01.412.

## Chapter 79.40 <br> TRESPASS

79.40.010 Trespasser guilty of larceny. [1927 c 255 § 197; RRS § 7797-197.] Now codified as RCW 79.01.748.
79.40.020 Offense of lessee or contract holder. [1927 c 255 § 198; RRS § 7797-198.] Now codified as RCW 79.01.752.
79.40.030 Removal of timber-—Treble damages. [1927 c 255 § 199; RRS § 7797-199.] Now codified as RCW 79.01.756.
79.40.040 Duty of commissioner. [1927 c 255 § 200; RRS § 7797-200.] Now codified as RCW 79.01.760.

## Chapter 79.44 <br> ASSESSMENTS AGAINST PUBLIC LANDS

79.44.110 Assessments paid to be added to purchase price of land. [1927 c 255 § 192; RRS § 7797-192.] Now codified as RCW 79.01.728.
79.44.150 Application of chapter to highway lands--Powers and duties of highway commission. [1953 c 58 § 1.] Repealed by 1963 c 20 § 15.
79.44.160 Highway lands--Payment from motor vehicle fund. [1953 c 58 § 2.] Repealed by 1963 c 20 § 15.
79.44.170 Effect of sale to governmental unit when property bears tax or assessment lien. [1955 ex.s. c 5 § 1.] Repealed by 1957 c 277 § 4.

## Chapter 79.52 <br> SUSTAINED YIELD PLAN

79.52.010 Sustained yield forests No. 1 and No. 2--Plan defined. [1955 c 301 § l; 1949 c 159 § 1 ; 1933 c 175 § 1 ; Rem. Supp. 1949 § 7879-1.] Now codified as RCW 79.56.010.
79.52.020 Topographical survey-—Maps. [1933 c 175 § 2; RRS § 7879-2.] Now codified as RCW 79.56.030.
79.52.030 Sales of timber. [1933 c 175 § 3; RRS § 7879-3.] Now codified as RCW 79.56.040.
79.52.040 Alternative methods. [1939 c 130 §5; RRS § 7879-15.] Now codified as RCW 79.60.060.
79.52.050 Contracts——Requirements. [(i) 1933 c 175 § 4; RRS § 7879-4. (ii) 1939 c 130 § 6; RRS § 7879-16.] Now codified as RCW 79.56.050.
79.52.060 Performance bond--Cash deposit. [1941 c 123 § 4; 1939 c 130 § 7; Rem. Supp. 1941 § 7879-17.] Now codified as RCW 79.60.090.
79.52.070 Cooperation. [1941 c 123 § 1; 1939 c 130 § l; Rem. Supp. 1941 § 7879-11.] Now codified as RCW 79.60.010.
79.52.080 Cooperative units. [1939 c 130 § 2; RRS § 7879-12.] Now codified as RCW 79.60.020.
79.52.090 Limitations on agreements. [1939 c 130 § 3; RRS § 7879-13.] Now codified as RCW 79.60.030.
79.52.100 Sales subject to cooperative agreements. [1939 c 130 § 4; RRS § 7879-14.] Now codified as RCW 79.60.050.
79.52.110 Easement over state land during life of agreement. [1941 c 123 § 2; Rem. Supp. 1941 § 7879-13a.] Now codified as RCW 79.60.040.
79.52.120 Transfer or assignment of contract of purchase. [1941 c 123 § 3; Rem. Supp. 1941 § 7879-16a.] Now codified as RCW 79.60.080.
79.52.130 Expense of administration. [1933 c 175 § 6; RRS § 7879-6.] Now codified as RCW 79.56.070.

## Chapter 79.56 <br> SUSTAINED YIELD PLAN

79.56.010 Sustained yield forests No. 1 and No. 2--Plan defined. [1955 c 301 § 1 ; 1949 c 159 § 1 ; 1933 c 175 § 1; Rem. Supp. 1949 § 7879-1. Formerly RCW 79.52.010.] Repealed by 1971 ex.s. c 234 § 17.
79.56.020 Sustained yield forests No. 1 and No. 2--Areas excluded. [1939 c 73 § 1; RRS § 7879-la.] Repealed by 1971 ex.s. c 234 § 17.
79.56.030 Topographical survey——Maps. [1933 c 175 § 2; RRS § 7879-2. Formerly RCW 79.52.020.] Repealed by 1959 c 257 § 48.
79.56.040 Sales of timber-—Notice. [1933 c 175 § 3; RRS § 7879-3. Formerly RCW 79.52.030.] Repealed by 1959 c 257 § 48.
79.56.050 Contracts——Requirements. [1933 c 175 § 4; RRS § 7879-4. Formerly RCW 79.52.050, part.] Repealed by 1959 c 257 § 48.
79.56.060 Cash deposit——Forfeiture. [1933 c 175 § 5; RRS § 7879-5.] Repealed by 1959 c 257 § 48.
79.56.070 Expense of administration. [1933 c 175 § 6; RRS § 7879-6. Formerly RCW 79.52.130.] Repealed by 1967 ex.s. c 63 § 9. <br> \section*{Chapter 79.64 <br> \section*{Chapter 79.64 <br> FUNDS FOR MANAGING AND ADMINISTERING LANDS}
79.64.080 Expiration date of resource management cost account act. [1961 c 178 § 8.] Repealed by 1967 ex.s. c 63 § 8.

## Title 80 <br> PUBLIC UTILITIES

Chapter 80.04
REGULATIONS——GENERAL
80.04.340 Dividends, control of. [1961 c 14 § 80.04.340. Prior: 1933 c 165 § 11 ; RRS § 10458-5.] Repealed by 1967 c 156 § 1.
80.04.370 Manner of serving papers. [1933 c 165 § 7; RRS § 10458-1.] Now codified as RCW 80.04.075.
80.04.490 Penalties cumulative. [1911 c 117 § 104, part; RRS § 10453, part.] Now codified as originally enacted as part of RCW 80.04.480.

## Chapter $\mathbf{8 0 . 3 2}$

## ELECTRIC FRANCHISES AND RIGHTS OF WAY

80.32.020 Hearing——Notice——Order. [1903 c 173 § 1, part; RRS § 5430, part.] Now codified as part of RCW 80.32.010 as originally enacted.
80.32.030 Franchise bolder liable for damage to street or road. [1903 c 173 § 1, part; RRS § 5430, part.] Now codified as part of RCW 80.32.010 as originally enacted.

## Chapter 80.40

MUNICIPAL UTILITIES
80.40.010 through 80.40.310 [1961 c 125; 1959 с 90; 1957 с 288; 1957 с 287; 1957 c 209; 1957 с 114; 1955 с 358 ; 1953 с 231; 1953 c 97; 1951 c 272; 1951 с 252; 1951 c 39; 1947 с 214; 1941 c 147; 1935 с 81; 1933 ex.s. c 17; 1933 с 163; 1931 с 53; 1923 с 173; 1915 с 112 ; 1913 с 45 ; 1909 с 150 ; 1901 с 85 ; 1899 с 128; 1897 с 112; 1893 с 8 ; 1891 c 141; 1890 pp 520-522; RRS §§ 9488, 9489-9504.] Now codified as chapter 35.92 RCW.

## Chapter 80.44

## MUNICIPAL STREET RAILWAY BONDS

80.44.010 through 80.44.120 [1939 c 47; 1929 c 145; 1927 c 228; RRS §§ 9488-4 through 9488-11, 9511-1 through 9511-3.] Now codified as chapter 35.93 RCW.

## Chapter 80.48

SALE OR LEASE OF MUNICIPAL UTILITIES
80.48.010 through 80.48.030 [1917 c 137; RRS §§ 9512-9514.] Now codified as chapter 35.94 RCW.

## Title 81

TRANSPORTATION
Chapter 81.04
REGULATIONS——GENERAL
81.04.162 Rules and regulations--Railroad employees--Sanitation, shelter. [1957 c 71 §1.] Now codified as RCW 81.40.095.
81.04.340 Dividends, control of. [1961 c 14 § 81.04.340. Prior: 1933 c 165 § 11; RRS § 10458-5.] Repealed by 1967 c 156 § 1.
81.04.370 Manner of serving papers. [1933 c 165 § 7; RRS § 10458-1.] Now codified as RCW 81.04.075.
81.04.480 Penalties cumulative. [1911 c 117 § 104, part; RRS § 10453, part.] Now codified as part of RCW 81.04.470.

## Chapter 81.28 <br> COMMON CARRIERS IN GENERAL

81.28.090 Further exception--Calamitous visitations. [1929 c 96 § 1, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.
81.28.100 Commutation or excursion tickets. [1929 c 96 § 1, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.
81.28.110 Transportation of city employees. [1929 c 96 § l, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080
81.28.120 Interchange of passes by carriers. [1929 c 96 § 1 , part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.
81.28.130 Exchange of passes or franks by carriers and communications companies. [1929 c 96 § 1, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.
81.28.140 Free passage for "seeing eye" dogs. [1961 c 14 § 81.28.140. Prior: 1937 c 26 § 1; RRS § $10354-1$.) Repealed by 1969 c 141 § 10. Later enactment, see RCW 70.84.030.
81.28.150 Special exceptions on carriage of property, government freight, etc. [1929 c 96 § 1, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.
81.28.160 Contracts for exchange of service by railroad and communications companies. [1929 c 96 § 1, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.
81.28.170 "Employee" and "families" defined. [1929 c 96 § 1, part; 1911 c 117 § 18, part; RRS § 10354, part.] Now codified as originally enacted as part of RCW 81.28.080.

Chapter 81.32
BILLS OF LADING
81.32.010 through 81.32.561 [1961 c 14 §§ 81.32.011 through 81. 32.561 ; 1915 c 159.] Repealed effective midnight June 30, 1967, by section 10-102 of the Uniform Commercial Code, 1965 ex.s. c 157 (Title 62A RCW).

Reviser's note: The repealer portion of the Uniform Commercial Code, 1965 ex.s. c $157 \S 10-102$, provides in part "(a) (xvii) RCW 81.32.010 through 81.32.561: Provided, That such repeal shall not affect the validity of sections 81.29 .010 through 81.29 .050 , chapter 14 , Laws of 1961 (RCW 81.29.010 through 81.29.050)."

Effective date- - 1965 ex.s. c 157: RCW 62A.10-101.
Specific repealer——Provision for transition——1965 ex.s. c 157: RCW 62A.10-102.
General repealer--1965 ex.s. c 157: RCW 62A.10-103.
Laws not repealed - - 1965 ex.s. c 157: RCW 62A.10-104.
See: RCW 62A.10-102.

## COMPARATIVE TABLE

Chapter 81.32 RCW (Bills of Lading) to Title 62A RCW (Uniform Commercial Code).

| Chapter 81.32 | Title 62A |
| :--- | :--- |
|  |  |
| 81.32 .011 | 62A.1-201(6) |
| 81.32 .021 | $62 A .7-102$ |
| 81.32 .031 | $62 A .7-104$ |
|  | $62 A .7-104$ |
| 81.32 .041 | $62 A .7-309$ |
| 81.32 .051 | $62 A .7-104$ |
| 81.32 .061 | $62 A .7-104$ |
| 81.32 .071 | $62 A .7-304$ |
| 81.32 .081 | $62 A .7-402$ |
| 81.32 .091 | $62 A .7-104(2)$ |
| 81.32 .101 |  |
| 81.32 .111 |  |
| 81.32 .121 | $62 A .7-403$ |
|  | $62 A .2-705$ |
| 81.32 .131 | $62 A .7-403$ |
|  | $62 A .7-403$ |
| 81.32 .141 | $62 A .7-404$ |
|  | $62 A .2-705$ |
| 81.32 .151 | $62 A .7-403$ |
| 81.32 .161 | $62 A .7-403$ |
| 81.32 .171 | $62 A .7-306$ |
| 81.32 .181 | $62 A .7-601$ |
| 81.32 .191 | 62A.7-403 |
| 81.32 .201 | $62 A .7-603$ |
| 81.32 .211 | $62 A .7-603$ |
| 81.32 .221 | $62 A .7-403$ |
| 81.32 .231 | $62 A .7-301$ |


| Chapter 81.32 | Title 62A |
| :---: | :---: |
|  | 62A.7-401 |
| 81.32 .241 | 62A.7-602 |
| 81.32 .251 |  |
| 81.32 .261 |  |
| 81.32 .271 |  |
| 81.32 .281 | 62A.7-501 |
| 81.32 .291 | 62A.7-501 |
| 81.32.301 | 62A.7-501 |
| 81.32 .311 | 62A.7-501 |
| 81.32.321 | 62A.7-502 |
|  | 62A.7-503 |
|  | 62A.7-504 |
| 81.32 .331 | 62A.7-504 |
| 81.32 .341 | 62A.7-506 |
| 81.32.351 | 62A.2-104 |
|  | 62A.7-507 |
| 81.32 .361 | 62A.7-505 |
| 81.32.371 | 62A.2-104 |
|  | 62A.7-508 |
| 81.32.381 | 62A.7-501 |
|  | 62A.7-502 |
| 81.32 .391 | 62A.7-503 |
| 81.32 .401 | 62A.7-502 |
| 81.32 .411 | 62A.2-514 |
| 81.32.421 | 62A.2-705 |
|  | 62A.7-502 |
| 81.32 .431 |  |
| 81.32 .441 |  |
| 81.32 .451 | - |
| 81.32 .461 |  |
| 81.32 .471 |  |
| 81.32 .481 |  |
| 81.32 .491 |  |
| 81.32 .501 |  |
| 81.32 .511 | 62A.1-103 |
| 81.32 .521 | 62A.1-201(1) |
| 81.32.531 | 62A.1-201(1) |
|  | 62A.1-201(6) |
|  | 62A.1-201(14) |
|  | 62A.1-201(19) |
|  | 62A.1-201(20) |
|  | 62A.1-201(28) |
|  | 62A.1-201(30) |
|  | 62A.1-201(32) |
|  | 62A.1-201(33) |
|  | 62A.1-201(44) |
|  | 62A.7-102 |
|  | 62A.7-104 |
| 81.32 .541 |  |
| 81.32.561 |  |

Chapter 81.36

## RAILROADS——CORPORATE POWERS AND DUTIES

81.36.080 Restrictions on consolidation of roads. [1925 ex.s. c 188 § 1, part; 1915 c 136 § 1, part; 1909 c 196 § 1, part; RRS § 10463, part.] Now codified as originally enacted as part of RCW 81.36.070.
81.36.110 Structures across state waterways. [1909 c 158 § 1 ; RRS § 10469.] Repealed by 1935 c 115 p 322 and by 1961 c 14 § 81.98.040(31).

## Chapter 81.40 RAILROADS_-EMPLOYEE REQUIREMENTS AND REGULATIONS REGULATIONS

81.40.020 Full train crews--Freight. [1961 c 14 § 81.40.020. Prior: 1911 c 134 § 2 ; RRS § 10487.] Repealed by 1967 c 2 § 1 , (Initiative Measure No. 233). For later enactment and balance of 1967 c 2, see RCW 81.40.035.
81.40.096 Penalty for violating regulations relating to sanitation and shelter--Notice of violation. [1961 c 177 § 1.] Repealed by 1963 c 59 § 13. Later general enactment, see RCW 81.04.405.
81.40.097 Penalty for violating regulations relating to sanitation and shelter- When penalty due and payable--Mitigation, discon-tinuance--Action to recover-—Disposition of penalties. [1961 c 177
§ 2.] Repealed by 1963 c 59 § 13. Later general enactment, see RCW 81.04.405.

## Chapter 81.44 <br> COMMON CARRIERS——EQUIPMENT

81.44.080 Additional duties may be required. [1911 c 117 § 67, part; RRS § 10403, part.] Now codified as originally enacted as part of RCW 81.44.070.
81.44.090 Cabooses——Size——Equipment. [1961 c 14 § 81.44 .090. Prior: 1909 c $31 \S 1$; RRS § 10483.] Repealed by 1969 ex.s. c 116 § 15.
81.44.140 Liability for damage. [1899 c 35 § 2; RRS § 10481.] Repealed by 1961 c $14 \S 81.98 .040(16)$. Later enactment, see RCW 81.44.130, 81.04.440 and 81.04.470.

Chapter 81.52
RAILROADS——RIGHTS OF WAY——SPURS——FENCES
81.52.080 Grade crossings-—Definitions. [1959 c 283 § 2. Prior: (i) 1913 c 30 § 1 ; RRS § 10511 . (ii) 1941 c 161 § 1; Rem. Supp. 1941 § 10511-1.] Now codified as RCW 81.53.010 and 81.54.010.
81.52.090 Grade separation required where practicable. [1913 c 30 § 2; RRS § 10512.] Now codified as RCW 81.53.020.
81.52.100 Petition for crossing——Hearing——Order. [1959 c 283 § 1 ; 1955 c 310 § 3. Prior: 1937 c 22 § 1 , part; 1913 c 30 § 3 , part; RRS § 10513, part.] Now codified as RCW 81.53.030.
81.52.110 Supplemental hearing--Change of route. [1955 c 310 § 4. Prior: 1937 c 22 § 1 , part; 1913 c 30 § 3, part; RRS § 10513 , part.] Now codified as RCW 81.53.040.
81.52.120 Requirements of order on change of route. [1955 c 310§ 5. Prior: 1937 c 22 § 1, part; 1913 c 30 § 3, part; RRS § 10513, part.] Now codified as RCW 81.53.050.
81.52.130 Petition for alteration of crossing. [1937 c 22 § 2, part; 1921 c 138 § 1, part; 1913 c 30 § 4, part; RRS § 10514, part.] Now codified as RCW 81.53.060.
81.52.140 Hearing. [1937 c 22 § 2, part; 1921 c 138 § 1, part; 1913 c 30 § 4, part; RRS § 10514, part.] Now codified as RCW 81.53.070.
81.52.150 Restrictions on structures in proximity of crossings. [1937 c 22 § 2, part; 1921 c 138 § 1, part; 1913 c 30 § 4, part; RRS § 10514, part.] Now codified as RCW 81.53.080.
81.52.160 Duty to maintain crossings. [1937 c 22 § 3; 1913 c 30 § 5; RRS § 10515.] Now codified as RCW 81.53.090.
81.52.161 Underpasses, overpasses constructed with aid of federal funds--Apportionment of maintenance cost between railroad and state. Reviser's cross reference section. Now codified as RCW 81.53.091.
81.52.170 Cost when railroad crosses highway. [1937 c 22 § 4A; 1925 ex.s. c 73 § $1 \mathrm{~A} ; 1921$ c 138 § 2A; 1913 c 30 § 6A; RRS § 10516A.] Now codified as RCW 81.53.100.
81.52.180 Cost when highway crosses railroad. [1937 c 22 § 4B; 1925 ex.s. c 73 § 1B; 1921 c 138 § 2B; 1913 c 30 § 6B; RRS § 10516B.] Now codified as RCW 81.53.110.
81.52.190 Cost when railroad crosses railroad. [1937 c 22 § 4C; 1925 ex.s. c 73 § 1 C ; 1921 c 138 § 2C; 1913 c 30 § 6C; RRS § 10516C.] Now codified as RCW 81.53.120.
81.52.200 Apportionment of cost. [1937 c 22 § 5; 1913 c 30 § 7; RRS § 10517.] Now codified as RCW 81.53.130
81.52.210 Time for performance. [1913 c 30 § 10; RRS § 10520.] Now codified as RCW 81.53.140.
81.52.220 Practice and procedure. [1913 c 30 § 11; RRS § 10521.] Now codified as RCW 81.53.150.
81.52.230 Service of process. [1913 c 30 § 12; RRS § 10522.] Now codified as RCW 81.53.160
81.52.240 Review and appeal. [1937 c 22 § 6; 1913 c 30 § 13; RRS § 10523.] Now codified as RCW 81.53.170.
81.52.250 Eminent domain. [1913 c 30 § 15; RRS § 10525.] Now codified as RCW 81.53.180.
81.52.260 Abatement of illegal crossings. [1913 c 30 § 16; RRS § 10526.] Now codified as RCW 81.53.190
81.52.270 Mandamus to compel performance. [1913 c 30 § 17; RRS § 10527.] Now codified as RCW 81.53.200
81.52.280 Penalty. [1913 c 30 § 18; RRS § 10528.] Now codified as RCW 81.53.210
81.52.290 Obstructions in highways. [1925 ex.s. c 179 § 2; 1913 c 30 § 19; RRS § 10529.] Now codified as RCW 81.53.220
81.52.300 Scope of chapter. [1953 c 95 § $15 ; 1925$ ex.s. c 179 § 3; 1913 c 30 § 21; RRS § 10531.] Now codified in RCW 81.53.240
81.52.310 Annual inspection of industrial crossings. .[1941 c 161 § 2; Rem. Supp. 1941 § 10511-2.] Now codified as RCW 81.54.020.
81.52.320 Reimbursement of inspection cost. [1951 c 111 § $1 ; 1941$ c 161 § 3; Rem. Supp. 1941 § 10511-3.] Now codified as RCW 81.54.030.
81.52.325 Not operative within first class cities. [1953 c 95 § 16; 1951 c 111 § 2.] Now codified as RCW 81.54.040.
81.52.330 Employment of experts. [1937 c 22 § 7; 1913 c 30 § 14; RRS § 10524.] Now codified as RCW 81.53.250.
81.52.340 Crossing signals, warning devices--Petition, mo-tion--Hearing-Order--Costs--Records not evidence for ac-tions--Appeal. [1959 c 283 § 3.] Now codified as RCW 81.53.260.
81.52.350 Crossing signals, warning devices--Petition for funds to defray cost of crossing signals and warning devices. [1959 c 283 § 4.] Now codified as RCW 81.53.270.
81.52.360 Crossing signals, warning devices--Allocation of funds, findings required to defray costs. [1959 c 283 § 5.] Now codified as RCW 81.53.280.
81.52.370 Crossing signals, warning devices - Certification of allocation of funds--Reimbursement of state--Audit by state auditor. [1959 c 283 § 6.] Now codified as RCW 81.53.290.
81.52.380 Certain provisions not applicable within first class cities. [1959 c 283 § 7.] Now codified in RCW 81.53.240

## Chapter 81.53 RAILROADS——CROSSINGS

81.53.260 Crossing signals, warning devices--Petition, mo-tion--Hearing--Order--Costs - - Records not evidence for ac-tions--Appeal. [1965 ex.s. c 170 § 36; 1961 c 14 § 81.53.260. Prior: 1959 c 283 § 3. Formerly RCW 81.52.340.] Repealed by 1969 c 134 § 9. Later enactment, see RCW 81.53.261.
81.53.270 Crossing signals, warning devices-—Petition for funds to defray costs of crossing signals and warning devices. [1961 c 14 § 81.53.270. Prior: 1959 c 283 § 4. Formerly RCW 81.52.350.] Repealed by 1969 c 134 § 9 . Later enactment, see RCW 81.53.271.
81.53.280 Crossing signals, warning devices--Allocation of funds, findings required to defray costs. [1961 c 14 § 81.53.280. Prior: 1959 c 283 § 5. Formerly RCW 81.52.360.] Repealed by 1969 c 134 § 9. Later enactment, see RCW 81.53.271 and 81.53.275.
81.53.290 Crossing signals, warning devices--Certification of allocation of funds--Reimbursement of state--Audit by state auditor. [1961 c 14 § 81.53.290. Prior: 1959 c 283 § 6. Formerly RCW 81.52.370.] Repealed by 1969 c 134 § 9. Later enactment, see RCW 81.53.281.

## Chapter 81.56 <br> RAILROADS——SHIPPERS AND PASSENGERS

81.56.090 Forest products--Cars weighed separately. [1961 c 14 § 81.56.090. Prior: 1905 c 126 § 4; RRS § 10477.] Repealed by 1961 c 243 § 1.

## Chapter 81.72 <br> PASSENGER TRANSPORTATION FOR HIRE

81.72.010 through 81.72.150 [1953 c 12 § $1 ; 1951$ c 219 §§ $1-3$; 1947 c 253 §§ $1-11$; 1933 c 73 § 1 ; 1929 c 27 § 1 ; 1927 c 161 § 1 ; 1915 c 57 §§ 1-4; Rem. Supp. 1947 §§ 6386-1 through 6386-11; RRS §§ 6382-6385.] Reenacted and codified as chapter 46.72 RCW.

Chapter 81.76
MOTOR CARRIER TRANSPORTATION AGENTS
81.76.010 through 81.76.160 [1941 c 198 §§ 1-16; Rem. Supp. 1941 §§ 6397-13 through 6397-28.] Repealed by 1953 c 95 § 24.

## Chapter 81.80 <br> MOTOR FREIGHT CARRIERS

81.80.160 Regulation of private and exempt carriers. [1935 c 184 § 13; RRS § 6382-13.] Repealed by 1957 c 205 § 9 and by 1961 c 14 § 81.98.040(55)
81.80.180 Hearing to determine carrier's classification. [1961 c 14 § 81.80.180. Prior: 1941 c 163 § 4; 1937 c 166 § 13 ; 1935 c 184 § 15 ; RRS § 6382-15.] Repealed by 1973 c 115 § 16.
81.80.210 Hours of operators. [1937 c 166 § 15; 1935 c 184 § 18 ; RRS § 6382-18.] Repealed by 1953 c 95 § 24 and by 1961 c 14 § 81 .98.040 (55), (58).
81.80.310 Identification plates. [1961 c 14 § 81.80.310. Prior: 1959 c 248 § 6; 1953 c 95 § 19; 1949 c 129 § 1; 1947 c 264 § 7; 1937 c 166 § 19; 1935 c 184 § 27; Rem. Supp. 1949 § 6382-27.] Repealed by 1967 c 170 § 6.
81.80.314 Unassigned identification plates for interchanged trailers in interstate commerce. [1961 c 14 § 81.80.314. Prior: 1959 c 248 § 7; 1953 c 95 § 21.] Repealed by 1967 c 170 § 6
81.80.316 Unassigned identification plates for interstate single line unitary operation. [1961 c 14 § 81.80.316. Prior: 1959 c 248 § 8; 1953 c 129 § 3.] Repealed by 1967 c 170 § 6.
81.80.317 Alternative method-Motor propelled equipment plates and fees. [1961 c 14 § 81.80.317. Prior: 1955 c 79 § 9.] Repealed by 1967 c 170 § 6.
81.80.3175 Alternative method-Motor propelled equipment in interstate commerce——Identification card——Fees. [1961 c 173 § 3.] Repealed by 1967 c 170 § 6.
81.80.350 Penalties——Remission, mitigation. [1961 c 14 § 81.80.350. Prior: 1937 c 166 § 21; 1935 c 184 § 31; RRS § 6382-31.] Repealed by 1963 c 59 § 13. Later general enactment, see RCW 81.04.405.
81.80.390 Reciprocal agreements with other states. [1935 c 184 § 34; RRS § 6382-34.] Repealed by 1953 c 129 § 2 and by 1961 c 14 § 81.98.040(55).

## Title 82

## EXCISE TAXES

Chapter 82.01
DEPARTMENT OF REVENUE (FORMERLY: TAX COMMISSION)
82.01.010 Commission created--Terms--Vacancies-—Office location. [1961 c 15 § 82.01.010. Prior: 1957 c 127 § $1 ; 1927$ c 280 § 1; RRS § 11087. Formerly RCW 43.55.010.] Repealed by 1967 ex.s. c 26 § 28.
82.01.020 Qualifications--Bond——Oath. [1961 c 15 § 82.01.020. Prior: 1927 c 280 § 2; RRS § 11088. Formerly RCW 43.55.020.] Repealed by 1967 ex.s. c 26 § 28.
82.01.030 Meetings--Quorum-—Minutes——Seal——Records. [1961 c 15 § 82.01.030. Prior: 1927 c 280 § 3; RRS § 11089. Formerly RCW 43.55.030.] Repealed by 1967 ex.s. c 26 § 28.
82.01.040 Employees——Expenses. [1961 c 15 § 82.01.040. Prior: 1927 c 280 § 4; RRS § 11090. Formerly RCW 43.55.040.] Repealed by 1967 ex.s. c $26 \S 28$
[Disposition Table——p 160]

## Chapter 82.04 <br> BUSINESS AND OCCUPATION TAX

82.04.235 Tax on extractors of copra oil. [1953 c 195 § 1.] Repealed by 1957 c 279 § 6.
82.04.292 Reduction in rates does not apply to certain organizations or municipal corporations or political subdivisions. [1969 ex.s. c 262 § 41.] Repealed by 1971 ex.s. c 281 § 18.
82.04.295 Temporary surtax imposed. [1961 c 15 § 82.04.295. Prior: 1951 2nd ex.s. c 28 § 1.] Repealed by 1967 ex.s. c 149 § 62.
82.04.296 Additional tax imposed. [1961 c 293 § 2; 1961 c 15 § 82.04.296. Prior: 1959 ex.s. c 5 § $6 ; 1957$ c 279 § $5 ; 1955$ ex.s. c $10 \S$ $1 ; 1955$ c 389 § 23; 1953 c 91 § 1.] Repealed by 1967 ex.s. c 149 § 62.
82.04.400 Exemptions--Financial institutions. [1969 ex.s. c 246 § $1 ; 1965$ ex.s. c 173 § 8 ; 1963 c 136 § $1 ; 1961$ c 15 § 82.04.400. Prior: 1959 c 197 § 24; prior: 1945 c 249 § 2, part; 1943 c 156 § 4, part; 1941 c 178 § 6, part; 1939 c 225 § 5, part; 1937 c 227 § 4, part; 1935 c 180 § 11, part; Rem. Supp. 1945 § 8370-11, part.] Repealed by 1970 ex.s. c 101 § 4.

Severability——Effective date——1970 ex.s. c 101: See note following RCW 82.04.430.
82.04.437 Credit for property taxes paid on business invento-ries--"Business inventories" defined. [1969 ex.s. c 262 § 40.] Repealed by 1971 ex.s. c 281 § 18.

## Chapter 82.14 <br> COUNTIES, CITIES AND METROPOLITAN MUNICIPAL CORPORATIONS——RETAIL SALES AND USE TAXES

82.14.047 Sales and use taxes for county public transportation systems. [1974 ex.s. c 167 § 10.] Repealed by 1975 lst ex.s. c 270 § 28.

## Chapter 82.16 <br> PUBLIC UTILITY TAX

82.16.025 Temporary surtax imposed. [1961 c 15 § 82.16.025. Prior: 1951 2nd ex.s. c 28 § 2.] Repealed by 1967 ex.s. c 149 § 62.
82.16.026 Additional tax imposed. [1961 c 15 § 82.16.026. Prior: 1957 c 279 § 3; 1955 c 389 § 29; 1953 c 91 § 2.] Repealed by 1967 ex.s.c 149 § 62 .

## Chapter 82.24 <br> TAX ON CIGARETTES

82.24.150 Notice of seizure--Contents. [1939 c 225 § 26, part; 1935 c 180 § 89, part; RRS § 8370-89, part.] Now codified as originally enacted as part of RCW 82.24.140.
82.24.160 Forfeiture procedure. [1939 c 225 § 26, part; 1935 c 180 § 89, part; RRS § 8370-89, part.] Now codified as originally enacted as part of RCW 82.24.140.
82.24.170 Small lot seizures may be advertised together. [1939 c 225 § 26, part; 1935 c 180 § 89, part; RRS § 8370-89, part.] Now codified as originally enacted as part of RCW 82.24.140.
82.24.200 Disposition of proceeds of sales. [1939 c 225 § 26, part; 1935 c 180 § 89, part; RRS § 8370-89, part.] Now codified as originally enacted as part of RCW 82.24.140.

## Chapter 82.28

## TAX ON CERTAIN MECHANICAL DEVICES

82.28.010 Definitions. [1961 c 15 § 82.28.010. Prior: 1955 c 389 § 31; prior: 1941 c 118 § 1 (§ 97); Rem. Supp. 1941 § 8370-97.] Repealed by 1973 1st ex.s. c 218 § 29.
82.28.020 Tax imposed-Rate. [1961 c 15 § 82.28.020. Prior: 1955 c 389 § 32; prior: 1949 c 228 § 18 ; 1947 c 248 § $1 ; 1941$ c 118 § 1 (§ 96); Rem. Supp. 1949 § 8370-96.] Repealed by 1973 1st ex.s. c 218 § 29.
82.28.030 Records to be preserved by owner of premises. [1961 c 15 § 82.28.030. Prior: 1955 c 389 § 33; prior: 1941 c 118 § 1 (§ 98 ); Rem. Supp. 1941 § 8370-98.] Repealed by 1973 1st ex.s. c 218 § 29.
82.28.040 Monthly, estimated, annual, etc., returns-—Remittances. [1961 c 15 § 82.28.040. Prior: 1959 c 197 § 11; 1955 c 389 §

34; prior: 1949 c 228 § 19 ; 1941 c 118 § 1 (§ 99); Rem. Supp. 1949 § 8370-99.] Repealed by 1973 1st ex.s. c 218 § 29.
82.28.050 Tax additional--Field not preempted by state. [1961 c 15 § 82.28.050. Prior: 1955 c 389 § 35; prior: 1941 c 118 § 1 (§ 100 ); Rem. Supp. 1941 § 8370-100.] Repealed by 1973 lst ex.s. c 218 § 29.
82.28.060 Administration. [1961 c 15 § 82.28.060. Prior: 1955 c 389 § 36; prior: 1941 c 118 § 1 (§ 101); Rem. Supp. 1941 § $8370-101$.$] Repealed by 1973$ lst ex.s. c 218 § 29.

## Chapter 82.29

## LEASEHOLD IN LIEU EXCISE TAX

82.29.010 Legislative findings and recognition. [1973 1st ex.s. c 187 § 2.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.020 Definitions. [1973 1st ex.s. c 187 § 3.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29 A RCW.
82.29.030 Tax imposed——Rate——Exemptions. [1973 lst ex.s. c 187 § 4.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.040 State departments, agencies and political subdivisions to supply assessor with accounting of leasehold estates. [1973 1st ex.s. c 187 § 5.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.050 Listing and information to be furnished county treasurer. [1973 1st ex.s. c 187 § 6.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.060 Notice of amount of tax payable. [1973 1st ex.s. c 187 § 7.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.070 Leasehold in lieu tax fund--Created——Disbursements and payments to political subdivisions and taxing districts. [1973 1st ex.s. c 187 § 8.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.080 Valuation of leasehold estates in operating properties of public utilities. [1973 1st ex.s. c 187 § 9.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
82.29.090 Rules and regulations——Administration. [1973 1st ex.s. c 187 § 10.] Repealed by 1975-'76 2nd ex.s. c 61 § 20. Later enactment, see chapter 82.29A RCW.
Effective date——Severability——1975-'76 2nd ex.s. c 61: See RCW 82.29A.900, 82.29A.910.

## Chapter 82.30 <br> NET INCOME TAX ACT

82.30.010 through 82.30.290 [1969 ex.s. c 262 §§ $1-29,68$.] Repealed by 1971 ex.s. c 281 § 18 .

## Chapter 82.31 <br> CREDIT AGAINST INCOME TAX FOR PROPERTY TAXES OR RENT PAID

82.31.010 through 82.31.170 [1969 ex.s. c 262 §§ 42-59, 67.] Repealed by 1971 ex.s. c 281 § 18 .

## Chapter 82.32 GENERAL ADMINISTRATIVE PROVISIONS

82.32.250 Tax lien on public improvement contracts-—Release of retained percentage--Payment of tax. [1949 c 228 § 27; Rem. Supp. 1949 § 8370-204a.] Repealed by 1955 c 236 § 7. Later enactment, see chapter 60.28 RCW.
82.32.370 State preempts certain tax fields. [(i) 1935 c 180 § 29 ; RRS § 8370-29. (ii) 1949 c 228 § 28; 1939 c 225 § 32; 1937 c 227 § 24; Rem. Supp. 1949 § 8370-219.] Now codified as RCW 82.02.020.

## Chapter 82.36 <br> MOTOR VEHICLE FUEL TAX

82.36.235 Exemptions-—Fuel delivered by distributor exclusively for marine use——Exemption certificate——Records and examination.
[1965 ex.s. c 79 § 10 ; 1961 c 15 § 82.36.235. Prior: 1957 c 218 § 15.] Repealed by 1971 ex.s. c 180 § 11

## Chapter 82.40 <br> USE FUEL TAX

82.40.010 Definitions. [1969 ex.s. c 281 § 24; 1967 c 196 § 1; 1961 c 15 § 82.40.010. Prior: 1955 c 287 § 1; 1941 c 127 § 2; Rem. Supp. 1941 § 8327-29; prior: 1939 c 177 § 1; 1933 c 58 § 1; 1921 c 173 § 1.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.020 Tax imposed——Rate. [1967 ex.s. c 83 § 6; 1961 ex.s. c 7 § 3; 1961 c 15 § 82.40.020. Prior: 1949 c 220 § 12; 1941 c 127 § 3; Rem. Supp. 1949 § 8327-30; prior: 1939 c 177 § 2; 1933 c 58 § 5; 1931 c 140 § 2; 1923 c 81 § 1 ; 1921 c 173 § 2.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.030 User's report to be filed. [1961 c 15 § 82.40.030. Prior: 1955 c 287 § 2 ; 1943 c 110 § 2; 1941 c 127 § 7; Rem. Supp. 1943 § 8327-34.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.040 Tax payable monthly——Exception. [1969 c 139 § 1 ; 1961 c 15 § 82.40.040. Prior: 1955 c 287 § 4; 1943 c 110 § 1; 1941 c 127 § 6; Rem. Supp. 1943 § 8327-33.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.045 Exemptions, rules and regulations--Users operating noncommercial passenger vehicles. [1961 c 15 § 82.40.045. Prior: 1955 c 287 § 11.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.046 Exemptions--State, etc., owned highway construction vehicles--Fire fighting equipment-Mobile equipment. [1969 ex.s. c 281 § 29; 1961 c 15 § 82.40.046. Prior: 1955 c 287 § 13.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.047 Exemption for urban passenger transportation systems. [1969 ex.s. c 281 § 28; 1967 c 86 § 2; 1965 c 135 § 2; 1963 c 187 § 2; 1961 c 117 § $2 ; 1961$ c 15 § 82.40.047. Prior: 1959 c 298 § 2; 1957 c 292 § 2.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.050 Fuel tax permit--Vehicle identification card. [1969 c 139 § 3; 1965 ex.s c 33 § $1 ; 1961$ c $15 \S 82.40 .050$. Prior: 1941 c $127 \S$ 4; Rem. Supp. 1941 § 8327-31.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.060 Revocation of permit--Notice——Reissuance—— Cancellation on cessation of use--Procedure. [1965 ex.s. c 33 § 2; 1961 c 15 § 82.40.060. Prior: 1941 c 127 §5; Rem. Supp. 1941 § 8327-32.] Repealed by 1971 ex.s. c $175 \S 33$, effective January 1, 1972.
82.40.070 Date of mailing deemed date of receipt. [1961 c 15 § 82.40.070. Prior: 1941 c 127 § 8; Rem. Supp. 1941 § 8327-35.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.080 Penalty for nonpayment. [1961 c 15 § 82.40.080. Prior: 1941 c 127 § 9; Rem. Supp. 1941 § 8327-36.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.090 Permit required before registration of vehicle. [1961 c 15 § 82.40.090. Prior: 1941 c 127 § 10 ; Rem. Supp. 1941 § 8327-37.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.100 Lien of tax on vehicle. [1961 c 15 § 82.40.100. Prior: 1941 c 127 § 11; Rem. Supp. 1941 § 8327-38.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.110 Lien to be removed before vehicle can be transferred. [1961 c 15 § 82.40.110. Prior: 1941 c 127 § 12; Rem. Supp. 1941 § 8327-39.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.115 Lien of tax on other property. [1961 c 15 § 82.40.115. Prior: 1955 c 287 § 12.] Repealed by 1971 ex.s. c 175 § 33 , effective January 1, 1972.
82.40.120 Notice of delinquency to user's debtors. [1961 c 15 § 8240.120. Prior: 1941 c 127 § 13; Rem. Supp. 1941 § 8327-40.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.130 Bond to secure payments and compliance. [1965 ex.s. c 33 § 3; 1961 c 15 § 82.40.130. Prior: 1955 c 287 § 5: 1941 c 127 §

13a; Rem. Supp. 1941 § $8327-41$.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.140 Delinquency--Seizure and sale of vehicle. [1961 c 15 § 82.40.140. Prior: 1955 c 287 § 6; 1941 c 127 § 14; Rem. Supp. 1941 § 8327-42.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.150 Delinquency--Collection by civil action. [1961 c 15 § 82.40.150. Prior: 1941 c 127 § 15 ; Rem. Supp. 1941 § 8327-43.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.160 Remedies cumulative. [1961 c 15 § 82.40.160. Prior: 1941 c 127 § 16; Rem. Supp. 1941 § 8327-44.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.170 Deficiency assessment——Interest——Penalties. [1961 c 15 § 82.40.170. Prior: 1955 c 287 § 7; 1941 c 127 § 17; Rem. Supp. 1941 § $8327-45$.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.180 Failure to report——Default assessment. [1961 c 15 § 82.40.180. Prior: 1955 c 287 § 8; 1941 c 127 § 18; Rem. Supp. 1941 § 8327-46.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.190 Jeopardy determination of tax-—Petition for reassess-ment-—Security. [1961 c 15 § 82.40.190. Prior: 1941 c 127 § 18a; Rem. Supp. 1941 § 8327-47.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.200 Reassessment of deficiency and default assessments. [1961 c 15 § 82.40.200. Prior: 1941 c 127 §. 19; Rem. Supp. 1941 § 8327-48.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.210 Notice of additional tax. [1961 c $15 \S 82.40 .210$. Prior: 1941 c 127 § 20; Rem. Supp. 1941 § 8327-49.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.220 Refund or credit for overpayment——Interest. [1965 ex.s. c 33 § 4 ; 1961 c $15 \S 82.40 .220$. Prior: 1941 c $127 \S 21$; Rem. Supp. 1941 § 8327-50.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.230 Suits for refunds. [1961 c 15 § 82.40.230. Prior: 1941 c 127 § 22; Rem. Supp. 1941 § $8327-51$.$] Repealed by 1971$ ex.s. c 175 § 33, effective January 1, 1972.
82.40.240 License to sell or distribute fuel. [1967 c 196 § 2; 1961 c 15 § 82.40.240. Prior: 1941 c 127 § 23; Rem. Supp. 1941 § 8327-52.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.250 Records to be kept by users, sellers, etc.- Liability of persons delivering into noncommercial vehicles--Examination of re-cords-—Enforcement——Rules and regulations. [1967 ex.s. c 89 § 8; 1965 ex.s. c 33 § 5 ; 1961 c $15 \S 82.40 .250$. Prior: 1955 c $287 \S 9$; 1941 c 127 § 24; Rem. Supp. 1941 § 8327-53.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.260 Secrecy enjoined-—Exception. [1961 c 15 § 82.40.260. Prior: 1955 c 287 § 3; 1941 c 127 § 25; Rem. Supp. 1941 § 8327-54.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.270 Vehicle identification card must be presented or exhibited before fueling of vehicle--Exemption--Storage delivery evidence of intended use. [1967 c 196 § 3; 1965 ex.s. c 33 § 6; 1961 c 15 § 82.40.270. Prior: 1955 c 287 § 10; 1941 c 127 § 26; Rem. Supp. 1941 § 8327-55.] Repealed by 1971 ex.s. c $175 \S 33$, effective January 1, 1972.
82.40.280 Penalties. [1961 c 15 § 82.40.280. Prior: 1941 c 127 § 27; Rem. Supp. 1941 § 8327-56.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.290 Revenue to the motor vehicle fund--Allocation of proceeds. [1967 ex.s. c $83 \S 7 ; 1963$ c $113 \S 2 ; 1961$ ex.s. c $7 \S 4 ; 1961$ c 15 § 82.40.290. Prior: 1941 c 127 § 28; Rem. Supp. 1941 §8327-57.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.
82.40.900 Short title. [1961 c 15 § 82.40.900. Prior: 1941 c 127 § 1; Rem. Supp. 1941 § 8327-27.] Repealed by 1971 ex.s. c 175 § 33, effective January 1, 1972.

## Chapter 82.48 AIRCRAFT EXCISE

82.48.040 Classification of aircraft for tax purposes--Schedule of tax applicable. [1961 c 15 § 82.48.040. Prior: 1949 c 49 § 4; Rem. Supp. 1949 § 11219-36.] Repealed by 1967 ex.s. c 9 § 9.
82.48.050 Unclassified aircraft-—Determining tax. [1961 c 15 § 82.48.050. Prior: 1949 c 49 § 5; Rem. Supp. 1949 § 11219-37.] Repealed by 1967 ex.s. c 9 § 9 .

Chapter 82.50
MOBILE HOMES, TRAVEL TRAILERS AND CAMPERS EXCISE (FORMERLY: HOUSE TRAILER EXCISE)
82.50.020 Tax imposed-Collection--Transfer of ownership. [1971 ex.s. c 299 § $36 ; 1969$ c $69 \S 1 ; 1967$ ex.s. c 149 § $45 ; 1961$ c 15 § 82.50.020. Prior: 1957 c 269 § 2; 1955 c 139 § 2.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.030 Rate——Minimum payable——Fractional amounts. [1972 ex.s. c $144 \S 1 ; 1971$ ex.s. c $299 \S 37 ; 1967$ ex.s. c $149 \S 46 ;$ 1965 ex.s. c 173 § 29; 1963 c 199 § 7; 1961 c 15 § 82.50.030. Prior: 1957 c 269 § 3; 1955 c 139 § 3.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.040 Classification and schedule——Basis. [1971 ex.s. c 299 § 38; 1967 ex.s. c 149 § 47; 1961 c 15 § 82.50.040. Prior: 1955 c 139 § 4.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.050 Amount on unclassified mobile homes or trailers. [1971 ex.s. c 299 § $39 ; 1967$ ex.s. c 149 § $48 ; 1961$ c $15 \S 82.50 .050$. Prior: 1955 c 139 § 5.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.070 Tax receipt——Records——License plate, fee, display. [1971 ex.s. c 299 § $40 ; 1969$ c $69 \S 2 ; 1967$ ex.s. c $149 \S 49 ; 1961$ c 15 § 82.50.070. Prior: 1957 c 269 § 4; 1955 c 139 § 7.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.080 Loss, defacement, etc., of stamp--New stamp, fee. [1955 c 139 § 8.] Repealed by 1957 c 269 § 19.
82.50.100 Enforcement——Sheriffs' duties. [1955 c 139 § 10.] Repealed by 1957 c 269 § 19.
82.50.101 Director's power of entry to determine whether tax paid--Inspection of records. [1971 ex.s. c 299 § 41; 1967 ex.s. c 149 § 50; 1961 c 15 § 82.50.101. Prior: 1957 c 269 § 12.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.105 Notice of amount of tax payable-Contents--Notification of delinquency--Request for distraint. [1971 ex.s. c 299 § 42; 1967 ex.s. c 149 § $51 ; 1965$ ex.s. c 92 § $1 ; 1963$ c $199 \S 8 ; 1961$ c 15 § 82.50.105. Prior: 1957 c 269 § 13.] Repealed effective January 1, 1973 by 1971 ex.s. c $299 \S 76$, see also RCW 82.50.901.
82.50.110 Late payments——Interest——Lien. [1971 ex.s. c 299 § 43; 1967 ex.s. c 149 § $52 ; 1965$ ex.s. c 92 § $2 ; 1961$ c $15 \S 82.50 .110$. Prior: 1957 c 269 § 6; 1955 c 139 § 11.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.120 Unlawful removal of mobile bome or travel trailer. [1971 ex.s. c 299 § $44 ; 1967$ ex.s. c 149 § $53 ; 1963$ c 199 § $9 ; 1961$ c $15 \S$ 82.50.120. Prior: 1955 c 139 § 12.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.130 Delinquencies--Distraint procedure. [1971 ex.s. c 299 § $45 ; 1967$ ex.s. c 149 § 54; 1961 c $15 \S 82.50 .130$. Prior: 1957 c 269 § 7; 1955 c 139 § 13.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.140 Sale of mobile bome or travel trailer after distraint—— Procedure. [1971 ex.s. c 299 § 46; 1967 ex.s. c 149 § 55; 1961 c $15 \S$ 82.50.140. Prior: 1955 c 139 § 14.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.150 Distraint and sale to prevent unlawful removal of trailer. [1955 c 139 § 15.] Repealed by 1957 c 269 § 19.
82.50.160 Remittance of tax by county to state--Quarterly distribution. [1971 ex.s. c 299 § $47 ; 1969$ ex.s. c 274 § $1 ; 1961$ c 15 § 82 .50.160. Prior: 1955 c 139 § 16.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.180 Exemptions. [1971 ex.s. c $299 \S 48 ; 1967$ ex.s. c $149 \S$ 56; 1961 c 15 § 82.50.180. Prior: 1957 c 269 § 8; 1955 c 139 § 18.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76, see also RCW 82.50.901.
82.50.185 Exemption from rate imposed by RCW 82.50.030Certain owners of mobile homes. [1967 ex.s. c 149 § 28.] Repealed effective January 1, 1973 by 1971 ex.s. c $299 \S 76$, see also RCW 82.50.901.
82.50.190 Ad valorem taxes prohibited. [1971 ex.s. c 299 § 49; 1969 ex.s. c $225 \S 1 ; 1967$ ex.s. c $149 \S 57 ; 1961$ c $15 \S 82.50 .190$. Prior: 1955 c 139 § 19.] Repealed effective January 1, 1973 by 1971 ex.s. c 299 § 76 , see also RCW 82.50.901.
82.50.200 Taxed and licensed mobile homes or travel trailer entitled to use of streets and highways. [1971 ex.s. c 299 § $50 ; 1967$ ex.s. c 149 § 58; 1961 c 15 § 82.50.200. Prior: 1957 c 269 § 5.] Repealed effective January 1,1973 by 1971 ex.s. c $299 \S 76$, see also RCW 82.50.901.
82.50.260 Quarterly distribution of tax proceeds to school districts. [1967 ex.s. c 149 § 60.] Repealed by 1969 ex.s. c 274 § 3.
82.50.900 Severability. [1955 c 139 § 20.] Repealed by 1961 c 15 § 82.98.040. Later enactment, see RCW 82.98.030.
RCW 82.50.020, 82.50.030, 82.50.040, 82.50.050, 82.50.070, 82.50.101, 82.50.105, 82.50.110, 82.50.120, 82.50.130, 82.50.140, 82.50$.160,82.50 .180,82.50 .185,82.50 .190,82.50 .200$. See: RCW 82.50.903.

## Title 83 <br> INHERITANCE AND GIFT TAXES

## Chapter 83.04 <br> PROPERTY AND PERSON SUBJECT TO INHERITANCE TAX——LIEN

83.04.060 Transfers to take effect after death. [1949 c 218 § 1 , part; 1945 c 184 § 1, part; 1937 c 106 § 1, part; 1935 c 180 § 104, part; 1917 c 146 § 1, part; 1907 c 217 § 1, part; 1901 c 55 § 1, part; Rem. Supp. 1949 § 11201, part.] Now codified as RCW 83.04.025.
83.04.070 Transfer of insurance. [1949 c 218 § 1 , part; 1945 c 184 § 1, part; 1937 c 106 § 1 , part; 1935 c 180 § 104, part; 1917 c 146 § 1 , part; 1907 c 217 § 1, part; 1901 c 55 § 1, part; Rem. Supp. 1949 § 11201, part.] Now codified as RCW 83.04.027.
83.04.090 througb 83.04.170 Transfers by powers of appointment. [1951 c 185 §§ 1-9.] Now codified as RCW 83.05.010 through 83.05.090.

## Chapter 83.16 <br> VALUATIONS, CREDITS, AND EXEMPTIONS

83.16.040 Appraisement——Review. [1961 c 15 § 83.16.040. Prior: 1939 c 202 § 9 ; 1929 c 205 § 3; 1919 c 24 § 1 ; 1907 c 217 § 12; 1905 c 114 § $1 ; 1901$ c 55 § 13 ; RRS § 11211 .] Repealed by 1965 c 145 §§ 11.99.010 and 11.99.015(111), effective July 1, 1965.
83.16.050 Foreign estate——Valuation. [1935 c 180 § 122; RRS § 11211d.] Repealed by 1955 c 118 § 1. <br> \section*{Chapter 83.24 <br> \section*{Chapter 83.24 <br> DETERMINATION OF TAX WITHOUT PROBATE}
83.24.030 Hearing and order of court. [1929 c 205 § 4, part; 1917 c 146 § 5, part; RRS § 11216, part.] Now codified as part of RCW 83.24.020.
83.24.040 When commission can adjust tax without hearing. [1929 c 205 § 4, part; 1917 c 146 § 5, part; RRS § 11216, part.] Now codified as part of RCW 83.24.010.

## Chapter 83.40 <br> ADJUSTMENTS WITH FEDERAL TAX

83.40.050 Federal estate tax deducted. $\begin{array}{lllll}1961 & \text { c } & 15 & \text { § 83.40.050. }\end{array}$ Prior: 1945 c 184 § 2; 1931 c 134 § 1; Rem. Supp. 1945 § 11201-b;

1957 c 280 § 3 repealing this section nullified by Referendum No. 30.] Repealed by 1961 ex.s. c 24 § 5.

## Chapter 83.44 <br> PAYMENT OF INHERITANCE TAX——ENFORCEMENT—— COMPROMISE

83.44.090 Lien of tax. Repealed and reenacted as part of RCW 83.04 .010 by 1961 c $15 \$ \S 83.04 .010,83.98 .040$; subsequently legislatively recodified as RCW 83.04 .023 by 1961 c 292 § 6 .

## Chapter 83.48

QUIETING TITLE AGAINST TAX LIABILITY
83.48.020 Reference to commission for bearing and report. [1939 c 202 § 3(107k), part; 1935 c 180 § 107(k), part; RRS § 11202-lk, part.] Now codified as part of RCW 83.48.010.
83.48.030 Filing findings and subsequent proceedings. [1939 c 202 § 3(107k), part; 1935 c 180 § 107(k), part; RRS § 11202-1k, part.] Now codified as part of RCW 83.48.010.
83.48.040 Decree quieting title or denying relief. [1939 c 202 § 3(107k), part; 1935 c 180 § 107(k), part; RRS § 11202-lk, part.] Now codified as part of RCW 83.48.010.

## Chapter 83.52 <br> VIOLATIONS AND PENALTIES

83.52.010 No decree of distribution until tax paid. [1947 c 21 § 1 ; 1939 c 202 § 3(107n); 1935 c 180 § 107(n); Rem. Supp. 1947 § $11202-\ln$.] Now codified as RCW 83.44.110.

## Chapter 83.56 <br> GIFT TAXES

83.56.031 through 83.56.038 Gift of power of appointment. [1951 c 185 §§ 10-17.] Now codified as RCW 83.60.010 through 83.60.080.
83.56.260 Injunctions prohibited. [1941 c 119 § 25, part; Rem. Supp. 1941 § 11218-37, part.] Now codified as part of RCW 83.56.250.

## Title 84 <br> PROPERTY TAXES

## Chapter 84.08

GENERAL POWERS AND DUTIES OF TAX COMMISSION
84.08.150 Nomenclature-—Designation of taxes. [1939 c 136 § 2; RRS § 11112-2.] Now codified as RCW 84.09.010.
84.08.160 Taxing district boundary changes--Time limita-tion--Filing. [1951 c 116 § 1 ; 1949 c 65 § 1 ; 1943 c 182 § 1 ; 1939 c 136 § 1; Rem. Supp. 1949 § 11106-1.] Now codified as RCW 84.09.030.
84.08.170 Abbreviations authorized. [1925 ex.s. c $130 \$ 112$, part; 1897 c 71 § 93, part; 1893 c 124 § 97, part; RRS § 11273, part.] Now codified as RCW 84.09.020.
84.08.180 Federal property taxable wben federal law permits. [1945 c 142 § 1; Rem. Supp. 1945 § 11150-1.] Now codified as RCW 84.40.315.

## Chapter 84.10 <br> PROPERTY TAX COMMITTEE

84.10.010 Committee created——Purpose——Membership—— Terms--Meetings--Expenses--Powers and duties. [1971 ex.s. c 288 § 18.] Repealed by 1975 1st ex.s. c 291 § 24, effective January 1, 1978.

## Chapter 84.12 <br> ASSESSMENT AND TAXATION OF PUBLIC UTILITIES

84.12.010 Taxable companies defined. [1935 c 123 § 1, part; 1925 ex.s. c 130 § 36, part; 1907 c 131 § 2, part; 1907 c 78 § 2, part; RRS § 11156-1, part.] Now codified as RCW 84.12.200.
84.12.020 Operating and nonoperating property, determination of. [(i) 1935 c 123 § 1, part; 1925 ex.s. c 130 § 36, part; 1907 c 131 § 2, part; 1907 c 78 § 2, part; RRS § 11156-1, part. (ii) 1935 c 123 § 2;

RRS § 11156-2.] Now codified in RCW 84.12.200, 84.12.210 and 84.12.220.
84.12.030 Annual reports to be filed. [1935 c 123 § 3; 1923 ex.s. c 130 § 39; 1907 c 131 § 5; 1907 c 78 § 5; 1897 c 71 § $40 ; 1893$ c 124 § 40; 1891 c 140 § 27; 1890 p 541 § 27; RRS § 11156-3.] Now codified as RCW 84.12.230.
84.12.040 Annual assessment--Sources of information. [1939 c 206 § 19; 1935 c 123 § 7; 1925 ex.s. c 130 § 43 ; 1907 c 131 § $8 ; 1907$ c 78 § 7 ; 1891 c 140 §§ $28-31$; 1890 p 541 §§ $26-33$; RRS § $11156-$ 7.] Now codified as RCW 84.12.270.
84.12.050 Classification of real and personal property. [1935 c 123 § 8; 1925 ex.s. c 130 § 44; 1907 c 78 § 8; 1891 c 146 §§ $28-31$; 1890 p 541 §§ 26-33; RRS § 11156-8.] Now codified as RCW 84.12.280.
84.12.060 Valuation of interstate utility——Apportionment of system value to state. [1935 c 123 § 9; 1925 ex.s. c $130 \S 44 ; 1907$ c 78 § 8; RRS § 11156-9.] Now codified as RCW 84.12.300.
84.12.070 Deduction of nonoperating property. [1935 c 123 § 10 ; RRS § 11156-10.] Now codified as RCW 84.12.310.
84.12.080 Access to books and records. [1935 c 123 § 4; 1925 ex.s. c 130 § 37 ; 1907 c 131 § 3 ; 1907 c 78 § 3 ; RRS § $11156-4$.] Now codified as RCW 84.12.240.
84.12.090 Depositions may be taken. [1935 c $123 \S 5 ; 1925$ ex.s. c 130 § 38 ; 1907 c 131 § 4 ; 1907 c 78 § 4; RRS § 11156-5.] Now codified as RCW 84.12.250.
84.12.100 Default valuation by commission--Penalty-—Estoppel. [1935 c 123 § 6; 1925 ex.s. c 130 § 41; 1907 c 131 § 7; 1907 c 78 § 6; 1891 c 140 § 37 ; 1890 p 544 § 36 ; RRS § 11156-6.] Now codified as RCW 84.12.260.
84.12.110 Assessment roll--Notice of valuation. [1935 c 123 § 12; 1925 ex.s. c $130 \S 44 ; 1907$ c 78 § 8; 1891 c $140 \S 35 ; 1890$ p 543 § 35; RRS § 11156-12.] Now codified as RCW 84.12.330.
84.12.120 Persons bound by notice. [1935 c 123 § 11; RRS § 11156-11.] Now codified as RCW 84.12.320.
84.12.130 Hearings on assessment-Time and place of. [1953 c 162 § $1 ; 1939$ c 206 § 20; 1935 c 123 § 13; RRS § 11156-13.] Now codified as RCW 84.12.340.
84.12.140 Equalization of assessments——Apportionment. [1939 c 206 § 21; 1935 c 123 § 14; RRS § 11156-14.] Now codified as RCW 84.12.350.
84.12.150 Basis of apportionment. [1955 c 120 § 1; 1935 c 123 § $15 ; 1925$ ex.s. c 130 § 47 ; 1917 c $25 \S 1 ; 1907$ c 78 § $11 ; 1891$ c $140 \S$ 33; 1890 p 541 § 30 ; RRS § 11156-15.] Now codified as RCW 84.12.360.
84.12.160 Certification to county assessors-—Entry upon tax rolls. [1935 c 123 § 16; RRS § 11156-16.] Now codified as RCW 84.12.370.
84.12.170 Rolling stock of motor vehicle transportation companies excluded. [Originally added by 1941 Code Committee.] Now codified as RCW 84.12.290.
84.12.180 Assessment of nonoperating property. [1935 c 123 § 17; 1891 c 140 § 34; 1890 p 542 § 33; RRS § 11156-17.] Now codified as RCW 84.12.380.

Chapter 84.16
ASSESSMENT AND TAXATION OF PRIVATE CAR COMPANIES
84.16.060 Access to books and records. [1933 c 146 § 4; RRS § 11172-4. Prior: 1907 c 36 § 6.] Now codified as RCW 84.16.032.
84.16.070 Depositions may be taken. [1933 c 146 § 5; RRS § 11172-5.] Now codified as RCW 84.16.034.
84.16.080 Default valuation by commission--Penalty-EEStoppel. [1933 c 146 § 6; RRS § 11172-6. Prior: 1907 c 36 §§ 5, 6.] Now codified as RCW 84.16.036.

## Chapter 84.24 <br> REASSESSMENT OF PROPERTY

84.24.080 Relisting and relevy of tax adjudged void. [1927 c 290 § $1 ; 1925$ ex.s. c $130 \S 108 ; 1897$ c $71 \S 87 ; 1893$ c $124 \S 90$; RRS § 11269.] Now codified as RCW 84.56.430.

## Chapter 84.28 REFORESTATION LANDS

84.28.030 Hearing on classification--Notice. [1931 c 40 § 3, part; RRS § 11219-3, part.] Now codified in RCW 84.28.020.
84.28.040 Review by tax commission. [1951 c 172 § 1; 1931 c 40 § 3, part; RRS § 11219-3, part.] Now codified in RCW 84.28.020.
84.28.070 Back taxes on property as unclassified land to be paid. [1931 c 40 § 4, part; RRS § 11219-4, part.] Now codified in RCW 84.28.050.
84.28.120 Right of appeal from determination of cut or stumpage rates. [1939 c 206 § 33, part; 1931 c 40 § 10, part; RRS § 11219-10, part.] Now codified in RCW 84.28.110.
84.28.130 Agreements between department and owners for assessment and taxation. [1961 c 15 § 84.28.130. Prior: 1939 c 206 § 34; 1931 c 40 § 11 ; RRS § 11219-11.] Repealed by 1963 c 214 § 15.

## Chapter 84.32 <br> FORESTS AND FOREST LANDS

84.32.010 Definitions. [1961 c 15 § 84.32.010. Prior: 1943 c 168 § 1; 1941 c 120 § 1 ; Rem. Supp. 1943 § 11219-21.] Repealed by 1972 ex.s. c 148 § 8 .
84.32.020 Forest crops taxable as personalty, land as realtyBasis of assessment--Limitation on distraint. [1961 c 15 § 84.32.020. Prior: 1943 c 168 § 2; 1941 c 120 § 2; Rem. Supp. 1943 § 11219-22.] Repealed by 1972 ex.s. c 148 § 8.
84.32.030 Classification on petition of owner--Appeal to com-mission--Subsequent additions or eliminations--Court review. [1961 c 15 § 84.32.030. Prior: 1943 c 168 § 3; 1941 c 120 § 3; Rem. Supp. 1943 § 11219-23. Formerly RCW 84.32.030 and 84.32.040.] Repealed by 1972 ex.s. c 148 § 8.
84.32.040 Right of appeal to tax commission. [1943 c 168 § 3, part; 1941 c 120 § 3, part; Rem. Supp. 1943 § 11219-23, part.] Now codified in RCW 84.32.030.
84.32.050 Assessment of forest crops-DDeferment-DForm of rolls-DDuties of county assessor and treasurer. [1961 c 15 § 84.32.050. Prior: 1941 c 120 § 4; Rem. Supp. 1941 § 11219-24. Formerly RCW 84.32.050 and 84.32.060.] Repealed by 1972 ex.s. c 148 § 8.
84.32.060 Duty of county treasurer. [1941 c 120 § 4, part; Rem. Supp. 1941 § 11219-24, part.] Now codified in RCW 84.32.050.
84.32.070 Current taxes and deferred tax interest payable annual-ly-Collection-Distribution of interest-Doss of deferment. [1961 c 15 § 84.32.070. Prior: 1941 c 120 § 5; Rem. Supp. 1941 § 11219-25.] Repealed by 1972 ex.s. c 148 § 8.
84.32.080 Harvesting permit——Payment of all taxes and interest required. [1961 c 15 § 84.32.080. Prior: 1941 c 120 § 6; Rem. Supp. 1941 § 11219-26.] Repealed by 1972 ex.s. c 148 § 8.
84.32.090 Report by permittee of acreage harvested-Penalty for excess harvest. [1961 c 15 § 84.32.090. Prior: 1941 c 120 § 7; Rem. Supp. 1941 § $11219-27$.$] Repealed by 1972$ ex.s. c 148 § 8.
84.32.100 Deferred taxes-—Distribution, county borrowing, investments in obligations secured by, etc. [1961 c 15 § 84.32.100. Prior: 1941 c 120 § 8; Rem. Supp. 1941 § 11219-28.] Repealed by 1972 ex.s. c 148 § 8 .
84.32.110 Lien of deferred taxes. [1961 c 15 § 84.32.110. Prior: 1941 c 120 § 9; Rem. Supp. 1941 § 11219-29.] Repealed by 1972 ex.s. c 148 § 8 .
84.32.120 Criminal penalties--Harvest without permit, excess harvest, reports of permittee. [1961 c 15 § 84.32.120. Prior: 1941 c 120 § 10; Rem. Supp. 1941 § 11219-30.] Repealed by 1972 ex.s. c 148 § 8.

## Chapter 84.33 <br> TIMBER AND FOREST LANDS

84.33.180 Forest tax committee. [1972 ex.s. c 148 § 7; 1971 ex.s. c 294 § 18.] Repealed by 1974 ex.s. c 187 § 18.

## Chapter 84.34 <br> OPEN SPACE, AGRICULTURAL, AND TIMBER LANDS-CURRENT USE ASSESSMENT——CONSERVATION FUTURES

84.34.040 Referral of application to proper legislative bodyApproval or disapproval--Factors-—Review. [1970 ex.s. c 87 § 4.] Repealed by 1973 1st ex.s. c 212 § 21.
84.34.110 Remedies available to owner liable for additional tax. [1970 ex.s. c 87 § 11.] Repealed by 1973 lst ex.s. c 212 § 21.
84.34.120 Reports required. [1970 ex.s. c 87 § 12.] Repealed by 1973 lst ex.s. c 212 § 21.
84.34.130 Valuation of timber not affected. [1970 ex.s. c 87 § 13.] Repealed by 1973 lst ex.s. c 212 § 21.
84.34.140 Rules and regulations. [1970 ex.s. c 87 § 14.] Repealed by 1973 lst ex.s. c 212 § 21 .

## Chapter 84.36 EXEMPTIONS

84.36.126 Heads of households-—First fifty dollars of real property taxes exempt--Conditions--Claims. [1965 ex.s. c 168 § 2.] Repealed by 1967 ex.s. c 132 § 3. Later enactment, see RCW 84.36-.381-84.36.389.
84.36.128 Exemption from first fifty dollars of real property taxes-—Qualifications. [1969 ex.s. c 262 § $62 ; 1967$ ex.s. c 132 § 1.] Repealed by 1971 ex.s. c 288 § 27. Later enactment, see RCW 84.36-.381-84.36.389.

Rights and liabilities not affected by repeal——1971 ex.s. c 288: See note following RCW 84.40.030.
Severability-—1971 ex.s. c 288: See note following RCW 84.40.030.
84.36.129 Exemption from first fifty dollars of real property taxes-DDefinitions——Claims. [1970 ex.s. c 8 § 3. Prior: 1969 ex.s. c 262 § $63 ; 1969$ ex.s. c 224 § 2; 1967 ex.s. c 132 § 2.] Repealed by 1971 ex.s. c 288 § 27. Later enactment, see RCW 84.36.38184.36.389.

Rights and liabilities not affected by repeal——1971 ex.s. c 288: See note following RCW 84.40.030.

Severability - 1971 ex.s. c 288: See note following RCW 84.40.030.
84.36.170 Merchandise, raw furs from out of state in transit or storage for transshipment-—Proof of shipment. [1939 c 66 § 1, part; 1927 c 282 § 1, part; 1925 ex.s. c 130 § 26, part; 1921 c 60 § 1, part; 1897 c 71 § 19, part; 1893 c 124 § 19, part; 1891 c 140 § 19, part; 1890 p 538 § 20, part; RRS § 11130 , part.] Now codified as RCW 84.36.171 and see note following RCW 84.40.210.
84.36.171 Goods, raw furs, merchandise, etc. in transit or storage. [1967 ex.s. c 149 § 33 ; 1963 ex.s. c 28 § $13 ; 1961$ c 168 § 3. Prior: 1961 c 15 § 84.40.210, part; prior: 1939 c 66 § 1 ; 1927 c 282 § 1 ; 1925 ex.s. c $130 \S 26 ; 1921$ c $60 \S 1 ; 1897$ c $71 \S 19 ; 1893$ c $124 \S 19 ; 1891$ c $140 \S 19 ; 1890$ p 538 § 20 ; RRS § 11130 .] Repealed by 1969 ex.s. c 124 § 6.
Effective date——Saving—— 1969 ex.s. c 124: See note following RCW 84.36.300.
84.36.172 Goods, raw furs, merchandise, etc. in transit or storage——Affidavit of exemption--Shipping date. [1963 ex.s. c 28 § 14.] Repealed by 1969 ex.s. c 124 § 6.

Effective date——Saving——1969 ex.s. c 124: See note following RCW 84.36.300.
84.36.173 Goods, raw furs, merchandise, etc. in transit or stor-age--Reconsignment or delay in shipping--Report to county as-sessor-Taxation--Penalty. [1963 ex.s. c 28 § 15.] Repealed by 1969 ex.s. c 124 § 6.

Effective date——Saving——1969 ex.s. c 124: See note following RCW 84.36.300.
84.36.174 Goods, raw furs, merchandise, etc. in transit or stor-age--Records to be kept--Inspection--Retention. [1963 ex.s. c 28 § 16.] Repealed by 1969 ex.s. c 124 § 6.

Effective date——Saving—— 1969 ex.s. c 124: See note following RCW 84.36.300.
84.36.180 Ore and metals from out of state in process of reduction. [1939 c 66 § 1, part; 1927 c 282 § 1, part; 1925 ex.s. c 130 § 26, part; 1921 c 60 § 1, part; 1897 c 71 § 19, part; 1893 c 124 § 19, part; 1891 c 140 § 19, part; 1890 p 538 § 20, part; RRS § 11130, part.] Now codified as RCW 84.36.181, see note following RCW 84.40.210.
84.36.200 Certain farm products, if beld over by producer to next assessment date. [1939 c 206 § 14, part; 1933 c 48 § 1, part; 1925 ex.s. c 130 § 20 , part; 1897 c 71 § 13, part; 1893 c 124 § 13 , part; 1891 c 140 § 13, part; 1890 p 534 § 12, part; RRS § 11124 , part.] Now codified in RCW 84.44.060.
84.36.220 Listing of exempt property-—Proof of exemption. [1925 ex.s. c 130 § 9; 1891 c 140 § 5; 1890 p 532 §5; RRS § 11113.] Now codified as RCW 84.40.175.
84.36.370 Residences-—Exemption from percentage of taxes due to excess levies, regular property tax levies- QualificationsSchedule. [1973 lst ex.s. c $98 \S 1 ; 1972$ ex.s. c 126 § $1 ; 1971$ ex.s. c 288 § 4.] Repealed by 1974 ex.s. c 182 § 6. Later enactment, see RCW 84.36.381-84.36.389.
84.36.380 Residences-—Definitions-—Claims——Proce-
dure-—Penalty. [1972 ex.s. c 126 § 3; 1971 ex.s. c 288 § 5.] Repealed by 1974 ex.s. c 182 § 6. Later enactment, see RCW 84.36.38184.36.389.
84.36.450 Leasehold estates exemption. [1973 1st ex.s. c 187 § 11.] Repealed by 1975-'76 2nd ex.s. c $61 \S 20$. Later enactment, see RCW 84.36.451.
84.36.455 Leasehold estates and educational facilities exemp-tion--Effective in the event leasehold in lieu excise taxes held invalid. [1973 1st ex.s. c 187 § 14.] Repealed by 1975-'76 2nd ex.s. c 61 § 20.
84.36.460 Improvements owned or being acquired by sublessee taxable to such sublessee. [1973 1st ex.s. c 187 § 15.] Repealed by 1975 '76 2nd ex.s. c 61 § 20.

## Chapter 84.40 <br> LISTING OF PROPERTY

84.40.010 Property subject to taxation. [1955 c 196 § 2.] Now codified as RCW 84.36.005.
84.40.034 Valuation of timber and timberlands--Factors to be considered in valuation of timberlands. [1963 c 249 § 4.] Repealed by 1971 ex.s. c 294 § 20. Later enactment, see RCW 84.33.100 84.33.150.
84.40.035 Valuation of timber and timberlands- Timber appraisal manual. [1963 c 249 § 5.] Repealed by 1971 ex.s. c 294 § 20.
84.40.050 Detail and assessment lists. [1961 c 15 § 84.40.050. Prior: 1925 ex.s. c 130 § 23 ; 1897 c 71 § 16 ; 1893 c $124 \S 16 ; 1891$ c 140 § 16; RRS § 11127.] Repealed by 1967 ex.s. c 149 § 62.
84.40.140 Sick or absent persons——Listing by. [1961 c 15 § 8440.140. Prior: 1925 ex.s. c $130 \S 60 ; 1897$ c $71 \S 49 ; 1893$ c 124 § 50 ; 1891 c 140 § $50 ; 1890$ p 550 § 55; RRS § 11143.] Repealed by 1967 ex.s. c 149 § 62 .
84.40.180 Manner of listing personalty-Who shall list. [1961 c 15 §84.40.180. Prior: 1925 ex.s. c 130 § $15 ; 1897$ c 71 § 8; 1893 c 124 § 8; 1890 p 533 § 7; 1867 p 62 § 8; 1854 p 333 § 8; RRS § 11119.] Repealed by 1967 ex.s. c 149 § 62.
84.40.260 Procedure on failure to list personalty. [1961 c 15 § 84.40.260. Prior: 1925 ex.s. c 130 § 61; 1897 c 71 § 50; 1893 c 124 § 51; 1891 c 140 § $51 ; 1890$ p 550 § $56 ; 1890$ p 537 § 18 ; RRS §11144.] Repealed by 1967 ex.s. c 149 § 62.
84.40.270 Assessment of banks and bank stock. [1961 c 15 § 8440.270. Prior: 1925 ex.s. c 130 § 28 ; 1907 c 46 § $1 ; 1903$ c $83 \S 1$; 1897 c 71 § 21 ; 1893 c 124 § 21 ; 1891 c 140 § 21 ; 1890 p 539 § 22 ; Code 1881 § 2849; RRS § 11151. .] Repealed by 1970 ex.s. c 101 § 4.

Severability——Effective date——1970 ex.s. c 101: See note following RCW 82.04.430.
84.40.280 Assessment of banks and bank stock-—Payment of tax by bank. [1961 c 15 § 84.40.280. Prior: 1925 ex.s. c $130 \S 29 ; 1897$ c 71 § 22; 1893 c 124 § 22; 1891 c 140 § 22 ; 1890 p 540 § 22 ; RRS § 11152.] Repealed by 1970 ex.s. c 101 § 4.
84.40.290 Assessment of banks and bank stock-—Lien on shares and property of shareholders--Foreclosure by bank. [1961 c 15 § 84.40.290. Prior: 1925 ex.s. c 130 § 30; 1897 c 71 § 23 ; 1893 c $124 \S$ 23; 1891 c 140 § 23 ; RRS § 11153 .] Repealed by 1970 ex.s. c 101 § 4.
84.40.300 Assessment of banks and bank stock--List of shareholders to be furnished assessor. [1961 c $15 \$ 84.40 .300$. Prior: 1925 ex.s. c 130 § $31 ; 1897$ c 71 § $24 ; 1893$ c 124 § $24 ; 1890$ p 539 § 22 ; RRS § 11154.$]$ Repealed by 1970 ex.s. c 101 § 4.
84.40.310 Foreign banks, assessment of. [1961 c 15 § 84.40.310. Prior: 1925 ex.s. c $130 \S 32 ; 1897$ c 71 § 25 ; 1893 c 124 § 25 ; 1891 c 140 § 22; 1890 p 539 § 22; RRS § 11155 .] Repealed by 1970 ex.s. c 101 § 4.
84.40.342 Mobile homes--Schedule of value. [1971 ex.s. c 299 § 74.] Repealed by 1974 ex.s. c 196 § 2.
84.40.346 Owners to be notified of court decision holding valuation procedure improper. [1971 ex.s. c 42 § 3.] Section expired June 30, 1972.

## Chapter 84.41 <br> REVALUATION OF PROPERTY

84.41.040 Physical inspection of property every four yearsAdjustments during intervals based on statistical data--Requiring reports of pertinent data authorized-—Reporting systems. [1974 ex.s. c 131 § $1 ; 1971$ ex.s. c 288 § 7; 1961 c 15 § 84.41 .040 . Prior: 1955 c 251 § 4.] Section expired December 31, 1976, for later enactment see RCW 84.41.041.
84.41.900 Severability-—1955 c 251. [1955 c 251 § 16.] Repealed by 1961 c $15 \S 84.98 .040$. Later enactment, see RCW 84.98.030.

## Chapter 84.48 <br> EQUALIZATION OF ASSESSMENTS

84.48.020 Rules by which board is to be governed. [1939 c 206 § 35, part; 1925 ex.s. c 130 § 68, part; RRS § 11220, part.] Now codified in RCW 84.48.010.
84.48.030 County commissioners cannot change valuation or release or commute taxes. [1939 c 206 § 35, part; 1925 ex.s. c 130 § 68, part; RRS § 11220, part.] Now codified in RCW 84.48.010.
84.48.040 Duties of assessor-—Journal of proceedings-_Abstract to state board. [1939 c 206 § 35, part; 1925 ex.s. c 130 § 68, part; RRS § 11220 , part.] Now codified in RCW 84.48.010.
84.48.060 Taxes not to be extended until state board acts. [1939 c 206 § 35, part; 1925 ex.s. c 130 § 68, part; RRS § 11220, part.] Now codified in RCW 84.48.010.
84.48.070 Abstract of rolls to state auditor. [1925 ex.s. c $130 \S 69$, part; 1890 p 557 § 74, part; RRS § 11221, part.] Now codified in RCW 84.48.050.
84.48.090 Board to levy and apportion state taxes. [1949 c 66 § 1 , part; 1939 c 206 § 36, part; 1925 ex.s. c 130 § 70, part; RRS § 11222 , part.] Now codified in RCW 84.48.080.
84.48.100 Proceedings and levies to state auditor. [1949 c 66 § 1 , part; 1939 c 206 § 36, part; 1925 ex.s. c 130 § 70, part; RRS § 11222 , part.] Now codified in RCW 84.48.080.

## Chapter 84.49 <br> EQUALIZATION--SCHOOL DISTRICT TAXES

84.49.010 through 84.49.070 [1955 c 253 §§ 1-7.] Repealed by 1961 c 15 § 84.98.040.

## Chapter 84.52 <br> LEVY OF TAXES

84.52.042 Limitations upon regular property tax levies. [1973 1st ex.s. c 195 § 135.]

Reviser's note: This section expired January 1, 1974, see note following RCW 84.52.043.
84.52.051 Counties, additional levy. [1969 ex.s. c 262 § 64.] Repealed by 1970 ex.s. c $92 \S 10$.
84.52.060 Levy for higher education. [1935 c 131 § 1 ; RRS § 4934-1. Prior: 1920 ex.s. c 2 § 1; 1909 c 97 p 321 § 3; 1897 c 118 § $110 ; 1890$ p 373 § 51; RRS § 4934.] Repealed by 1961 c 15 § 84.98.040. Later enactments, see state Constitution, Amendment 17 and chapter 84.52 RCW.
84.52.061 Taxing district excess levies authorized by provisions of other law. [1973 1st ex.s. c 195 § $149 ; 1970$ ex.s. c $92 \S 8$.] Repealed by 1973 1st ex.s. c 195 § 133, eff ective January 1, 1974.
Severability-—Effective dates and termination dates-Construc-tion-—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

## Chapter 84.54 <br> ADDITIONAL LIMITATIONS ON REGULAR PROPERTY TAX REVENUE

84.54.010 Definitions. [1970 ex.s. c 92 § 6; 1967 ex.s. c 146 § 1 ; 1965 ex.s. c 174 § 1.] Repealed by 1971 ex.s. c 288 § 27.
Savings--Severability——1971 ex.s. c 288: See notes following RCW 84.40.030.
84.54.020 Limitations on regular property tax levy. [1970 ex.s. c 92 § 7; 1967 ex.s. c 146 § $2 ; 1965$ ex.s. c 174 § 2.] Repealed by 1973 lst ex.s. c 195 § 133, effective January 1, 1974.
Severability--Effective dates and termination dates-Construc-tion-—1973 1st ex.s. c 195: See notes following RCW 84.52.043.
84.54.030 Maximum regular property tax levy for taxing districts created by incorporations and certain existing taxing districts--First tax year-—Succeeding tax years. [1967 ex.s. c 146 § 3; 1965 ex.s. c 174 § 3.] Repealed by 1970 ex.s. c 92 § 10.
84.54.040 Merger or consolidation of taxing districts-Determination of maximum regular property tax levy--First tax yearSucceeding tax years. [1967 ex.s. c 146 § 4; 1965 ex.s. c $174 \S 4$.] Repealed by 1970 ex.s. c $92 \S 10$.
84.54.050 Election to authorize increase in regular property tax levy--Procedure. [1967 ex.s. c 146 § 5; 1965 ex.s. c 174 § 5.] Repealed by 1970 ex.s. c $92 \S 10$.
84.54.060 Right to vote excess levies not affected. [1965 ex.s. c 174 §6.] Repealed by 1970 ex.s. c 92 § 10.
84.54.070 Factors to be set forth on ballot at elections to authorize property tax levy increase. [1967 ex.s. c 146 § 6.] Repealed by 1970 ex.s. c 92 § 10 .
84.54.080 Chapter inapplicable to rural library districts or school districts-—Limitation on school district excess levy. [1969 ex.s. c 242 § $1 ; 1967$ ex.s. c 146 § 8.] Repealed by 1970 ex.s. c 92 § 10.
84.54.090 No election held pursuant to RCW 84.54.050 valid to authorize levy producing more than certain allowable revenue. [1967 ex.s. c 146 § 9.] Repealed by 1970 ex.s. c $92 \S 10$.

## Chapter 84.56 COLLECTION OF TAXES

84.56.030 Allocation of interest, costs. [1949 c 21 § 1 , part; 1935 c 30 § 2, part; 1931 c 113 § 1 , part; 1925 ex.s. c 130 § 83 , part; Rem. Supp. 1949 § 11244, part. Prior: 1917 c 141 § $1 ; 1899$ c 141 § 6, part; 1897 c 71 § 68, part; 1895 c 170 § 14, part; 1893 c 124 § 69, part; 1890 p 561 § 84, part; Code 1881 § 2892, part.] Now codified in RCW 84.56.020.
84.56.040 Rebate period may be extended by tax commission. [1939 c 206 § 40; 1937 c 56 § 1; RRS § 11244-1d.] Repealed by 1953 c 103 § 1 and 1961 c 15 § 84.98.040.
84.56.080 Distraint of stationary property. [1949 c 21 § 2, part; 1935 c 30 § 4, part; 1933 c 33 § 1, part; 1925 ex.s. c 130 § 86, part; Rem. Supp. 1949 § 11247 , part. Prior: 1915 c 137 § 1, part; 1911 c 24 § 2, part; 1899 c 141 § 7, part; 1897 c 71 § 71, part; 1895 c 176 § 15, part; 1893 c 124 § 72, part; 1890 p 561 § 87, part; Code 1881 § 2903, part.] Now codified in RCW 84.56.070.
84.56.100 Jeopardy distraint after levy. [1949 c 21 § 2, part; 1935 c 30 § 4, part; 1933 c 33 § 1 , part; 1925 ex.s. c 130 § 86, part; Rem. Supp. 1949 § 11247, part. Prior: 1915 c 137 § 1, part; 1911 c 24 § 2, part; 1899 c 141 § 7, part; 1897 c 71 § 71, part; 1895 c 176 § 15 , part; 1893 c 124 § 72, part; 1890 p 561 § 87, part; Code 1881 § 2903, part.] Now codified in RCW 84.56.070.
84.56.110 Jeopardy distraint before levy. [1949 c 21 § 3, part; 1939 c 206 § 43, part; 1937 c $20 \S 1$, part; 1925 ex.s. c $130 \S 89$, part; Rem. Supp. 1949 § 11250, part. Prior: 1907 c 29 § 1, part.] Now codified in RCW 84.56.090.
84.56.130 Disposition of advance tax collections. [1949 c 21 § 3, part; 1939 c 206 § 43, part; 1937 c $20 \S 1$, part; 1925 ex.s. c $130 \S 89$, part; Rem. Supp. 1949 § 11250, part. Prior: 1907 c 29 § 1, part.] Now codified in RCW 84.56.090.
84.56.140 Treasurer may distrain removed property. [1949 c 21 § 3, part; 1939 c 206 § 43, part; 1937 c 20 § 1, part; 1925 ex.s. с $130 \S$ 89, part; Rem. Supp. 1949 § 11250, part. Prior: 1907 c 29 § 1, part.] Now codified in RCW 84.56.090.
84.56.350 Payment on undivided interest. [1939 c 206 § 44, part; 1933 c 171 § 2, part; 1925 ex.s. c 130 § 103, part; RRS § 11264, part. Prior: 1899 c 141 § 11 , part; 1897 c 71 § 82, part; 1893 c 124 § 87 , part; 1890 p 583 § 134, part.] Now codified in RCW 84.56.340.
84.56.410 Civil penalty for nonperformance of duty. [1925 ex.s. c 130 § 109; RRS § 11270. Prior: 1897 c $71 \S 89 ; 1893$ c 124 § 92.] Now codified as RCW 84.09.040.
84.56.420 Fees and costs allowed in civil actions against county officers. [1925 ex.s. c $130 \S 110$; RRS § 11271. Prior: 1897 c $71 \S 90$; 1893 c 124 § 93.] Now codified as RCW 84.09.050.

## Chapter 84.60 LIEN OF TAXES

84.60.030 Time of attachment of personalty tax lien. [1943 c 34 § 1, part; 1939 c 206 § 45 , part; 1935 c $30 \S 7$, part; 1925 ex.s. c $130 \S$ 104, part; Rem. Supp. 1943 § 11265, part. Prior: 1903 c 59 § 3, part; 1897 c 71 § 83, part; 1895 c 176 § 21, part; 1893 c 124 § 88, part.) Now codified in RCW 84.60.020.
84.60.060 Acquisition by governmental unit of property subject to tax lien or placement under agreement or order of immediate possession or use--Amount payable when tax not delinquent-Withholding amount from condemnation award. [1967 ex.s. c 145 § 37; 1961 c 15 § 84.60.060. Prior: 1957 c 277 § 2.] Repealed by 1971 ex.s. c 260 § 4.

Severability —— 1967 ex.s. c 145: See RCW 47.98.043.

## Chapter 84.64

## CERTIFICATES OF DELINQUENCY

84.64.090 Judgment and order of sale. [1939 c 206 § 47, part; 1937 c 118 § 1 , part; 1925 ex.s. c $130 \S 120$, part; RRS § 11281 , part. Prior: 1909 c 163 § 1, part; 1903 c 59 § 5, part; 1899 c 141 § 18, part; 1897 c 71 § 103, part; 1893 c 124 § 105 , part; 1890 p 573 § 112 , part; Code 1881 § 2917, part.] Now codified in RCW 84.64.080.
84.64.100 Tax sale——Notice——Restrictions——Excess to record owner. [1951 c 220 § 1; 1939 c 206 § 47, part; 1937 c 118 § 1 , part; 1925 ex.s. c $130 \S 120$, part; RRS § 11281 , part. Prior: 1909 c 163 § 1, part; 1903 c 59 § 5, part; 1899 c 141 § 18, part; 1897 c 71 § 103, part; 1893 c 124 § 105, part; 1890 p 573 § 112, part; Code 1881 § 2917, part.] Now codified in RCW 84.64.080.
84.64.110 Form of deed. [1939 c 206 § 47, part; 1937 c 118 § 1 , part; 1925 ex.s. c $130 \S 120$, part; RRS § 11281, part. Prior: 1909 c 163 § 1, part; 1903 c 59 § 5, part; 1899 c 141 § 18, part; 1897 c 71 § 103, part; 1893 c 124 § 105, part; 1890 p 573 § 112, part; Code 1881 § 2917, part.] Now codified in RCW 84.64.080.
84.64.250 Assignment of certificates issued to counties. [1961 c 15 § 84.64.250. Prior: 1925 ex.s. c 130 § 136; RRS § 11297 ; prior: 1899 c $141 \S 30$.] Repealed by 1969 ex.s. c 45 § 1.
84.64.260 Assignments generally. [1961 c 15 § 84.64.260. Prior: 1925 ex.s. c 130 § 137 ; RRS § 11298 ; prior: 1899 c 141 § 31.] Repealed by 1969 ex.s. c $45 \S 1$.
84.64.280 Notice of sale. [1945 c 172 § 1 , part; 1937 c 68 § 1 , part; 1927 c 263 § 1, part; 1925 ex.s. c 130 § 133, part; Rem. Supp.

1945 § 11294, part. Prior: 1903 c 59 § 1, part; 1899 c 141 § 29, part; 1890 p 579 § 124, part; Code 1881 § 2934, part.] Now codified in RCW 84.64.270.
84.64.290 Installment contract of sale-—Reserved resources may be sold separately. [1945 c 172 § 1, part; 1937 c 68 § 1, part; 1927 c 263 § 1, part; 1925 ex.s. c 130 § 133, part; Rem. Supp. 1945 § 11294, part. Prior: 1903 c 59 § 1, part; 1899 c 141 § 29, part; 1890 p 579 § 124, part: Code 1881 § 2934, part.) Now codified in RCW 84.64.270.

## Chapter 84.68 <br> RECOVERY OF TAXES PAID OR PROPERTY SOLD FOR TAXES

84.68.021 Payment under protest not prerequisite to recovery of taxes paid in 1971 due to increases in valuation on 1970 rolls. [1971 ex.s. c 42 § 1.]

Expiration date——1971 ex.s. c 42: "The provisions of this act shall have no force or effect after June 30, 1972." [1971 ex.s. c 42 § 4.] This applies to this section, to section 2 of 1971 ex.s. c 42 footnoted to RCW 84.56.020, and to RCW 84.40.346.

Title 85
DIKING AND DRAINAGE

## Chapter 85.04

## COMPARATIVE TABLE

Chapter 85.04 RCW was recodified July 1, 1961 and is now codified as follows:

| Formerly | Herein |
| :---: | :---: |
| 85.04.005 | 85.05.010 |
|  | 85.06.010 |
| 85.04.010 | 85.05 .020 |
|  | 85.06.020 |
| 85.04.015 | 85.05 .030 |
|  | 85.06 .030 |
| 85.04.020 | 85.05 .030 |
|  | 85.06.030 |
| 85.04.025 | 85.05 .040 |
|  | 85.06.040 |
| 85.04.030 | 85.05 .050 |
|  | 85.06.050 |
| 85.04.035 | 85.05 .060 |
|  | 85.06.060 |
| 85.04.040 | 85.05 .280 |
|  | 85.06.250 |
| 85.04.045 | 85.05.085 |
|  | 85.06.080 |
| 85.04.050 | 85.05.090 |
|  | 85.06.090 |
| 85.04.055 | 85.05 .100 |
|  | 85.06.100 |
| 85.04.060 | 85.05.110 |
|  | 85.06.110 |
| 85.04.065 | 85.05.120 |
|  | 85.06.120 |
| 85.04.070 | 85.05.140 |
|  | 85.06 .140 |
| 85.04.075 | 85.05 .170 |
|  | 85.06 .170 |
| 85.04.080 | 85.05.160 |
|  | 85.06.160 |
| 85.04.085 | 85.07.040 |
|  | 85.07.050 |
| 85.04 .090 | 85.07.050 |
| 85.04.095 | 85.05.180 |
|  | 85.06 .180 |
| 85.04.100 | 85.05 .190 |
|  | 85.06.190 |
| 85.04.105 | 85.05.200 |
|  | 85.06.200 |
| 85.04.110 | 85.05 .380 |
|  | 85.05 .390 |
|  | 85.06 .350 |
|  | 85.06.360 |


| Formerly | Herein |
| :---: | :---: |
| 85.04.115 | 85.05.260 |
|  | 85.06.230 |
| 85.04.120 | 85.05.270 |
|  | 85.06.240 |
| 85.04.125 | 85.05 .290 |
|  | 85.05.310 |
|  | 85.06.260 |
|  | 85.06.280 |
| 85.04.130 | 85.05.300 |
|  | 85.06.270 |
| 85.04.135 | 85.05.330 |
|  | 85.06.300 |
| 85.04.140 | 85.07.060 |
|  | 85.07.100 |
| 85.04.145 | 85.07.070 |
| 85.04.150 | 85.07.120 |
| 85.04.155 | 85.05 .350 |
|  | 85.06.320 |
|  | 85.07.080 |
| 85.04.160 | 85.05.320 |
|  | 85.05 .340 |
|  | 85.06 .290 |
|  | 85.06 .310 |
|  | 85.07.110 |
| 85.04.165 | 85.05.280 |
|  | 85.06 .250 |
| 85.04.170 | 85.05.360 |
|  | 85.06.330 |
| 85.04.175 | 85.07 .090 |
| 85.04.180 | 85.07 .130 |
| 85.04.185 | 85.07 .140 |
| 85.04.190 | 85.07 .020 |
| 85.04.195 | 85.07 .030 |
| 85.04.200 | 85.05 .400 |
|  | 85.06 .370 |
| 85.04.205 | 85.05 .370 |
|  | 85.06 .340 |
| 85.04.210 | 85.05.150 |
|  | 85.06.150 |
| 85.04.215 | 85.07 .010 |
| 85.04.400 | 85.05 .410 |
| 85.04.405 | 85.05 .490 |
|  | 85.05 .500 |
| 85.04.410 | 85.05 .070 |
| 85.04.415 | 85.05 .080 |
| 85.04.420 | 85.05.230 |
|  | 85.05.240 |
| 85.04.425 | 85.05.250 |
| 85.04 .430 | 85.05.083 |
| 85.04.435 | 85.05 .210 |
|  | 85.05.220 |
| 85.04.440 | 85.05.220 |
| 85.04.445 | 85.05.082 |
| 85.04.450 | 85.05.071 |
| 85.04.455 | 85.05.072 |
| 85.04.460 | 85.05 .073 |
|  | 85.05.074 |
| 85.04.465 | 85.05.075 |
| 85.04 .470 | 85.05 .077 |
| 85.04.475 | 85.05.076 |
|  | 85.05 .079 |
| 85.04.480 | 85.05 .078 |
| 85.04.485 | 85.05 .480 |
| 85.04.490 | 85.05.510 |
|  | 85.05 .550 |
| 85.04.495 | 85.05.520 |
| 85.04.500 | 85.05 .530 |
| 85.04.505 | 85.05.540 |
| 85.04.510 | 85.05.365 |
|  | 85.05 .367 |
| 85.04.515 | 85.05.366 |
| 85.04.520 | 85.05.560 |
| 85.04.525 | 85.05 .570 |
| 85.04.530 | 85.05.580 |
| 85.04.535 | 85.05.590 |


| Formerly | Herein |
| :---: | :---: |
| 85.04.540 | 85.05 .600 |
| 85.04.545 | 85.05.030 |
| 85.04.550 | 85.05.430 |
| 85.04 .551 | 85.05 .440 |
| 85.04.552 | 85.05.450 |
| 85.04.553 | 85.05 .460 |
| 85.04.554 | 85.05 .470 |
| 85.04.600 | 85.06.380 |
| 85.04.605 | 85.06.070 |
|  | 85.06.680 |
|  | 85.06.690 |
| 85.04.610 | 85.06.640 |
| 85.04.615 | 85.06.670 |
| 85.04.620 | 85.06.660 |
| 85.04.625 | 85.06.650 |
| 85.04.630 | 85.06.700 |
| 85.04.635 | 85.06.500 |
| 85.04 .640 | 85.06.210 |
| 85.04.645 | 85.06.220 |
| 85.04.650 | 85.06 .390 |
| 85.04.655 | 85.06.510 |
|  | 85.06.520 |
|  | 85.06.530 |
| 85.04 .660 | 85.06.540 |
| 85.04.665 | 85.06.321 |
| 85.04.670 | 85.06.322 |
| 85.04.675 | 85.06.323 |
| 85.04.680 | 85.06.324 |
| 85.04.685 | 85.06.325 |
| 85.04.690 | 85.06.326 |
| 85.04.695 | 85.06 .327 |
| 85.04.700 | 85.06 .328 |
| 85.04.705 | 85.06.329 |
| 85.04 .710 | 85.06 .550 |
| 85.04 .715 | 85.06 .560 |
| 85.04.720 | 85.06 .570 |
| 85.04.725 | 85.06 .580 |
| 85.04 .730 | 85.06 .590 |
| 85.04 .735 | 85.06.600 |
| 85.04 .740 | 85.06.610 |
| 85.04 .745 | 85.06.620 |
| 85.04.750 | 85.06.630 |
| 85.04.755 | 85.06 .400 |

## Chapter 85.08 <br> DIKING, DRAINAGE, AND SEWERAGE IMPROVEMENT DISTRICTS

85.08.030 District wholly witbin city or town. [1927 c 240 § 1, part, last am'ds 1913 c 176 § 1, part; RRS § 4405, part.] Now codified in RCW 85.08.020.
85.08.250 Schedule of call of bonds. [1933 c 125 § 1 , part, last am'ds 1913 c 176 § 17; RRS § 4422, part.] Now codified in RCW 85.08.240.
85.08.260 Bonds--Contents——Coupons--Execution. [1933 c 125 § 1, part, last am'ds 1913 c 176 § 17; RRS § 4422, part.] Now codified in RCW 85.08.240.
85.08.270 Registration of bonds--Limitation upon bonds or warrants. [1933 c 125 § 1, part, last am'ds 1913 c 176 § 17; RRS § 4422, part.] Now codified in RCW 85.08.240.
85.08.330 Cost of construction--Temporary warrants. [1917 c 130 § 28, part; 1913 c 176 § 23; RRS § 4428, part.] Now codified in RCW 85.08.320.
85.08.350 Cost of crossings, bow apportioned and paid. [1917 c 130 § 29, part; 1913 c 176 § 24; RRS § 4429, part.] Now codified in RCW 85.08.340.
85.08.700 through 85.08.810 Refunding bonds. [1929 c 211 §§ $1-9$; 1933 c 22 §§ $1-8$; 1933 ex.s. c 38 § 1 ; RRS §§ 4459-1-4459-9.] Now codified as RCW 85.09.010 through 85.09.090.

## Chapter 85.12 <br> FEDERAL AID TO DIKING, DRAINAGE, AND SEWERAGE IMPROVEMENT DISTRICTS

85.12.020 Bond shall not be required. [1949 c 175 § 1 , part; RRS § 4459-50, part.] Now codified in RCW 85.12.010.

## Chapter 85.16

MAINTENANCE COSTS AND LEVIES——DIKING, DRAINAGE, AND SEWERAGE IMPROVEMENT DISTRICTS
85.16.040 Extraordinary expenditures-Warrants and bonds. [(i) 1949 c 26 § 3, part; Rem. Supp. 1949 § 4459-22, part. (ii) 1949 c 26 § 13, part; Rem. Supp. 1949 § 4459-32, part.] Now codified in RCW 85.16.030 and 85.16.180.
85.16.050 Redemption fund. [1949 c 26 § 3, part; Rem. Supp. 1949 § 4459-22, part.] Now codified in RCW 85.16.030.
85.16.100 Report of appraisers. [1949 c 26 § 5, part; Rem. Supp. 1949 § 4459-24, part.] Now codified in RCW 85.16.090.
85.16.140 Modification of schedules. [1949 c 26 § 9, part; Rem. Supp. 1949 § 4459-28, part.] Now codified in RCW 85.16.130.

Chapter 85.20
REORGANIZATION OF DISTRICTS INTO IMPROVEMENT DISTRICTS——1917 ACT
85.20.060 Indebtedness and assessments. [(i) 1917 c 131 § 5, part; RRS § 4351, part. (ii) 1933 c 182 § 5, part; RRS § 4477-5, part.] Now codified as RCW 85.20.050 and 85.22.050.

Chapter 85.24
DIKING AND DRAINAGE DISTRICTS IN TWO OR MORE COUNTIES
85.24.050 Election-—Canvass. [1923 c 140 § 3, part; 1909 c 225 § 4; RRS § 4364, part.] Now codified in RCW 85.24.040.
85.24.060 Commissioners- -Terms. [1923 c 140 § 3, part; 1909 c 225 § 4; RRS § 4364, part.] Now codified in RCW 85.24.040.
85.24.090 Oath and bond. [1923 c 140 § 4, part; 1909 c 225 § 5; RRS § 4365, part.] Now codified in RCW 85.24.070.
85.24.100 Plans——Construction——Bids——Contractor's bond. [1923 c 140 § 4, part; 1909 c 225 § 5; RRS § 4365, part.] Now codified in RCW 85.24.070.
85.24.110 Warrants. [1923 c 140 § 4, part; 1909 c 225 § 5; RRS § 4365, part.] Now codified in RCW 85.24.070.
85.24.120 Assessments. [1923 c 140 § 4, part; 1909 c 225 § 5 ; RRS § 4365, part.] Now codified in RCW 85.24.070.

## Chapter 85.28 <br> PRIVATE DITCHES AND DRAINS

85.28.070 Summons, form of. [1899 c 125 § 6, part; RRS § 4399, part.] Now codified in RCW 85.28.060.

## Title 86

FLOOD CONTROL

## Chapter 86.04 <br> FLOOD CONTROL DISTRICTS——1935 ACT

## COMPARATIVE TABLE

Chapter 86.04 RCW was recodified July 1,1961 and is now codified as follows:

| Formerly | Herein |
| :--- | :--- |
|  |  |
| 86.04 .010 | 86.05 .020 |
| 86.04 .020 | 86.05 .010 |
| 86.04 .030 | 86.05 .030 |
|  | 86.05 .040 |
| 86.04 .040 | 86.05 .050 |
|  | 86.05 .060 |
| 86.04 .050 | 86.05 .070 |
|  | 86.05 .080 |
|  | 86.05 .090 |

Chapter 86.04


Table of Disposition of Former RCW Sections

\begin{tabular}{|c|c|c|c|}
\hline Formerly \& Herein \& Formerly \& Herein <br>
\hline 86.08 .140 \& 86.09 .361 \& \& 86.09.403 <br>
\hline 86.08.145 \& 86.09.367 \& 86.08 .450 \& 86.09 .382 <br>
\hline \multirow[t]{2}{*}{86.08.150} \& 86.09 .370 \& \& 86.09.406 <br>
\hline \& 86.09.373 \& 86.08.460 \& 86.09.409 <br>
\hline 86.08 .155 \& 86.09 .373 \& \& 86.09.412 <br>
\hline 86.08 .160 \& 86.09 .376 \& \& 86.09.415 <br>
\hline \multirow[t]{4}{*}{86.08.175} \& 86.09 .379 \& 86.08.470 \& 86.09.418 <br>
\hline \& 86.09.259 \& \& 86.09.421 <br>
\hline \& 86.09 .268 \& 86.08 .475 \& 86.09.424 <br>
\hline \& 86.09.283 \& \& 86.09.427 <br>
\hline 86.08.185 \& 86.09.289 \& 86.08 .480 \& 86.09.430 <br>
\hline \multirow[t]{3}{*}{86.08.190} \& 86.09 .262 \& 86.08.485 \& 86.09.433 <br>
\hline \& 86.09 .295 \& \& 86.09.436 <br>
\hline \& 86.09 .298 \& \& 86.09.439 <br>
\hline \multirow[t]{2}{*}{86.08.195} \& 86.09.283 \& 86.08 .490 \& 86.09.448 <br>
\hline \& 86.09 .301 \& \& 86.09.451 <br>
\hline 86.08 .200 \& 86.09 .271 \& \& 86.09.454 <br>
\hline \multirow[t]{5}{*}{86.08 .205

86.08 .210} \& 86.09 .265 \& \& 86.09.463 <br>
\hline \& 86.09.274 \& 86.08.495 \& 86.09.457 <br>
\hline \& 86.09.277 \& \& 86.09.460 <br>
\hline \& 86.09.280 \& 86.08.500 \& 86.09 .442 <br>
\hline \& 86.09.292 \& \& 86.09 .445 <br>
\hline \multirow[t]{2}{*}{86.08.210} \& 86.09 .199 \& 86.08 .510 \& 86.09 .466 <br>
\hline \& 86.09 .280 \& \& 86.09 .472 <br>
\hline 86.08.215 \& 86.09.286 \& 86.08 .520 \& 86.09 .469 <br>
\hline \multirow[t]{2}{*}{86.08.220} \& 86.09 .304 \& \& 86.09 .481 <br>
\hline \& 86.09 .307 \& 86.08 .530 \& 86.09.475 <br>
\hline \multirow[t]{2}{*}{86.08.225} \& 86.09 .313 \& 86.08.540 \& 86.09.484 <br>
\hline \& 86.09 .316 \& \& 86.09.487 <br>
\hline 86.08.230 \& 86.09 .319 \& \& 86.09.493 <br>
\hline 86.08.240 \& 86.09 .322 \& 86.08 .550 \& 86.09.478 <br>
\hline \multirow[t]{2}{*}{86.08.250} \& 86.09.325 \& 86.08.560 \& 86.09 .490 <br>
\hline \& 86.09 .328 \& \& 86.09.493 <br>
\hline \multirow[t]{6}{*}{86.08.260} \& 86.09 .148 \& 86.08.570 \& 86.09.493 <br>
\hline \& 86.09.151 \& 86.08.580 \& 86.09.496 <br>
\hline \& 86.09 .154 \& 86.08.590 \& 86.09.499 <br>
\hline \& 86.09 .160 \& 86.08.600 \& 86.09.502 <br>
\hline \& 86.09 .163 \& 86.08 .610 \& 86.09.505 <br>
\hline \& 86.09 .202 \& 86.08 .620 \& 86.09.508 <br>
\hline \multirow[t]{3}{*}{86.08.270} \& 86.09 .166 \& 86.08.630 \& 86.09 .511 <br>
\hline \& 86.09.169 \& 86.08.640 \& 86.09.514 <br>
\hline \& 86.09 .172 \& \& 86.09 .517 <br>
\hline \multirow[t]{2}{*}{86.08.280} \& 86.09 .175 \& 86.08 .650 \& 86.09 .520 <br>
\hline \& 86.09 .178 \& 86.08.660 \& 86.09 .523 <br>
\hline \multirow[t]{3}{*}{86.08.290} \& 86.09 .181 \& \& 86.09 .526 <br>
\hline \& 86.09 .184 \& \& 86.09 .529 <br>
\hline \& 86.09 .187 \& 86.08 .670 \& 86.09.532 <br>
\hline \multirow[t]{2}{*}{86.08.300} \& 86.09 .190 \& 86.08.675 \& 86.09.535 <br>
\hline \& 86.09.193 \& 86.08 .680 \& 86.09.538 <br>
\hline 86.08 .310 \& 86.09 .196 \& 86.08 .685 \& 86.09 .541 <br>
\hline \multirow[t]{2}{*}{86.08.320} \& 86.09 .205 \& 86.08 .690 \& 86.09.550 <br>
\hline \& 86.09 .208 \& 86.08 .695 \& 86.09.544 <br>
\hline \multirow[t]{2}{*}{86.08 .330} \& 86.09 .211 \& 86.08.700 \& 86.09 .547 <br>
\hline \& 86.09 .214 \& 86.08.710 \& 86.09.553 <br>
\hline \multirow[t]{3}{*}{86.08 .340} \& 86.09.217 \& \& 86.09.562 <br>
\hline \& 86.09.220 \& \& 86.09.565 <br>
\hline \& 86.09.223 \& 86.08.720 \& 86.09 .556 <br>
\hline 86.08 .350 \& 86.09.226 \& \& 86.09.559 <br>
\hline 86.08 .360 \& 86.09 .229 \& 86.08.730 \& 86.09 .568 <br>
\hline \multirow[t]{2}{*}{86.08 .370} \& 86.09 .232
86.09 .235 \& \& 86.09 .574 <br>
\hline \& 86.09 .235 \& \& 86.09.577 <br>
\hline \multirow[t]{2}{*}{86.08.380} \& 86.09.238 \& 86.08 .740 \& 86.09 .571 <br>
\hline \& 86.09.241 \& \& 86.09 .580 <br>
\hline \multirow[t]{2}{*}{86.08 .390} \& 86.09 .244
86.09247 \& \& 86.09.586 <br>
\hline \& 86.09 .247
86.09 .250 \& 86.08.750 \& 86.09 .580 <br>
\hline 86.08 .400 \& 86.09 .250
86.09 .253 \& 86.08.760 \& 86.09 .583
86.09 .604 <br>
\hline 86.08 .410 \& 86.09.256 \& 86.08.770 \& 86.09.613 <br>
\hline \multirow[t]{3}{*}{86.08.420} \& 86.09 .385 \& 86.08.780 \& 86.09.589 <br>
\hline \& 86.09.388 \& 86.08.790 \& 86.09.157 <br>
\hline \& 86.09 .391 \& \& 86.09.592 <br>
\hline \multirow[t]{2}{*}{86.08.430} \& 86.09 .388
86.09 .397 \& \& 86.09.595 <br>
\hline \& 86.09 .397
86.09 .400 \& \& 86.09 .601 <br>
\hline 86.08 .440 \& 86.09.394 \& 86.08.800 \& 86.09 .595
86.09 .598 <br>
\hline
\end{tabular}

| Formerly | Herein |
| :--- | :--- |
|  |  |
| 86.08 .810 | 86.09 .616 |
| 86.08 .820 | 86.09 .607 |
|  | 86.09 .610 |
| 86.08 .830 | 86.09 .571 |
|  | 86.09 .619 |
| 86.08 .001 n | 86.09 .622 |
| 86.08 .001 n | 86.09 .625 |
| 86.08 .001 n | 86.09 .900 |
| 86.08 .001 n | 86.09 .910 |
|  | 86.09 .920 |
|  | 86.09 .930 |

## Chapter 86.09 FLOOD CONTROL DISTRICTS——1937 ACT

86.09.190 Schedule of expenditures--Approval--Exceeding scheduled amount. [1937 c 72 § 64; RRS § 9663E-64. Formerly RCW 86.08.300, part.] Repealed by 1965 c 26 § 17.
86.09.193 Performance to satisfy director-Certification of approval prior to payment. [1937 c 72 § 65; RRS § 9663E-65. Formerly RCW 86.08.300, part.] Repealed by 1965 c 26 § 17.
86.09.199 District records of operations-—Forms. [1937 c 72 § 67; RRS § 9663E-67. Formerly RCW 86.08.210, part.] Repealed by 1965 c 26 § 17.
86.09.436 Assessments--Supervisor's travel expenses for bearing. [1937 c 72 § 146; RRS § 9663E-146. Formerly RCW 86.08.485, part.] Repealed by 1965 c 26 § 17.

## Chapter 86.12

FLOOD CONTROL BY COUNTIES
86.12.040 Joint county action-CContract. [1913 c 54 § 1; RRS § 9651.] Now codified as RCW 86.13.010.
86.12.050 Purchase of material--Contracts--Joint action. [1913 c 54 § 2, part; RRS § 9652, part.] Now codified in RCW 86.13.020.
86.12.060 Expenditures-Commissioners' expenses - Copies of records filed. [(i) 1913 c 54 § 2, part; RRS § 9652, part. (ii) 1937 c 117 § 1, part; 1913 c 54 § 4, part; RRS § 9654, part. (iii) 1913 c 54 § 5, part; RRS § 9655, part.] Now codified in RCW 86.13.020, 86.13.040 and 86.13.050.
86.12.070 Eminent domain--Procedure. [1937 c 117 § 1, part; 1913 c 54 § 4; RRS 9654, part.] Now codified in RCW 86.13.040.
86.12.080 May lease or dispose of property. [1915 c 103 § 1 ; RRS § 9660.] Now codified as RCW 86.13.100.
86.12.090 State's title to abandoned channels granted to counties. [1915 c 140 § 1; RRS § 9662.] Now codified as RCW 86.13.110.
86.12.100 Tax levy--Intercounty river improvement fund. [1913 c 54 § 3; RRS § 9653.] Now codified as RCW 86.13.030.
86.12.110 Issuance of warrants. [1913 c 54 § 9; RRS § 9659.] Now codified as RCW 86.13.090.
86.12.120 Meetings--Notice. [1913 c 54 § 5, part; RRS § 9655, part.] Now codified in RCW 86.13.050.
86.12.130 Meetings——Quorum——Officers——Records. [1913 c 54 § 5, part; RRS § 9655, part.] Now codified in RCW 86.13.050.
86.12.140 Adjournments--Failure to attend. [1913 c 54 § 5, part; RRS § 9655, part.] Now codified in RCW 86.13.050.
86.12.150 Special commissioner. [1913 c 54 § 6, part; RRS § 9656, part.] Now codified in RCW 86.13.060.
86.12.160 Duties and compensation. [1913 c 54 § 6, part; RRS § 9656, part.] Now codified in RCW 86.13.060.
86.12.170 Liability as between counties. [1913 c 54 § 8; RRS § 9658.] Now codified as RCW 86.13.080.
86.12.180 Liability of county or counties to others. [1921 c 185 § 1; RRS § 9663.] Now codified as RCW 86.12.037.
86.12.190 Chapter not exclusive. [1913 c 54 § 7; RRS § 9657.] Now codified as RCW 86.13.070.

## Title 87 <br> IRRIGATION

## Chapter 87.01 <br> IRRIGATION DISTRICTS--ORGANIZATION, ELECTIONS, POWERS, ETC.

87.01.010 Purposes for wbicb district may be formed. [1923 c 138 § 2; RRS § 7417-1.] Now codified as RCW 87.03.010
87.01.020 Petition--Contents--Bond. [(i) 1923 c 138 § 1, last am'ds 1890 p 671 § 1 ; RRS § 7417. Now codified as RCW 87.03.005. (ii) 1923 c 138 § 3, part, last am'ds 1890 p 671 § 2; RRS § 7418 , part.] Now codified in RCW 87.03.020.
87.01.030 Notice of bearing-_Investigation by director. [1923 c 138 § 3, part, last am'ds 1890 p 671 § 2; RRS § 7418, part.] Now codified in RCW 87.03.020.
87.01.040 Hearing——Order. [1923 c 138 § 3, part, last am'ds 1890 p 671 § 2; RRS § 7418, part.] Now codified in RCW 87.03.020.
87.01.050 Notice of election. [1923 c 138 § 3, part, last am'ds 1890 p 671 § 2; RRS § 7418, part.] Now codified in RCW 87.03.020
87.01.060 State lands may be included--Assessments-Collection. [1951 2nd ex.s. c 15 § 1, last am'ds 1919 c 180 § 2; RRS § 7419.] Now codified as RCW 87.03.025.
87.01.070 Election to form district, bow conducted. [1955 c 57 § 2. Prior: 1921 c 129 § 3, part; 1917 c 162 § 2, part; 1913 c 165 § 2, part; 1890 p 672 § 3, part; RRS § 7420, part.] Now codified as RCW 87.03.035.
87.01.080 Canvass of returns-—Order. [1955 c 57 § 3. Prior: 1921 c 129 § 3, part; 1917 c 162 § 2, part; 1913 c 165 § 2, part; 1890 p 672 § 3, part; RRS § 7420, part.] Now codified as RCW 87.03.040.
87.01.090 Qualifications of voters and directors--Districts of two hundred thousand acres. [1961 c 192 § 12; 1955 c 57 § 4; 1953 c 122 § 1. Prior: 1921 c 129 § 3, part; 1917 c 162 § 2, part; 1913 c 165 § 2, part; 1890 p 672 § 3; RRS § 7420, part.] Now codified as RCW 87.03.045.
87.01.091 Qualification in district less than two hundred thousand acres--Residence and business lot exception-—Petition. [1955 c 57 § 5.] Now codified as RCW 87.03.050.
87.01.092 Qualification in district less than two hundred thousand acres--Notice of bearing. [1955 c 57 § 6.] Now codified as RCW 87.03.055.
87.01.093 Qualification in district less than two hundred thousand acres--Hearing——Failure to show cause-—Order. [1955 c 57 § 7.] Now codified as RCW 87.03.060.
87.01.094 Qualification in district less than two hundred thousand acres--Election--Notice. [1955 c 57 § 8.] Now codified as RCW 87.03.065.
87.01.0945 Qualification in district less than two hundred thousand acres——Results of election-—Order. [1955 c 57 § 9.] Now codified as RCW 87.03.070.
87.01.095 Elections are governed by irrigation district laws. [1951 c 201 § 1.] Now codified as RCW 87.03.030.
87.01.096 Absentee voting-Certification of inconvenience. [1961 c 105 § 2.] Now codified as RCW 87.03.031.
87.01.097 Absentee voting--Notice of election, contentsBallot and form of certificate of qualifications to be furnished. [1961 c 105 § 3.] Now codified as RCW 87.03.032.
87.01.098 Absentee voting--Requirements for ballot to be counted--Statement of qualifications-_Form of ballot. [1961 c 105 § 4.] Now codified as RCW 87.03.033.
87.01.099 Absentee voting--How incoming ballots are ban-dled--Canvass--Statement of result of both regular and absentee ballots. [1961 c 105 § 5.] Now codified as RCW 87.03.034.
87.01.100 Directors--Election--Terms--Increase and decrease. [1961 c 192 § 14. Prior: 1931 c 41 § 1, part, last am'ds 1890 p 673 § 4 ; RRS § 7421, part.] Now codified as RCW 87.03.080.
87.01.110 Ballots in all elections--Declaration of candidacy - Petition of nomination, when election not required. [1961 c 105 § 1 ; 1941 c 171 § 2 ; Rem. Supp. 1941 § 7420-1.] Now codified as RCW 87.03.075.
87.01.120 Directors--Vacancies, how filled. [1961 c 192 § 15. Prior: 1931 c 41 § 1 , part, last am'ds 1890 p 673 § 4; RRS § 7421 , part.] Now codified as RCW 87.03.081.
87.01.130 Directors--Oaths of office and official bonds-—Secretary. [1961 c 192 § 16. Prior: 1931 c 41 § 1 , part, last am'ds 1890 p 673 § 4; RRS § 7421, part.] Now codified as RCW 87.03.082.
87.01.140 District elections--Election boards——Notice. [1890 p 674 § 5; RRS § 7422.] Now codified as RCW 87.03.085.
87.01.150 Election officers--Voting hours. [1931 c 60 § $1 ; 1890$ p 674 § 6; RRS § 7423.] Now codified as RCW 87.03.090.
87.01.160 Counting votes——Record of ballots. [1890 p 675 § 7; RRS § 7424.] Now codified as RCW 87.03.095.
87.01.170 Certification of returns. [1890 p 675 § 8, part; RRS § 7425, part.] Now codified in RCW 87.03.100.
87.01.180 Canvass. [1890 p 676 § 9; RRS § 7426.] Now codified as RCW 87.03.105.
87.01.190 Certificate of election. [1913 c 165 § 4, last am'ds 1890 p 676 § 10; RRS § 7427.] Now codified as RCW 87.03.110.
87.01.200 Organization of board-Meetings-—Quorum. [1921 c 129 § 5, part, last am'ds 1890 p 677 § 11; RRS § 7428, part.] Now codified in RCW 87.03.115.
87.01.210 Powers and duties. [(i) 1890 p 675 § 8, part; RRS § 7425, part, now codified in RCW 87.03.100. (ii) 1921 c 129 § 6, part, last am'ds 1890 p 678 § 12 ; RRS § 7429, part, now codified in RCW 87.03.140. (iii) 1943 c 57 § 1, last am'ds 1923 c 138 § 2; Rem. Supp. 1943 § 7417-2.] Now codified as RCW 87.03.015.
87.01.220 Power as to incurring indebtedness. [1953 c 108 § 1. Prior: 1921 c 129 § 25 ; 1917 c 162 § 9 ; 1915 c 179 § 20 ; 1895 c 165 § 25; 1890 p 693 § 42; RRS § 7459.] Now codified as RCW 87.03.475.
87.01.225 Group insurance——Purchase. [1951 c 159 § 1.] Now codified as RCW 87.03.160.
87.01.230 Conveyances--Actions by and against district. [1890 p 679 § 14; RRS § 7431.] Now codified as RCW 87.03.155.
87.01.240 Merger of district with drainage, joint drainage, or consolidated drainage improvement district--Power to assent. [1957 c 94 § 10.] Now codified as RCW 87.03.720.
87.01.250 Merger of district with drainage, joint drainage, or consolidated drainage improvement district--Notice--Contents--Publication--Show cause against merger. [1957 c 94 § 11.] Now codified as RCW 87.03.725.
87.01.260 Merger of district witb drainage, joint drainage, or consolidated drainage improvement district--Hearing--Failure to show cause deemed assent. [1957 c 94 § 12.] Now codified as RCW 87.03.730.
87.01.270 Merger of district with drainage, joint drainage, or consolidated drainage improvement district--Assent, refusal to as-sent-EEffect of show cause against merger. [1957 c 94 § 13.] Now codified as RCW 87.03.735.
87.01.280 Merger of district with drainage, joint drainage, or consolidated drainage improvement district-—Election. [1957 c 94 § 14.] Now codified as RCW 87.03.740.
87.01.290 Merger of district with drainage, joint drainage, or consolidated drainage improvement district-Order of assent or refusal——Filing. [1957 c 94 § 15.] Now codified as RCW 87.03.745.
87.01.300 Lump sum payment to district for irrigable lands acquired for bigbway purposes. [1959 c 303 § 1.] Now codified as RCW 87.03.810.
87.01.310 Lump sum payment to district for irrigable lands acquired for bigbway purposes- - Order relieving further district assessments. [1959 c 303 § 2.] Now codified as RCW 87.03.815.

## Chapter 87.08 <br> GENERAL PROVISIONS

87.08.010 Definitions. The definitions contained herein were created by the 1941 Code Committee. They have no session law background and are accordingly decodified.
87.08.020 Construction work——Bids——Contracts. [1915 c 179 § 17 , last am'ds 1890 p 689 § 35 ; RRS § 7452.] Now codified as RCW 87.03.435.
87.08.030 Treasurer, duties-Claims, procedure——Actions. [1961 c 276 § 2. Prior: 1937 c 216 § 1, part, last am'ds 1890 p 690 § 36, part; RRS § 7453, part.] Now codified as RCW 87.03.440.
87.08.040 Temporary funds. [1961 c 276 § 3. Prior: 1937 c 216 § 1, part, last am'ds 1890 p 690 § 36, part; RRS § 7453, part.] Now codified as RCW 87.03.441.
87.08.050 Bonds of secretary and depositaries. [1961 c 276 § 4. Prior: 1937 c 216 § 1, part, last am'ds 1890 p 690 § 36, part; RRS § 7453, part.] Now codified as RCW 87.03.442.
87.08.060 Construction and operating funds--Tolls. [1939 c 171 § 7, last am'ds 1890 p 690 § 37 ; RRS § 7454.] Now codified as RCW 87.03.445.
87.08.070 Income from sale of electricity. [1933 c 31 § 2 ; RRS § 7454-1.] Now codified as RCW 87.03.450.
87.08.080 Condemnation procedure. [1921 c 129 § 6, part, last am'ds 1890 p 678 § 12; RRS § 7429, part.] Now codified in RCW 87.03.140.
87.08.090 Condemnation--Finding of benefits and damages. [1923 c 138 § 6; 1919 c 180 § 6; RRS § 7429-1.] Now codified as RCW 87.03.145.
87.08.100 Compensation of directors, officers, employees. [1951 c 189 § 1, last am'ds 1890 p 692 § 39; RRS § 7456.] Now codified as RCW 87.03.460.
87.08.110 Officers to bave no interest in contracts-—Penalty. [1890 p 692 § 40; RRS § 7457.] Now codified as RCW 87.03.465.
87.08.120 Map of district. [1895 c 165 § 28; RRS § 7495.] Now codified as RCW 87.03.775.
87.08.130 Drainage——Notice——Hearing——Resolution. [(i) 1923 c 138 § 5, part; RRS § 7428-1. Now codified as RCW 87.03.120. (ii) 1923 c 138 § 5, part; RRS § 7428-2.] Now codified as RCW 87.03.125.
87.08.140 Cbange of name. [1923 c 138 § 5, part; RRS § 7428-3.] Now codified as RCW 87.03.130.
87.08.150 Sale or lease of district property. [1933 c 43 § 1; 1931 c 82 § 1; RRS § 7428-4.] Now codified as RCW 87.03.135.
87.08.160 Right to cross other property. [1890p 691 § 38; RRS § 7455.] Now codified as RCW 87.03.455.
87.08.170 District property. [1921 c 129 § 7, last am'ds 1890 p 679 § 13; RRS § 7430.] Now codified as RCW 87.03.150.
87.08.180 Deputy secretaries. [1919 c 180 § 8, last am'ds 1890 p 682 § 19; RRS § 7437.] Now codified as RCW 87.03.245.
87.08.190 Proceedings for judicial confirmation. [1931 c 60 § 6, last am'ds 1890 p $703 \S 73$; RRS § 7499.] Now codified as RCW 87.03.780.
87.08.200 Petition--Contents. [1931 c 60 § 7, last am'ds 1890 p 703 § 74; RRS § 7500.] Now codified as RCW 87.03.785.
87.08.210 Notice of bearing. [1931 c 60 § 8, last am'ds 1890 p 704 § 75; RRS § 7501.] Now codified as RCW 87.03.790.
87.08.220 Demurrer or answer-—Procedure. [1931 c 60 § 9, last am'ds 1890 p 704 § 76; RRS § 7502.] Now codified as RCW 87.03.795.
87.08.230 Jurisdiction of court-—Order--Costs. [1931 c 60 § 10 , last am'ds 1890 p 705 § 77; RRS § 7503.] Now codified as RCW 87.03.800.
87.08.240 Appeal. [1915 c 179 § 32; 1890 p 705 § 78; RRS § 7504.] Now codified as RCW 87.03.805.
87.08.250 Connecting system to lower drainage district ——Procedure. [1955 c 367 § 2.] Now codified as RCW 87.03.700.
87.08.260 Connecting system to lower drainage district- Negative finding by jury or court. [1955 c 367 § 3.] Now codified as RCW 87.03.705.
87.08.270 Connecting system to lower drainage district——Affirmative finding by jury or court-—Assessments. [1955 c 367 § 4.] Now codified as RCW 87.03.710.
87.08.280 Connecting system to lower drainage district--Increased maintenance costs. [1955 c 367 § 5.] Now codified as RCW 87.03.715.

## Chapter 87.12 <br> APPROVAL OF PLANS

87.12.010 Surveys, plans, etc., to be prepared. [(i) 1923 c 138 § 7, part; RRS § 7431 1/2, part. Now codified in RCW 87.03.165. (ii) 1923 c 138 § 8; RRS § 7431 1/2-6.] Now codified as RCW 87.03.195.
87.12.020 Certification to director-—Findings. [(i) 1923 c 138 § 7, part; RRS § 7431 1/2-1. Now codified as RCW 87.03.170. (ii) 1923 c 138 § 7, part; RRS § 7431 1/2-2. Now codified as RCW 87.03.175.]
87.12.030 Substance of director's findings. [1923 c 138 § 7, part; RRS § 7431 1/2-3.] Now codified as RCW 87.03.180.
87.12.040 Reclamation service may make findings. [1923 c 138 § 7, part; RRS § 7431 1/2-4.] Now codified as RCW 87.03.185.
87.12.050 Plan of development——Special election. [1923 c 138 § 7, part; RRS § 7431 1/2-5.] Now codified as RCW 87.03.190.

## Chapter 87.16 BONDS

87.16.010 Surveys, plans, etc. [1923 c 138 § 7, part; RRS § 7431 1/2, part.] Now codified in RCW 87.03.165.
87.16.020 Questions to be submitted to electors. [1923 c 138 § 9, part, last am'ds 1890 p 679 § 15 ; RRS § 7432, part.] Now codified in RCW 87.03.200.
87.16.030 Election--Notice. [1923 c 138 § 9, part, last am'ds 1890 p 679 § 15 ; RRS § 7432, part.] Now codified in RCW 87.03.200.
87.16.040 Ballots. [1923 c 138 § 9, part, last am'ds 1890 p 679 § 15; RRS § 7432, part.] Now codified in RCW 87.03.200.
87.16.050 Conduct of election. [1923 c 138 § 9, part, last am'ds 1890 p 679 § 15 ; RRS § 7432, part.] Now codified in RCW 87.03.200.
87.16.060 Sale or exchange of bonds. [1923 c 138 § 9, part, last am'ds 1890 p 679 § 15 ; RRS § 7432, part.] Now codified in RCW 87.03.200.
87.16.070 Form and content of bonds. [1923 c 138 § 9, part, last am'ds 1890 p 679 § 15 ; RRS § 7432, part.] Now codified in RCW 87.03.200.
87.16.080 Sale or pledge of bonds. [1933 c 43 § 2, last am'ds 1890 p 681 § 16; RRS § 7433.] Now codified as RCW 87.03.210.
87.16.090 District indebtedness--Payment-—Lien--Enforcement. [1921 c 129 § 10 , last am'ds 1890 p 681 § 17 ; RRS § 7434.] Now codified as RCW 87.03.215.
87.16.100 Rights of federal agencies. [1915 c 99 § 6; RRS § 7435.] Now codified as RCW 87.03.235.
87.16.110 Payment of coupons and bonds. [1921 c 129 § 22, last am'ds 1890 p 688 § 34 ; RRS § 7451.] Now codified as RCW 87.03.430.
87.16.120 Registry of bonds. [1923 c 161 § 7; RRS § 7434-7.] Now codified as RCW 87.19.070.
87.16.130 Chapter exclusive of other bonding methods. [1933 ex.s. c 11 § 5; RRS § 7432 1/2.] Now codified as RCW 87.03.205.

Chapter 87.19
REFUNDING BONDS—— 1923 ACT
87.19.060 Method not exclusive. [1933 ex.s. c 11 § $1 ; 1923$ c 161 § 1; RRS § 7434-1.] Now codified as RCW 87.19.005.

## Chapter 87.22

REFUNDING BONDS——1929 ACT
87.22.220 Rights of bondholders. [1931 c 42 §7; 1929 c 120 § 37; RRS § 7530-37.] Now codified as RCW 87.22.275.

## Chapter 87.25

CERTIFICATION OF BONDS
87.25.080 Certification in installments. [1923 c 51 § 11; RRS § 7432-11.] Now codified as RCW 87.25.125.
87.25.110 Expenditures for construction--Approval——Budget. [1923 c 51 § 13 ; RRS § 7432-13.] Now codified as RCW 87.25.140.

## Chapter 87.28 <br> REVENUE BONDS ON DOMESTIC WATER OR POWER SERVICE

87.28.050 Election on proposed bond issue--Consent of state. [1949 c 57 § 9; Rem. Supp. 1949 § 7434-17.] Now codified as RCW 87.28.103.
87.28.060 Registration of bonds. [1949 c 57 § 10; Rem. Supp. 1949 § 7434-18.] Now codified as RCW 87.28.105.
87.28.080 Determining amount payable into special fund. [1949 c 57 § 4; Rem. Supp. 1949 § 7434-13.] Now codified as RCW 87.28.035.
87.28.130 Legality of proceedings——Determination. [1949 c 57 § 12, part; Rem. Supp. 1949 § 7434-20, part.] Now codified in RCW 87.28.120.

## ASSESSMENTS———DELINQUENCY——SALE—— <br> REDEMPTION

87.32.010 Assessments, how and when made. [(i) 1933 c 43 § 3, part, last am'ds 1890 p $681 \S 18$; RRS § 7436, part. Now codified in RCW 87.03.240. (ii) 1921 c 129 §5, part, last am'ds 1890 p 677 § 11 ; RRS § 7428, part.] Now codified in RCW 87.03.115.
87.32.020 Assessments for prior years-Cost of delinquency. [1933 c 43 § 3, part, last am'ds 1890 p 681 § 18; RRS § 7436, part.] Now codified in RCW 87.03.240.
87.32.030 Assessment roll to be filed--Notice of equalization. [1921 c 129 § 12, last am'ds 1890 p 682 § 20; RRS § 7438.] Now codified as RCW 87.03.250.
87.32.040 Equalization of assessments. [1921 c 129 § 13, last am'ds 1890 p 682 § 21 ; RRS § 7439.] Now codified as RCW 87.03.255.
87.32.050 Assessments, when delinquent-_Notice-_Collection. [1939 c 171 § 3, last am'ds 1890 p 684 § 24; RRS § 7442.] Now codified as RCW 87.03.270.
87.32.060 Levies, how and when made. [1941 c 157 § 1, part, last am'ds 1890 p 683 § 22; Rem. Supp. 1941 § 7440, part.] Now codified in RCW 87.03.260.
87.32.070 Failure to make or deliver roll——Procedure. [1941 c 157 § 1, part, last am'ds 1890 p 683 § 22; Rem. Supp. 1941 § 7440, part.] Now codified in RCW 87.03.260.
87.32.080 District funds--Surpluses may be invested. [1941 c 157 § 1, part, last am'ds 1890 p 683 § 22; Rem. Supp. 1941 § 7440, part.] Now codified in RCW 87.03.260.
87.32.090 District property exempt from general taxes. [1941 c 157 § 1, part, last am'ds 1890 p 683 § 22; Rem. Supp. 1941 § 7440, part.] Now codified in RCW 87.03.260.
87.32.100 Lien of assessments. [1939 c 171 § 2, last am'ds 1890 p 684 § 23; RRS § 7441.] Now codified as RCW 87.03.265.
87.32.102 Segregation of assessment. [1951 c 205 § 1.] Now codified as RCW 87.03.285.
87.32.103 Segregation of assessment——Hearing. [1951 c 205 § 2.] Now codified as RCW 87.03.290.
87.32.104 Segregation of assessment——Notice of bearing. [1951 c 205 § 3.] Now codified as RCW 87.03.295.
87.32.105 Segregation of assessment——Order. [1951 c 205 § 4.] Now codified as RCW 87.03.300.
87.32.106 Segregation of assessment——Amendment of roll—— Effect. [1951 c 205 § 5.] Now codified as RCW 87.03.305.
87.32.110 Special assessments--Election--Coupon notes. [1921 c 129 § 24, last am'ds 1890 p 692 § 41; RRS § 7458.] Now codified as RCW 87.03.470.
87.32.120 Medium of payment of assessments. [1933 c 43 § 5; 1923 c 138 § 11 ; RRS § 7442-1.] Now codified as RCW 87.03.275.
87.32.130 Cancellation of assessments due United States-—Procedure. [1925 c 3 § 1 ; RRS § 7442-2.] Now codified as RCW 87.03.280.
87.32.140 Delinquency list——Posting——Publication. [1955 c 60 § $1 ; 1933$ c 43 § $6 ; 1931$ c 60 § 3 ; 1929 c 181 § $2 ; 1921$ c 129 § 17 ; 1919 c 180 § 13 ; 1917 c 162 § 6; 1915 c 179 § $15 ; 1913$ c $165 \S 13$; 1890 p 684 § 25 ; RRS § 7443.] Now codified as RCW 87.03.310.
87.32.150 Sale, when and bow made. [1933 c 43 § 7, last am'ds 1890 p 685 § 26; RRS § 7444.] Now codified as RCW 87.03.315.
87.32.160 Sale——How conducted. [1955 c 58 § 2. Prior: 1939 c 171 § 4, part; 1921 c 129 § 19, part; 1913 c 165 § 15 , part; 1895 c 165 § 14, part; 1890 p 685 § 27, part; RRS § 7445, part.] Now codified as RCW 87.03.320.
87.32.170 District as purchaser--Rights——Reconveyance. [1955 c 58 § 3. Prior: 1939 c 171 § 4, part; 1921 c 129 § 19, part; 1913 c 165 § 15, part; 1895 c 165 § 14, part; 1890 p 685 § 27, part; RRS § 7445, part.] Now codified as RCW 87.03.325.
87.32.180 Certificate of sale. [1955 c 58 § 4. Prior: 1939 c 171 § 4, part; 1921 c 129 § 19, part; 1913 c 165 § 15 , part; 1895 c 165 § 14 , part; 1890 p 685 § 27, part; RRS § 7445, part.] Now codified as RCW 87.03.330.
87.32.190 Record of sales. [1933 c 43 § 10, last am'ds 1890 p 686 § 28; RRS § 7446.] Now codified as RCW 87.03.335.
87.32.200 Notice of application for deed--Form--Service-Redemption. [1939 c 171 § 6; RRS § 7447-1.] Now codified as RCW 87.03.360.
87.32.210 Redemption, when and bow made--Deed. [1955 c 58 § 5; 1939 c 171 § 5 ; 1929 c 185 § 2; 1923 c 138 § 12 ; 1921 c 129 § 21 ; 1917 c 162 § $7 ; 1915$ c 179 § $16 ; 1913$ c 165 § 17 ; 1895 c 165 § 16 ; 1890 p 687 § 29; RRS § 7447.] Now codified as RCW 87.03.355.
87.32.220 Redemption in districts of $\mathbf{2 0 0 , 0 0 0}$ acres or more. [(i) 1941 c 172 § 1 ; Rem. Supp. 1941 § 7445a. Now codified as RCW 87.03.340. (ii) 1941 c 172 § 2; Rem. Supp. 1941 § 7445b. Now codified as RCW 87.03.345. (iii) 1941 c 172 § 3; Rem. Supp. 1941 § 7445c.] Now codified as RCW 87.03.350.
87.32.230 Effect of deed——Resales——Disposition of proceeds. [1945 c 131 § 1 , last am'ds 1890 p 687 § 30; Rem. Supp. 1945 § 7448.] Now codified as RCW 87.03.370.
87.32.240 Limitation of action attacking deed. [1939 c 171 § 8; RRS § 7447-2.] Now codified as RCW 87.03.365.
87.32.250 Misnomer, etc., not to affect sale. [1890 p 688 § 32; RRS § 7450.] Now codified as RCW 87.03.425.
87.32.260 Assessment book as prima facie evidence. [1895 c 165 § 18; 1890 p 688 § 31 ; RRS § 7449.] Now codified as RCW 87.03.420.
87.32.270 Actions to quiet district's title. [(i) 1933 c 194 § 1 ; RRS § 7448-1. Now codified as RCW 87.03.375. (ii) 1939 c 171 § $1 ; 1933$ c 194 § 2; RRS § 7448-2.] Now codified as RCW 87.03.380.
87.32.280 Summons--Contents——Service. [1933 c 194 § 3; RRS § 7448-3.] Now codified as RCW 87.03.385.
87.32.290 Redemption before judgment. [1933 c 194 §4; RRS § 7448-4.] Now codified as RCW 87.03.390.
87.32.300 Presumption in favor of assessments. [1933 c 194 § 6 ; RRS § 7448-6.] Now codified as RCW 87.03.400.
87.32.310 Appearance fee-—Deposit. [1933 c 194 § 7; RRS § 7448-7.] Now codified as RCW 87.03.405.
87.32.320 Trial——Judgment——Appeal. [(i) 1933 c 194 § 5; RRS § 7448-5. Now codified as RCW 87.03.395. (ii) 1933 c 194 § 8; RRS § 7448-8.] Now codified as RCW 87.03.410.
87.32.330 Effect of judgment. [1933 c 194 § 9; RRS § 7448-9.] Now codified as RCW 87.03.415.

## Chapter 87.36 <br> LOCAL IMPROVEMENT DISTRICTS WITHIN IRRIGATION DISTRICT

87.36.010 Petition. [1941 c 171 § 1, last am'ds 1917 c 162 § 10 ; Rem. Supp. 1941 § 7460.] Now codified as RCW 87.03.480.
87.36.020 Notice--Hearing. [1921 c 129 § 26, part; 1917 c 162 § 11, part; RRS § 7461, part.] Now codified in RCW 87.03.485.
87.36.030 Initiation by board-—Procedure. [1921 c 129 § 26, part; 1917 c 162 § 11, part; RRS § 7461, part.] Now codified in RCW 87.03.485.
87.36.040 Adoption of plan--Bonds-_New lands may be included. [1921 c 129 § 27, last am'ds 1917 c 162 § 12; RRS § 7462.] Now codified as RCW 87.03.490.
87.36.050 Assessments, bow made and collected-Disposal of bonds. [1957 c 68 § 1; 1949 c 103 § 2; 1921 c 129 § 28; 1917 c 162 § 13; Rem. Supp. 1949 § 7463.] Now codified as RCW 87.03.495.
87.36.060 Payment of bonds. [1921 c 129 § 29; 1917 c 162 § 14; RRS § 7464.] Now codified as RCW 87.03.500.
87.36.070 Survey——Reassessment. [1935 c 128 § 1, part; RRS § 7463-1, part.] Now codified in RCW 87.03.505.
87.36.080 Payment of reassessments. [1935 c 128 § 1, part; RRS § $7464-1$, part.] Now codified in RCW 87.03.505.
87.36.090 Guarantee fund. [1935 c 128 § 2; RRS § 7462-2.] Now codified as RCW 87.03.510.
87.36.100 Refunding bonds. [1921 c 129 § 30; 1917 c 162 § 15 ; RRS § 7465.] Now codified as RCW 87.03.515.
87.36.110 Contracts with state or United States for construction. [1921 c 129 § 31; 1917 c 162 § 16; RRS § 7466.] Now codified as RCW 87.03.520.
87.36.120 Districts formerly organized may come under this chapter. [1919 c 180 § 17; RRS § 7467.] Now codified as RCW 87.03.525.
87.36.130 Safeguarding open canals or ditches--Assessments and benefits. [1959 c 75 § 10.] Now codified as RCW 87.03.526.
87.36.140 Alternative methods of formation of local improvement districts. [1959 c 104 § 7.] Now codified as RCW 87.03.527.

## Chapter 87.40

## CONSOLIDATION OF IRRIGATION DISTRICTS

87.40.010 Consolidation authorized. [1919 c 180 § 18; RRS § 7468.] Now codified as RCW 87.03.530.
87.40.020 Proceedings for consolidation--Elections. [1919 c 180 § 19; RRS § 7469.] Now codified as RCW 87.03.535.
87.40.030 Directors--Disposition of affairs of included districts. [1919 c 180 § 20; RRS § 7470.] Now codified as RCW 87.03.540.
87.40.040 Obligations of included districts unaffected. [1919 c 180 § 21; RRS § 7471.] Now codified as RCW 87.03.545.
87.40.050 Property vested in new district--Credit. [1919 c 180 § 22; RRS § 7472.] Now codified as RCW 87.03.550.

## Chapter 87.44 <br> CHANGE OF BOUNDARIES OF DISTRICT

87.44.010 Change of boundaries authorized-—Effect. [1921 c 129 § 32, last am'ds 1890 p 694 § 47; RRS § 7474.] Now codified as RCW 87.03.555.
87.44.020 Petition to include lands. [(i) 1890 p 694 § 48; RRS § 7475. Now codified as RCW 87.03.560. (ii) 1890 p 698 § 58; RRS § 7485. Now codified as RCW 87.03.610.]
87.44.030 Notice——Contents——Service. [1921 c 129 § 33; 1890 p 695 § 49; RRS § 7476.] Now codified as RCW 87.03.565.
87.44.040 Hearing--Assent. [1890 p 695 § 50; RRS § 7477.] Now codified as RCW 87.03.570.
87.44.050 Contributions for included lands. [1915 c 179 § 22, last am'ds 1890 p 696 § 51 ; RRS § 7478.] Now codified as RCW 87.03.575.
87.44.060 Order. [(i) 1947 c 241 § 1; 1890 p 696 § 52; Rem. Supp. 1947 § 7479. Now codified as RCW 87.03.580. (ii) 1890 p 696 § 53 ; RRS § 7480. Now codified as RCW 87.03.585.]
87.44.070 Election--Notice--How conducted. [1890 p 697 § 54; RRS § 7481 .] Now codified as RCW 87.03.590.
87.44.080 Order changing boundaries——Record. [(i) 1961 c 18 § 2. Prior: $1889-90$ p 697 § 55 ; RRS § 7482. Now codified as RCW 87 .03.595. (ii) 1961 c 18 § 3. Prior: 1921 c 129 § 34; 1889-90 p 697 § 56; RRS § 7483. Now codified as RCW 87.03.600.]
87.44.090 Petition to be recorded. [1890 p 698 § 57; RRS § 7484.] Now codified as RCW 87.03.605.
87.44.100 Petition to include land in districts of $\mathbf{2 0 0 , 0 0 0}$ acres. [1939 c 150 § 1 ; RRS § 7485-1.] Now codified as RCW 87.03.615.
87.44.110 Time and place of bearing--Notice. [1939 c 150 § 2; RRS § 7485-2.] Now codified as RCW 87.03.620.
87.44.120 Contents of notice. [1939 c 150 § 3; RRS § 7485-3.] Now codified as RCW 87.03.625.
87.44.130 Denial of petition. [(i) 1939 c 150 § 4, part; RRS § 7485-4, part. Now codified in RCW 87.03.630. (ii) 1939 c 150 §5; RRS § 7485-5. Now codified as RCW 87.03.635.]
87.44.140 Order including lands. [(i) 1939 c 150 § 4, part; RRS § 7485-4, part. Now codified in RCW 87.03.630. (ii) 1939 c 150 § 6; RRS § 7485-6. Now codified as RCW 87.03.640.]
87.44.150 Exclusion of lands. [1921 c 129 § 35, last am'ds 1890 p 698 § 60; RRS § 7486.] Now codified as RCW 87.03.645.
87.44.160 Petition to exclude lands. [(i) 1921 c 129 § 36; 1890 p 699 § 61; RRS § 7487. Now codified as RCW 87.03.650. (ii) 1890 p 703 § 71; RRS § 7496. Now codified as RCW 87.03.690.]
87.44.170 Notice——Contents--Service. [1921 c 129 § 37; 1890 p 699 § 62; RRS § 7488.] Now codified as RCW 87.03.655.
87.44.180 Hearing——Assent. [1921 c 129 § 38; 1890 p 700 § 63; RRS § 7489.] Now codified as RCW 87.03.660.
87.44.190 Order denying or granting petition. [1921 c 129 § 39; 1890 p 700 § 64; RRS § 7490.] Now codified as RCW 87.03.665.
87.44.200 Assent of bondholders. [1921 c 129 §40, last am'ds 1890 p 701 § 65; RRS § 7491.] Now codified as RCW 87.03.670.
87.44.210 Order for election--Notice. [1921 c 129 § 41, last am'ds 1890 p 701 § 66; RRS § 7492.] Now codified as RCW 87.03.675.
87.44.220 Election--Order of exclusion. [1961 c 18 § 4. Prior: 1947 c 241 § 2; 1921 c 129 § 42; 1889-90 p 702 § 67; Rem. Supp. 1947 § 7482 (RRS § 7493).] Now codified as RCW 87.03.680.
87.44.230 Order to be recorded. [1921 c 129 § 43; 1890 p 702 § 68; RRS § 7494.] Now codified as RCW 87.03.685.
87.44.240 Refunds--Cancellation of assessments. [1921 c 129 § 44, last am'ds 1890 p 703 § 72; RRS § 7497.] Now codified as RCW 87.03.695.
87.44.250 Resolution to exclude nonirrigable land. [1925 ex.s. c 138 § 1; RRS § 7505-1.] Now codified as RCW 87.03.750.
87.44.260 Notice of bearing. [1925 ex.s. c 138 § 2; RRS § 7505-2.] Now codified as RCW 87.03.755.
87.44.270 Adoption of resolution--Appeal. [1925 ex.s. c 138 § 3; RRS § 7505-3.] Now codified as RCW 87.03.760.
87.44.280 Indebtedness may be reduced. [1925 ex.s. c 138 § 4; RRS § 7505-4.] Now codified as RCW 87.03.765.
87.44.290 Reconveyance of excluded land foreclosed to district. [1925 ex.s. c $138 \S 5$; RRS § 7505-5.] Now codified as RCW 87.03.770.

## Chapter 87.52

## DISSOLUTION OF DISTRICTS WITHOUT BONDS

87.52.020 Dissolution when not brought under irrigation for twenty years-—Petition. [(i) 1939 c 149 § 1 ; RRS § $7527-1$, now codified as RCW 87.52.070. (ii) 1939 c 149 § 2 ; $\quad$ RRS § 7527-2. Now codified as RCW 87.52.080.]
87.52.050 Notice——Hearing——Order of dissolution. [1897 c 79 § 4, part; RRS § 7529, part.] Now codified in RCW 87.52.040.

## Chapter 87.56 <br> DISSOLUTION OF INSOLVENT DISTRICTS

87.56.220 Compensation of trustee. [1925 ex.s. c 124 § 26; RRS § 7543-26.] Now codified as RCW 87.56.203.
87.56.250 Appeal. [1925 ex.s. c 124 § 29; RRS § 7543-29.] Now codified as RCW 87.56.225.

## Chapter 87.60 <br> WATER DISTRIBUTION DISTRICTS FOR IRRIGATION

87.60.010 Districts authorized. [1921 c 106 § 1; RRS § 7506.] Repealed by 1971 c 76 § 6.
87.60.020 Petition to form a district. [1921 c 106 § 2; RRS § 7507.] Repealed by 1971 c 76 § 6.
87.60.030 Petition-CContents——Map——Approval——Modification of existing districts. [1921 c 106 § 3; RRS § 7508.] Repealed by 1971 c 76 § 6.
87.60.040 Notice——Contents——Service. [1921 c 106 § 4; RRS § 7509.] Repealed by 1971 c 76 § 6.
87.60.050 Hearing——Determination. [1921 c 106 § 5; RRS § 7510.] Repealed by 1971 c 76 § 6.
87.60.060 Trustees——Powers and duties. [1921 c 106 § 6; RRS § 7511.] Repealed by 1971 c 76 § 6.
87.60.070 Tax levy——Limitation on. [1921 c 106 § 7; RRS § 7512.) Repealed by 1971 c 76 § 6.
87.60.080 Collection of tax. [1921 c 106 § 8; RRS § 7513.] Repealed by 1971 c 76 § 6.
87.60.090 Disbursement of funds. [1921 c 106 § 9; RRS § 7514.] Repealed by 1971 c 76 § 6.
87.60.100 Limitation of indebtedness-—Exception. [1921 c 106 § 10; RRS § 7515.] Repealed by 1971 c 76 § 6.
87.60.110 District a body corporate-—Eminent domain. [1921 c 106 § 11; RRS § 7516.] Repealed by 1971 c 76 § 6.
87.60.120 Plans for improving system. [1921 c 106 § 12; RRS § 7517.] Repealed by 1971 c 76 § 6.
87.60.130 Plans to be voted on. [1921 c 106 § 13; RRS § 7518.] Repealed by 1971 c 76 § 6.
87.60.140 Notice of election--Contents-—Posting. [1921 c 106 § 14; RRS § 7519.] Repealed by 1971 c 76 § 6.
87.60.150 Conduct of election-—Qualification of electors. [1921 c 106 § 15; RRS § 7520.] Repealed by 1971 c 76 § 6.
Reviser's note: RCW 87.60 .150 was also amended by 1971 ex.s. c 292 § 73; such amendment made no reference to the earlier repeal.

For rule of construction concerning sections amended more than once at the same legislative session, see RCW 1.12.025.
87.60.160 Canvass of returns. [1921 c 106 § 16; RRS § 7521.] Repealed by 1971 c 76 § 6.
87.60.170 Improvements to be made--Supervision. [1921 c 106 § 17; RRS § 7522.] Repealed by 1971 c 76 § 6.
87.60.180 Levy to maintain improvements. [1921 c 106 § 18; RRS § 7523.] Repealed by 1971 c 76 § 6.
87.60.800 Disincorporation of district located in class A or AA county and inactive for five years. Cross-reference section. Decodified.
87.60.900 Saving. [1921 c 106 § 19; RRS § 7524.] Repealed by 1971 c 76 § 6.
87.60.910 Severability. [1921 c 106 § 20; RRS § 7525.] Repealed by 1971 c 76 § 6 .

## Chapter 87.64 <br> ADJUSTMENT OF IRRIGATION, DIKING, AND DRAINAGE DISTRICT INDEBTEDNESS

87.64.030 Contract to sell land to pay debts. [1941 c 39 § 3, part, last am'ds 1929 c 121 § 3; Rem. Supp. 1941 § 7530-42, part.] Now codified in RCW 87.64.020.
87.64.050 Powers of district. [1941 c 39 § 4; Rem. Supp. 1941 § 7530-45.] Now codified as RCW 87.64.070.

## Chapter 87.68

DISTRICTS UNDER CONTRACT WITH UNITED STATES
87.68.080 Deposit of funds. [1945 c 163 § 1, part; Rem. Supp. 1945 § 7525-40, part.] Now codified in RCW 87.68.070.

## Chapter 87.80 <br> JOINT CONTROL OF IRRIGATION DISTRICTS

87.80.080 Investigation authorized. [1949 c 56 § 7, part; Rem. Supp. 1949 § 7505-26, part.] Now codified in RCW 87.80.070.

## Title 88

## NAVIGATION AND HARBOR IMPROVEMENTS

## Chapter 88.04 REGULATION OF VESSELS

88.04.290 Penalty for failure to comply. [1907 c 200 § 25, part; RRS § 9867, part.] Now codified in RCW 88.04.280.

## Chapter 88.08 <br> SPECIFIC ACTS PROHIBITED

88.08.010 False manifest, etc. [1909 c 249 § 383; RRS § 2635.] Now codified as RCW 9.91.080.
88.08.040 Damage to vessel or cargo. [1909 c 249 § 382; RRS § 2634.] Now codified as RCW 9.91.070.

## Chapter 88.16 <br> PILOTAGE ACT

(FORMERLY: PILOTAGE ON PUGET SOUND)
88.16.060 Puget Sourd pilotage account. [1935 c 18 § 12; RRS § 9871-12.) Repealed by 1967 c 15 § 12.
88.16.080 Pilotage rates. [1935 c 18 § 5; RRS § 9871-5. Prior: 1888 p 178 § 26.] Repealed by 1967 c 15 § 12.

## \section*{Chapter 88.24} <br> WHARVES AND LANDINGS

88.24.050 County may build and maintain wharves. 1917 c 148 § 9 formerly codified herein was expressly repealed by 1935 c 115. The repeal may have been overlooked in prior compilations since the repealer referred to the session law source and omitted reference to one of the former compilations. This section is listed as a source for 1927 c 255 § 85 (RCW 79.01.340), see reviser's notes appended to 1927 Senate Bill No. 85.
88.24.060 State may grant easement for right-of-way. [1917 c 148 § 10.] Decodified.

## OBSTRUCTIONS IN NAVIGABLE WATERS

88.28.010 Railroad bridges across navigable streams. [1927 c 255 § 92; RRS § 7797-92.] Now codified in RCW 79.01.368.
88.28.020 Public bridges across waterways and tide or shore lands. [1927 c 255 § 93; RRS § 7797-93.] Now codified in RCW 79.01.372.
88.28.030 Common carriers may bridge state waterways. [1927 c 255 § 94; RRS § 7797-94.] Now codified in RCW 79.01.376.
88.28.040 Location and plans to be approved. [1927 c 255 § 95; RRS § 7797-95.] Now codified in RCW 79.01.380.

Chapter $\mathbf{8 8 . 3 2}$

## RIVER AND HARBOR IMPROVEMENTS

88.32.050 State shorelands to be assessed. [1907 c 236 § 3, part; RRS § 9671, part.] Now codified in RCW 88.32.040.
88.32.110 Payment of assessments. [1907 c 236 § 8, part; RRS § 9676, part.] Now codified in RCW 88.32.100.
88.32.120 Payment in full. [1907 c 236 § 12, part; RRS § 9680, part.] Now codified in RCW 88.32.170.
88.32.150 Form of bonds. [1907 c 236 § 10 , part; RRS § 9678, part.] Now codified in RCW 88.32.140.

# 89 <br> RECLAMATION, SOIL CONSERVATION AND LAND SETTLEMENT 

## Chapter 89.04

LAND SETTLEMENT
Existing contracts and obligations-- 1972 ex.s. c 52: ${ }^{\text {n }}$ All existing contracts and obligations of the board abolished by this act, shall remain in full force and effect, and shall be performed by the department of ecology." [1972 ex.s. c 52 § 2.]
Savings- 1972 ex.s. c 52: "This act shall not affect any act done, ratified, or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this act takes effect, but such actions or proceedings may be prosecuted and continued by the department of ecology. " [1972 ex.s. c 52 § 3.]

The foregoing annotations apply to the repeal of this chapter by 1972 ex.s. c 52.
89.04.005 Short title. [1919 c 188 § 1; RRS § 3018.] Repealed by 1972 ex.s. c 52 § 1 .
89.04.010 Declaration of purpose. [1919 c 188 § 2; RRS § 3019. Formerly RCW 89.04.010 and 89.04.020.] Repealed by 1972 ex.s. c 52 § 1.
89.04.020 Preamble. [1919 c 188 § 2, part; RRS § 3019, part.] Now codified in RCW 89.04.010.
89.04.030 Projects and contracts with United States authorized. [1919 c 188 § 3; RRS § 3020.] Repealed by 1972 ex.s. c 52 § 1.
89.04.040 Powers of director as to land settlement. [1921 c 90 § 1 ; 1919 c 188 § 4; RRS § 3021. Formerly RCW 89.04.040 through 89.04.060.] Repealed by 1972 ex.s. c $52 \S 1$.
89.04.050 Director-DDuty to investigate and issue certificate. [1921 c 90 § 1, part; 1919 c 188 § 4; RRS § 3021, part.] Now codified in RCW 89.04.040.
89.04.060 Expense. [1921 c 90 § 1, part; 1919 c 188 § 4; RRS § 3021, part.] Now codified in RCW 89.04.040.
89.04.070 Investigation of other states-—Biennial report. [1919 c 188 § 7; RRS § 3024.] Repealed by 1972 ex.s. c 52 § 1.
89.04.080 Soldier preference-—Qualifications--Purchase contracts. [1919 c 188 § 5; RRS § 3022.] Repealed by 1972 ex.s. c 52 § 1.
89.04.090 Sale of cattle to settlers. [1923 c 112 § 1 ; RRS § 3021-1.] Repealed by 1972 ex.s. c 52 § 1.
89.04.100 Lease or sale-_Notice——Terms. [1923 c 34 § 1; 1919 c 188 § 6; RRS § 3023.] Repealed by 1972 ex.s. c 52 § 1.
89.04.105 Penalty. [1921 c 90 § 2; RRS § 3027. Formerly RCW 89.04.120.] Repealed by 1972 ex.s. c 52 § 1.
89.04.110 Sale of land acquired by state. [1931 c 67 § 1 ; RRS § 3024-7. FORMER PART OF SECTION: 1931 c 67 § 2, now codified as RCW 89.04.115.] Repealed by 1972 ex.s. c 52 § 1.
89.04.115 Sale of land acquired by state-—Proceeds. [1931 c 67 § 2; RRS § 3024-8. Formerly RCW 89.04.110, part.] Repealed by 1972 ex.s. c 52 § 1.
89.04.120 Penalty. [1921 c 90 § 2; RRS § 3027.] Now codified in RCW 89.04.105.

Chapter 89.08
CONSERVATION DISTRICTS
(FORMERLY: SOIL AND WATER CONSERVATION DISTRICTS)
89.08.230 through 89.08.330 [1939 c 187 §§ 9, 10, 11, 12; RRS §§ 10726-9, -10, -11, -12.] Repealed by 1955 c 304 § 29.
89.08.340 Intergovernmental cooperation--Transfer, allocation, of funds. [1961 c 240 § 14; 1939 c 187 § 14; RRS § 10726-14.] Repealed by 1973 lst ex.s. c $184 \S 29$.

## Chapter 89.12 <br> RECLAMATION AND IRRIGATION DISTRICTS IN UNITED STATES RECLAMATION AREAS

89.12.070 Fraudulent and unlawful conveyances--Penalties.
[1951 c 200 § 2; 1943 c 275 § 7; Rem. Supp. 1943 § 7525-26.] Repealed by 1963 c 3 § 4.
89.12.130 Adoption of Columbia Basin project act. [1951 c 200 § 4; 1943 c 275 § 15 ; Rem. Supp. 1943 § 7525-34.] Repealed by 1963 c 3 §5, see RCW 89.12.131.

Chapter 89.16
RECLAMATION BY STATE
89.16.030 Reimbursement of other funds. [1959 c 104 § 3. Prior: 1919 c 158 § 4, part; RRS § 3007, part.] Repealed by 1972 ex.s. c 51 § 9.
89.16.090 State cut-over land--Survey and investigation. [1919 c 158 § 9; RRS § 3012.] Repealed by 1972 ex.s. c 51 § 9.
89.16.100 State cut-over land--Investigation, consideration-Report. [1919 c 158 § 10; RRS § 3013.] Repealed by 1972 ex.s. c 51 § 9.
89.16.110 State cut-over land--Determination to clear-—Cost to be added to price--Sale procedure. [1919 c 158 § 11; RRS § 3014.] Repealed by 1972 ex.s. c 51 § 9.
89.16.120 Tax levy. [1933 c 24 § $1 ; 1931$ c 80 § $1 ; 1929$ c 94 § 1 ; 1927 c 218 § $1 ; 1925$ ex.s. c 151 § $1 ; 1919$ c 158 § 12 ; RRS § 3015.] Repealed by 1973 lst ex.s. c 40 § 2.

Chapters 89.20, 89.22, 89.24, 89.26 and 89.28 RECLAMATION DISTRICTS OF ONE MILLION ACRES

COMPARATIVE TABLE
Chapters $89.20,89.22,89.24,89.26$ and 89.28 RCW were recodified July 1, 1961 and are now codified in Chapter 89.30 RCW as follows:

| Formerly | Herein |
| :--- | :--- |
| 89.20 .010 | Decodified; <br> no session law <br> source |
|  | 89.30 .001 |
| 89.20 .020 | 89.30 .007 |
| 89.20 .030 | 89.30 .001 |
| 89.20 .040 | 89.30 .007 |
| 89.20 .050 | 89.30 .118 |
| 89.20 .060 | 89.30 .322 |
| 89.20 .070 | 89.30 .121 |
| 89.20 .080 | 89.30 .115 |
| 89.20 .200 | 89.30 .004 |
| 89.20 .210 | 89.30 .016 |


| Formerly | Herein |
| :---: | :---: |
| 89.20.220 | 89.30.019 |
| 89.20 .230 | 89.30 .022 |
| 89.20 .240 | 89.30.025 |
| 89.20 .300 | 89.30 .127 |
| 89.20 .310 | 89.30 .130 |
| 89.20 .320 | 89.30 .142 |
| 89.20 .330 | 89.30 .136 |
| 89.20 .340 | 89.30 .145 |
| 89.20 .350 | 89.30 .211 |
| 89.20 .360 | 89.30.214 |
| 89.20 .370 | 89.30 .217 |
| 89.20 .380 | 89.30 .220 |
| 89.20 .390 | 89.30 .223 |
| 89.20.500 | 89.30 .010 |
| 89.20 .510 | 89.30.013 |
| 89.20.520 | 89.30 .028 |
| 89.20.530 | 89.30 .031 |
| 89.20.540 | 89.30 .034 |
| 89.20.550 | 89.30 .037 |
| 89.20 .560 | 89.30 .040 |
| 89.20.570 | 89.30 .043 |
|  | 89.30 .046 |
| 89.20.580 | 89.30 .052 |
| 89.20 .590 | 89.30 .049 |
| 89.20 .700 | 89.30.055 |
| 89.20 .710 | 89.30 .058 |
|  | 89.30 .061 |
| 89.20 .720 | 89.30 .070 |
| 89.20 .730 | 89.30 .073 |
| 89.20.740 | 89.30 .067 |
| 89.20 .750 | 89.30 .076 |
| 89.20 .760 | 89.30 .079 |
| 89.20 .770 | 89.30 .064 |
| 89.20 .780 | 89.30 .082 |
| 89.20 .790 | 89.30.085 |
| 89.20 .800 | 89.30 .091 |
| 89.20 .870 | 89.30 .088 |
| 89.20 .880 | 89.30 .097 |
| 89.20 .890 | 89.30 .094 |
| 89.20 .900 | 89.30 .100 |
| 89.20 .910 | 89.30 .103 |
| 89.20 .920 | 89.30 .106 |
| 89.20 .930 | 89.30.109 |
| 89.20.940 | 89.30 .112 |
| 89.22.010 | 89.30 .232 |
|  | 89.30 .235 |
| 89.22.020 | 89.30 .226 |
|  | 89.30 .373 |
| 89.22.030 | 89.30 .238 |
|  | 89.30 .241 |
| 89.22.040 | 89.30 .250 |
| 89.22.050 | 89.30 .229 |
|  | 89.30 .253 |
| 89.22.060 | 89.30 .259 |
| 89.22 .070 | 89.30 .256 |
| 89.22.080 | 89.30 .274 |
| 89.22.090 | 89.30 .277 |
| 89.22.100 | 89.30 .280 |
| 89.22.110 | 89.30 .283 |
| 89.22.120 | 89.30 .286 |
| 89.22 .130 | 89.30 .289 |
| 89.22.140 | 89.30 .298 |
| 89.22.150 | 89.30.301 |
| 89.22.160 | 89.30 .304 |
| 89.22.170 | 89.30 .307 |
| 89.22.180 | 89.30 .292 |
|  | 89.30 .295 |
| 89.22.280 | 89.30 .274 |
| 89.22.290 | 89.30.262 |
| 89.22.300 | 89.30.265 |
| 89.22 .310 | 89.30 .268 |
| 89.22.320 | 89.30 .271 |
| 89.22 .330 | 89.30 .331 |
| 89.22 .400 | 89.30 .310 |
| 89.22.410 | 89.30.319 |


| Formerly | Herein | Formerly | Herein |
| :---: | :---: | :---: | :---: |
| 89.22 .420 | 89.30.316 | 89.24 .570 | 89.30.169 |
| 89.22 .430 | 89.30.652 | 89.24.580 | 89.30 .172 |
| 89.22 .440 | 89.30.328 | 89.24 .590 | 89.30.427 |
| 89.22 .450 | 89.30 .325 | 89.24 .700 | 89.30 .793 |
| 89.22 .460 | 89.30.625 | 89.24.710 | 89.30.796 |
| 89.22 .470 | 89.30.313 |  | 89.30.799 |
| 89.22 .570 | 89.30.334 | 89.24 .720 | 89.30 .802 |
| 89.22 .580 | 89.30 .337 | 89.24.730 | 89.30.805 |
| 89.22 .590 | 89.30.340 | 89.24 .740 | 89.30 .811 |
| 89.22 .600 | 89.30.244 | 89.24 .750 | 89.30.808 |
| 89.22 .610 | 89.30.376 | 89.24 .760 | 89.30 .817 |
| 89.22 .620 | 89.30 .382 | 89.24.770 | 89.30.820 |
| 89.22 .630 | 89.30.385 | 89.24 .780 | 89.30.814 |
| 89.22 .640 | 89.30.379 | 89.24 .790 | 89.30.829 |
| 89.22.650 | 89.30 .406 | 89.24 .800 | 89.30.823 |
|  | 89.30.409 | 89.24 .810 | 89.30.826 |
| 89.22 .660 | 89.30.343 | 89.26.010 | 89.30.391 |
| 89.22 .670 | 89.30 .346 | 89.26.020 | 89.30.394 |
| 89.22 .680 | 89.30.349 | 89.26 .030 | 89.30 .397 |
| 89.22 .690 | 89.30.352 | 89.26 .040 | 89.30.787 |
| 89.22 .700 | 89.30.361 | 89.26 .050 | 89.30 .790 |
| 89.22 .710 | 89.30 .355 | 89.26 .060 | 89.30 .400 |
| 89.22 .720 | 89.30.358 | 89.26.070 | 89.30 .403 |
| 89.22 .730 | 89.30.364 | 89.26 .200 | 89.30.412 |
| 89.22 .740 | 89.30 .367 | 89.26 .210 | 89.30.415 |
|  | 89.30 .370 |  | 89.30.424 |
| 89.22 .800 | 89.30.184 | 89.26.220 | 89.30.418 |
| 89.22 .810 | 89.30 .187 | 89.26 .230 | 89.30.421 |
| 89.22 .820 | 89.30.190 | 89.26 .240 | 89.30 .139 |
| 89.22 .830 | 89.30.193 | 89.26.250 | 89.30 .427 |
| 89.22 .840 | 89.30.196 | 89.26 .260 | 89.30.430 |
| 89.22 .850 | 89.30.199 | 89.26 .270 | 89.30 .433 |
| 89.22 .860 | 89.30 .202 | 89.26 .400 | 89.30 .517 |
| 89.22 .870 | 89.30.205 | 89.26 .410 | 89.30 .526 |
| 89.22 .880 | 89.30.208 | 89.26 .420 | 89.30 .529 |
| 89.24 .010 | 89.30.133 | 89.26 .430 | 89.30 .532 |
| 89.24 .020 | 89.30.175 | 89.26 .440 | 89.30 .535 |
| 89.24 .030 | 89.30.178 | 89.26 .450 | 89.30.538 |
| 89.24 .040 | 89.30.181 | 89.26 .460 | 89.30 .541 |
| 89.24 .050 | 89.30 .436 | 89.26 .470 | 89.30 .544 |
| 89.24 .060 | 89.30 .439 | 89.26 .480 | 89.30.520 |
| 89.24 .070 | 89.30 .442 | 89.26 .490 | 89.30 .556 |
| 89.24 .080 | 89.30.445 | 89.26 .500 | 89.30 .523 |
| 89.24 .090 | 89.30 .448 | 89.26 .510 | 89.30.559 |
| 89.24 .100 | 89.30.451 | 89.26.520 | 89.30 .547 |
| 89.24 .110 | 89.30.454 | 89.26 .530 | 89.30 .550 |
| 89.24 .120 | 89.30.457 | 89.26.540 | 89.30 .553 |
| 89.24 .130 | 89.30 .460 | 89.26.550 | 89.30 .562 |
| 89.24 .140 | 89.30.463 | 89.26.560 | 89.30 .565 |
| 89.24 .150 | 89.30 .466 | 89.26 .570 | 89.30 .568 |
| 89.24 .160 | 89.30 .469 | 89.26 .700 | 89.30.574 |
| 89.24 .170 | 89.30 .472 | 89.26 .710 | 89.30 .577 |
| 89.24 .180 | 89.30 .475 | 89.26 .720 | 89.30 .571 |
| 89.24 .190 | 89.30 .478 | 89.26 .730 | 89.30 .580 |
| 89.24.200 | 89.30 .484 | 89.26 .740 | 89.30 .583 |
| 89.24 .210 | 89.30 .487 |  | 89.30 .586 |
| 89.24 .220 | 89.30 .490 | 89.26 .750 | 89.30 .589 |
| 89.24 .230 | 89.30 .493 | 89.26 .760 | 89.30 .592 |
| 89.24 .240 | 89.30 .496 | 89.26 .770 | 89.30.595 |
| 89.24 .250 | 89.30 .124 | 89.26 .780 | 89.30 .598 |
| 89.24 .260 | 89.30.481 | 89.26 .790 | 89.30 .601 |
| 89.24 .270 | 89.30 .427 | 89.26 .800 | 89.30 .604 |
| 89.24 .400 | 89.30 .499 | 89.26 .810 | 89.30.619 |
| 89.24 .410 | 89.30 .502 | 89.26 .820 | 89.30 .622 |
| 89.24.420 | 89.30 .505 | 89.26 .830 | 89.30 .607 |
| 89.24 .430 | 89.30 .508 | 89.26 .840 | 89.30 .610 |
| 89.24 .440 | 89.30 .511 | 89.26 .850 | 89.30 .613 |
| 89.24 .450 | 89.30 .514 | 89.26 .860 | 89.30 .616 |
| 89.24 .500 | 89.30.154 | 89.28 .010 | 89.30 .760 |
| 89.24 .510 | 89.30.148 | 89.28 .020 | 89.30 .766 |
| 89.24 .520 | 89.30 .151 | 89.28 .030 | 89.30 .769 |
| 89.24 .530 | 89.30 .157 | 89.28 .040 | 89.30 .772 |
| 89.24 .540 | 89.30 .160 | 89.28 .050 | 89.30 .775 |
| 89.24 .550 | 89.30.163 | 89.28 .060 | 89.30 .763 |
| 89.24.560 | 89.30 .166 | 89.28 .070 | 89.30.778 |


| Formerl | Herein |
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|  |  |
| 89.28 .080 | 89.30 .784 |
| 89.28 .200 | 89.30 .781 |
| 89.28 .210 | 89.30 .628 |
| 89.28 .220 | 89.30 .631 |
|  | 89.30 .634 |
| 89.28 .230 | 89.30 .637 |
| 89.28 .240 | 89.30 .640 |
| 89.28 .250 | 89.30 .643 |
| 89.28 .260 | 89.30 .646 |
| 89.28 .400 | 89.30 .649 |
| 89.28 .410 | 89.30 .655 |
| 89.28 .420 | 89.30 .658 |
| 89.28 .430 | 89.30 .661 |
| 89.28 .440 | 89.30 .664 |
| 89.28 .450 | 89.30 .667 |
| 89.28 .460 | 89.30 .673 |
| 89.28 .470 | 89.30 .670 |
| 89.28 .480 | 89.30 .676 |
| 89.28 .490 | 89.30 .679 |
| 89.28 .500 | 89.30 .682 |
| 89.28 .510 | 89.30 .685 |
| 89.28 .520 | 89.30 .688 |
| 89.28 .530 | 89.30 .706 |
| 89.28 .540 | 89.30 .709 |
| 89.28 .550 | 89.30 .712 |
| 89.28 .560 | 89.30 .715 |
| 89.28 .570 | 89.30 .718 |
| 89.28 .700 | 89.30 .745 |
| 89.28 .710 | 89.30 .721 |
| 89.28 .720 | 89.30 .724 |
| 89.28 .730 | 89.30 .727 |
| 89.28 .740 | 89.30 .730 |
| 89.28 .750 | 89.30 .733 |
| 89.28 .760 | 89.30 .736 |
| 89.28 .770 | 89.30 .739 |
| 89.28 .780 | 89.30 .742 |
| 89.28 .790 | 89.30 .748 |
| 89.28 .800 | 89.30 .751 |
| 89.28 .810 | 89.30 .754 |
| 89.28 .820 | 89.30 .757 |
| 89.28 .830 | 89.30 .691 |
| 89.28 .840 | 89.30 .694 |
| 89.28 .850 | 89.30 .697 |
| 89.30 .700 |  |
|  | 89.30 .703 |
|  |  |

Title 90

## WATER RIGHTS——ENVIRONMENT

## Chapter 90.04 GENERAL PROVISIONS

90.04.010 Definitions. [(i) 1917 c 117 § 2; RRS § 7352. (ii) 1917 c 117 § 46; RRS § 7400.] Now codified as RCW 90.03 .020 and 90.03.480.
90.04.020 Appropriation of water rights. [1917 c 117 § 1; RRS § 7351.] Now codified as RCW 90.03.010.
90.04.030 Eminent domain. [1917 c 117 § 4; RRS § 7354.] Now codified as RCW 90.03.040.
90.04.040 Schedule of fees. [1951 c 57 §5, last am'ds 1917 c 117 § 44; RRS § 7399.] Now codified as RCW 90.03.470.
90.04.050 Appeal-_Notice——Bond. [1919 c 71 § 1, part; 1917 c 117 § 11 , part; RRS § 7361, part.] Now codified in RCW 90.03.080.
90.04.060 Procedure on appeal. [1919 c 11 § 1, part; 1917 c 117 § 11, part; RRS § 7361, part.] Now codified in RCW 90.03.080.

## Chapter 90.08 <br> STREAM PATROLMEN

90.08.010 Water masters——Appointment, compensation. [1947 c 123 § 2; 1917 c 117 § 9; Rem. Supp. 1947 § 7359.] Now codified as RCW 90.03.060.
90.08.020 Water masters——Duties. [1917 c 117 § 10; RRS § 7360.] Now codified as RCW 90.03.070.
90.08.030 Water masters--Power of arrest. [1917 c 117 § 12 ; RRS § 7362.] Now codified as RCW 90.03.090.

## Chapter 90.12 <br> DETERMINATION OF WATER RIGHTS

90.12.010 Determination of water rights-—Petition-—Statement and plan. [1917 c 117 § 14; 1891 p 327 § 1; RRS § 7364.] Now codified as RCW 90.03.110.
90.12.020 Order--Summons. [1917 c 117 § 15; RRS § 7365.] Now codified as RCW 90.03.120.
90.12.030 Service of summons. [1929 c 122 § 1 ; 1917 c 117 § 16 ; RRS § 7366.] Now codified as RCW 90.03.130.
90.12.040 Statement by defendants. [1929 c 122 § 2; 1917 c 117 § 17; RRS § 7367.] Now codified as RCW 90.03.140.
90.12.050 Guardian ad litem. [1917 c 117 § 18; RRS § 7368.] Now codified as RCW 90.03.150.
90.12.060 Reference to supervisor. [1917 c 117 § 19; RRS § 7369.] Now codified as RCW 90.03.160.
90.12.070 Hearing——Notice. [1917 c 117 § 20; RRS § 7370.] Now codified as RCW 90.03.170.
90.12.080 Fees——Apportionment of expense——Audit. [(i) 1929 c 122 § 3, last am'ds 1917 c 117 § 21 ; RRS § 7371. (ii) 1919 c 71 § 1 , part; 1917 c 117 § 11 ; RRS § 7361, part.] Now codified in RCW 90.03.180 and 90.03.080.
90.12.090 Transcript of testimony——Filing——Notice of bearing. [1917 c 117 § 22; RRS § 7372.] Now codified as RCW 90.03.190.
90.12.100 Exceptions to report——Decree——Appeal. [1917 c 117 § 23; RRS § 7373.] Now codified as RCW 90.03.200.
90.12.110 Interim regulation of water. [1921 c 103 § 1 ; RRS § 7374.] Now codified as RCW 90.03.210.
90.12.120 Failure to appear-—Estoppel. [1917 c 117 § 24; RRS § 7375.] Now codified as RCW 90.03.220.
90.12.130 Copy of decree to supervisor. [1917 c 117 § 25 ; RRS § 7376.] Now codified as RCW 90.03.230.
90.12.140 Diversion certificate. [1917 c 117 § 26; RRS § 7377.] Now codified as RCW 90.03.240.

## Chapter 90.14 <br> WATER RIGHTS——REGISTRATION——WAIVER AND RELINQUISHMENT, ETC.

90.14.030 Definitions. [1967 c 233 § 3.] Repealed by 1969 ex.s. c 284 § 23.
90.14.040 Claim of right to withdraw, divert or use ground or surface waters--Filing of statement of claim required-Exemptions. [1967 c 233 § 4.] Repealed by 1969 ex.s. c 284 § 23.
90.14.050 Statement of claim——Contents. [1967 c 233 § 5.] Repealed by 1969 ex.s. c $284 \S 23$.
90.14.060 Statement of claim——Filing procedure——Processing of claim. [1967 c 233 § 6.] Repealed by 1969 ex.s. c 284 § 23.
90.14.070 Failure to submit claim waives and relinquishes right. [1967 c 233 § 7.] Repealed by 1969 ex.s. c 284 § 23.
90.14.080 Filing of claim not deemed adjudication of rights. [1967 c 233 § 8.] Repealed by 1969 ex.s. c 284 § 23.
90.14.090 Definitions--Water rights notice——Form. [1967 c 233 § 9.] Repealed by 1969 ex.s. c 284 § 23.
90.14.100 Notice of chapter provisions--How given--Requirements. [1967 c 233 § 10.] Repealed by 1969 ex.s. c 284 § 23.
90.14.110 Water rights claims registry. [1967 c 233 § 11.] Repealed by 1969 ex.s. c $284 \S 23$.
90.14.120 Affirmance of rule as to compliance with appropriation of water laws. [1967 c 233 § 12.] Repealed by 1969 ex.s. c 284 § 23.

## APPROPRIATION OF WATER FOR PUBLIC AND INDUSTRIAL PURPOSES

90.16.070 Penalty for failure to file statement and pay fee. [1929 c 105 § 2, part; RRS § 11575-2, part.] Now codified in RCW 90.16 .060 .
90.16.080 Excessive claim--Abandonment. [1929 c 105 § 2, part; RRS § 11575-2, part.) Now codified in RCW 90.16.060.

## Chapter 90.20 <br> APPROPRIATION PROCEDURE

90.20.010 Application for permit--Temporary permit. [1917 c 117 § 27; RRS § 7378.] Now codified as RCW 90.03.250.
90.20.020 Application-COntents. [1917 c 117 § 28; RRS § 7379.] Now codified as RCW 90.03.260.
90.20.030 Record of application. [1917 c 117 § 29; RRS § 7380.] Now codified as RCW 90.03.270.
90.20.040 Notice. [1953 c 275 § 1; 1939 c 127 § 1; 1925 ex.s. c 161 § 1; 1917 c 117 § 30 ; RRS § 7381.] Now codified as RCW 90.03.280.
90.20.050 Supervisor to investigate--Preliminary permit. [1947 c 133 § 1, part, last am'ds 1917 c 117 § 31; Rem. Supp. 1947 § 7382, part.] Now codified in RCW 90.03.290.
90.20.060 Findings and action on application. [1947 c 133 § 1 , part, last am'ds 1917 c 117 § 31; Rem. Supp. 1947 § 7382, part.] Now codified in RCW 90.03.290.
90.20.070 Diversion of water for out-of-state use--Reciprocity. [1921 c 103 § 3; RRS § 7383.] Now codified as RCW 90.03.300.
90.20.080 Assignability of permit or application. [1917 c 117 § 32; RRS § 7384.] Now codified as RCW 90.03.310.
90.20.090 Construction. [1917 c 117 § 33; RRS § 7385.] Now codified as RCW 90.03.320.
90.20.100 Water right certificate. [1929 c 122 § 5; 1917 c 117 § 34; RRS § 7386.] Now codified as RCW 90.03.330.
90.20.110 Effective date of water right. [1917 c 117 § 35; RRS § 7387.] Now codified as RCW 90.03.340.

## Chapter 90.28 <br> MISCELLANEOUS RIGHTS AND DUTIES

90.28.050 Right to convey water along lake or stream. [1917 c 117 § 3; RRS § 7353.] Now codified as RCW 90.03.030.
90.28.060 Storage dam——Plans and specifications. [1955 c 362 § 1; 1939 c 107 § 1; 1917 c 117 § 36; RRS § 7388.] Now codified in RCW 90.03.350.
90.28.070 Controlling works and measuring devices. [1917 c 117 § 37; RRS § 7389.] Now codified in RCW 90.03.360.
$\mathbf{9 0 . 2 8 . 0 8 0}$ Reservoir permits--Secondary permits. [1917 c 117 § 38; RRS § 7390.] Now codified in RCW 90.03.370.
90.28.090 Right to water attaches to land--Transfer or change in point of diversion. [1929 c 122 § 6; 1917 c 117 § 39; RRS § 7391.] Now codified as RCW 90.03.380.
90.28.100 Temporary changes--Rotation of use. [1929 c 122 § 7; RRS § 7391a.] Now codified as RCW 90.03.390.
90.28.110 Partnership ditches. [1919 c 71 § 3; RRS § 7395.] Now codified as RCW 90.03.430.
90.28.120 Partnership ditches--Lien for labor performed. [1919 c 71 § 5 ; RRS § 7397.] Now codified as RCW 90.03.450.
90.28.130 Division of water between joint owners. [1919 c 71 § 4; RRS § 7396.] Now codified as RCW 90.03.440.
90.28.140 Inchoate rights not affected. [1917 c 117 § 43; RRS § 7398.] Now codified as RCW 90.03.460.

## Chapter 90.32 <br> CRIMES AGAINST WATER CODE

90.32.010 Unauthorized use of water. [1917 c 117 § 40; RRS § 7392.] Now codified as RCW 90.03.400.
90.32.020 Interference with works--Wrongful use of water. [1921 c 103 § 2; 1917 c 117 § 41; RRS § 7393.] Now codified as RCW 90.03.410.
90.32.030 Obstruction of right-of-way. [1917 c 117 § 42; RRS § 7394.] Now codified as RCW 90.03.420.

## Chapter 90.44 <br> REGULATION OF PUBLIC GROUND WATERS

90.44.010 Definitions. [1945 c 263 § 3; RRS § 7400-3.] Now codified as RCW 90.44.035.
90.44.140 Designating or modifying boundaries of areas--Notice of bearing--Findings--Order. [1947 c 122 § 4, part; 1945 c 263 § 12; Rem. Supp. 1947 § 7400-12, part.] Now codified in RCW 90.44.130.
90.44.150 Priority of rights, bow established. [1947 c 122 § 4, part; 1945 c 263 § 12; Rem. Supp. 1947 § 7400-12, part.] Now codified in RCW 90.44.130.
90.44.160 Artificially stored water--Declaration. [1947 c 122 § 4, part; 1945 c 263 § 12; Rem. Supp. 1947 § 7400-12, part.] Now codified in RCW 90.44.130.
90.44.170 Acceptance or rejection. [1947 c 122 § 4, part; 1945 c 263 § 12; Rem. Supp. 1947 § 7400-12, part.] Now codified in RCW 90.44.130.
90.44.190 Abandonment of right--Hearing--Order. [1945 c 263 § 14; Rem. Supp. 1945 § 7400-14.] Repealed by 1967 c 233 § 24.
90.44 .210 Investigations. [1945 c 263 § 19; Rem. Supp. 1945 § 7400-19.] Now codified as RCW 90.44.250.
90.44.240 Appeal. [1945 c 263 § 16; Rem. Supp. 1945 § 7400-16.] Now codified as RCW 90.44.215.

## Chapter 90.48 <br> WATER POLLUTION CONTROL

90.48.021 Water pollution control commission created--Composition. [1967 c 13 § 2; 1945 c 216 § 3; Rem. Supp. 1945 § 10964 c. Formerly RCW 43.54.010.] Repealed by 1970 ex.s. c 62 § 30.
90.48.022 Water pollution control commission created-EExpenses. [1945 c 216 § 4; Rem. Supp. 1945 § 10964d. Formerly RCW 43.54.020.] Repealed by 1970 ex.s. c 62 § 30.
90.48.023 Water pollution control commission created-Chair-man--Director. [1945 c 216 § 5; Rem. Supp. 1945 § 10964e. Formerly RCW 43.54.030.] Repealed by 1970 ex.s. c 62 § 30.
90.48.024 Water pollution control commission created--Meet-ings--Records. [1967 c 13 § 3; 1945 c 216 § 6; Rem. Supp. 1945 § 10964f. Formerly RCW 43.54.040.] Repealed by 1970 ex.s. c 62 § 30.
90.48.025 Water pollution control commission created--Powers and duties of director. [1967 c 13 § 4; 1945 c 216 § 7; Rem. Supp. 1945 § 10964g. Formerly RCW 43.54.050.] Repealed by 1970 ex.s. c 62 § 30.
90.48.026 Water pollution control commission created--Technical advisors. [1967 c 13 § 5; 1945 c 216 § 8; Rem. Supp. 1945 § 10964h. Formerly RCW 43.54.060.] Repealed by 1970 ex.s. c 62 § 30.
90.48.027 Water pollution control commission created- Special meetings--Quorum. [1945 c 216 § 9; Rem. Supp. 1945 § $10964 i$. Formerly RCW 43.54.070.] Repealed by 1970 ex.s. c 62 § 30.
90.48.040 Cooperation with federal government--Federal funds. [1949 c 58 § 1; Rem. Supp. 1949 § 10964pp.] Now codified as RCW 90.48.153.
90.48.050 Cooperation with other states--Interstate projects. [1949 c 58 § 2; Rem. Supp. 1949 § 10964pp-1.] Now codified as RCW 90.48.156.
90.48.060 Injunctive relief. [1945 c 216 § 12; Rem. Supp. 1945 § 109641.] Repealed by 1967 c 13 § 29.
90.48.070 Determination of polluting substances, conditions. [1945 c 216 § 13: Rem. Supp. 1945 § 10964 m.] Repealed by 1973 c 155 § 10.
90.48.130 Hearings——Appeal. [1945 c 216 § 19; Rem. Supp. 1945 § 10964s.] Repealed by 1967 c 13 § 29. Later enactment, see RCW 90.48.135.

## Title 91 WATERWAYS

## Chapter 91.04

## COMMERCIAL WATERWAY DISTRICTS--GENERALLY

91.04.010 Districts authorized——Board's powers and duties. [1911 c $11 \S 1$; 1909 ex.s. c 8 § 1 ; RRS § 9724. Formerly RCW 91.04.010 and 91.04 .160 , part.] Repealed by 1971 c 76 § 6.
91.04.020 Petition to form district-CContents-Cost bond. [1911 c 11 § 2; 1909 ex.s. c 8 § 2; RRS § 9725 .] Repealed by 1971 c 76 § 6.
91.04.021 Elections and terms of commissioners in class $A$ and first class counties-Nominating petitions. [1947 c 227 § 1; Rem. Supp. 1947 § 9725-a. Formerly RCW 91.04.090.] Repealed by 1971 c 76 § 6.
91.04.022 Elections and terms of commissioners in class $A$ and first class counties-Method of holding elections--Expense. [1947 c 227 § 2; Rem. Supp. 1947 § 9725-b. Formerly RCW 91.04.100.] Repealed by 1971 c 76 § 6.
91.04.023 Elections and terms of commissioners in class $A$ and first class counties-TTerms of subsequent commissioners. [1947 c 227 § 3; Rem. Supp. 1947 § $9725-c$. Formerly RCW 91.04.110.] Repealed by 1971 c 76 § 6.
91.04.024 Elections and terms of commissioners in class $A$ and first class counties--Terms of first commissioners. [1947 c 227 § 4; Rem. Supp. 1947 § 9725-d. Formerly RCW 91.04.120.] Repealed by 1971 c 76 § 6.
91.04.025 Elections and terms of commissioners in class $A$ and first class counties-—Biennial election. [1947 c 227 § 5; Rem. Supp. 1947 § 9725-e. Formerly RCW 91.04.130.] Repealed by 1971 c 76 § 6.
91.04.026 Elections and terms of commissioners in class $A$ and first class counties--Rotation of terms. [1947 c 227 § 6; Rem. Supp. 1947 § 9725-f. Formerly RCW 91.04.140.] Repealed by 1971 c 76 § 6.
91.04.027 Elections and terms of commissioners in class $A$ and first class counties--Vacancies. [1947 c 227 § 7; Rem. Supp. 1947 § 9725-g. Formerly RCW 91.04.150.] Repealed by 1971 c 76 § 6.
91.04.030 Notice of hearing--Hearing--Findings--Procedure to extend boundaries. [1911 c 11 § 3; 1909 ex.s. c 8 § 3; RRS § 9726. Formerly RCW 91.04.030, 91.04 .040 and 91.04 .050 .] Repealed by 1971 c 76 § 6 .
91.04.040 Hearing——Findings--Additional land may be included. [1911 c 11 § 3, part; RRS § 9726, part.] Now codified in RCW 91.04.030.
91.04.050 Extending boundaries--Procedure. [1911 c 11 § 3, part; RRS § 9726, part.] Now codified in RCW 91.04.030.
91.04.060 Notice of election-_Voting places and officials. [1911 c 11 § $4 ; 1909$ ex.s. c 8 § 4 ; RRS § 9727 . FORMER PART OF SECTION: 1913 c 46 § 2, part; 1911 c 11 § 6; RRS § 9729, part, now codified in RCW 91.04.080.] Repealed by 1971 c 76 § 6.
91.04.070 Election-—Qualification of electors——Canvass—— Commissioners-Bonds. [1913 c 46 § $1 ; 1911$ c 11 § 5; 1909 ex.s. c 8 § 5; RRS § 9728.] Repealed by 1971 c 76 § 6.
91.04.080 Annual elections. [1913 c 46 § 2; 1911 c 11 § 6; 1909 ex.s. c 8 § 6; RRS § 9729. Formerly RCW 91.04.060, part and 91.04.080.] Repealed by 1971 c 76 § 6.
91.04.090 Nominating petitions--Districts in class $A$ and first class counties. [1947 c 227 § 1; Rem. Supp. 1947 § 9725-a.] Now codified as RCW 91.04.021.
91.04.100 Method of holding elections——Expense. [1947 c 227 §

2; Rem. Supp. 1947 § 9725-b.] Now codified as RCW 91.04.022.
91.04.110 Terms of first commissioners--Class $A$ and first class counties. [1947 c 227 § 3; Rem. Supp. 1947 § 9725-c.] Now codified as RCW 91.04.023.
91.04.120 Terms of subsequent commissioners. [1947 c 227 § 4; Rem. Supp. 1947 § 9725-d.] Now codified as RCW 91.04.024.
91.04.130 Biennial election--Class $A$ and first class counties. [1947 c 227 § 5; Rem. Supp. 1947 § $9725-\mathrm{e}$.] Now codified as RCW 91.04.025.
91.04.140 Rotation of terms. [1947 c 227 § 6; Rem. Supp. 1947 § 9725-f.] Now codified as RCW 91.04.026.
91.04.150 Vacancies. [1947 c 227 § 7; Rem. Supp. 1947 § 9725-g.] Now codified as RCW 91.04.027.
91.04.160 Duties of board-—Warrants. [(i) 1911 c 11 § 1, part; RRS § 9724, part. Now codified in RCW 91.04.010. (ii) 1913 c 46 § 3; 1911 c 11 § 10 ; RRS § 9736. Now codified as RCW 91.04.225. (iii) 1913 c 46 § 6; 1911 c 11 § 34 ; RRS § 9760 . Now codified as RCW 91.04.475.]
91.04.170 District powers. [1917 c 152 § 2; 1911 c 11 § 7; 1909 ex.s. c 8 § 7; RRS § 9731.] Repealed by 1971 c 76 § 6.
91.04.180 Eminent domain as to public lands. [1911 c 11 § 44; RRS § 9770.] Now codified as RCW 91.04.545.
91.04.190 Compensation of commissioners. [1911 c 11 § 47; RRS § 9773.] Now codified as RCW 91.04.555.
91.04.200 Title to state tide, shore lands and beds vested in district. [1911 c 11 § 8; 1909 ex.s. c 8 § 8; RRS § 9732.] Repealed by 1971 c 76 § 6.
91.04.210 State, county, and municipalities may sign petitionPayment for benefits. [1911 c 11 § 9; 1909 ex.s. c 8 § 9; RRS § 9735. Formerly RCW 91.04.210 and 91.04.220.] Repealed by 1971 c 76 § 6.
91.04.220 Counties, cities and towns may contribute to cost. [1911 c 11 § 9, part; RRS § 9735, part.] Now codified in RCW 91.04.210.
91.04.225 Certain powers and duties of board--Vacancies. [1913 c 46 § $3 ; 1911$ c 11 § $10 ; 1909$ ex.s. c $8 \S 10$; RRS § 9736 . Formerly RCW 91.04.160, part.] Repealed by 1971 c 76 § 6.
91.04.230 Petition to construct improvement. [1911 c 11 § 11 ; 1909 ex.s. c 8 § 11 ; RRS § 9737.] Repealed by 1971 c 76 § 6.
91.04.240 Petition to construct improvement-Board may employ professional assistance. [1911 c 11 § 12; 1909 ex.s. c 8 § 12; RRS § 9738.] Repealed by 1971 c 76 § 6.
91.04.250 Summons. [1911 c $11 \S 13 ; 1909$ ex.s. c $8 \S(13,14$; RRS § 9739.] Repealed by 1971 c 76 § 6.
91.04.260 Appearance of defendants-_Proofs requisite to calling jury--Selecting qualified jurors--Findings, generally-—Decree, generally. [1911 c 11 § $14 ; 1909$ ex.s. c 8 § 15 ; RRS § 9740.] Repealed by 1971 c 76 § 6.
91.04.270 Procedure when name or property omitted. [1911 c 11 § $15 ; 1909$ ex.s. c 8 § $16 ;$ RRS § 9741 .] Repealed by 1971 c 76 § 6.
91.04.280 Separate findings. [1911 c 11 § 43 ; 1909 ex.s. c 8 § 42; RRS § 9769.] Now codified as RCW 91.04.543.
91.04.290 View of premises by jury. [1911 c 11 § 16; 1909 ex.s. c 8 § 17; RRS § 9742.] Repealed by 1971 c 76 § 6.
91.04.300 Measure of damages to buildings. [1911 c 11 § 17; 1909 ex.s. c 8 § 18 ; RRS § 9743.] Repealed by 1971 c 76 § 6.
91.04.310 Findings as to several interests--Adverse claimants. [1911 c 11 § $18 ; 1909$ ex.s. c 8 § 19; RRS § 9744.] Repealed by 1971 c 76 § 6.
91.04.320 Omitted property may be brought in. [1911 c 11 § 19; RRS § 9745.] Repealed by 1971 c 76 § 6.
91.04.325 Appeal. [1911 c $11 \S 20$; RRS § 9746. Formerly RCW 91.04.370.] Repealed by 1971 c 76 § 6.
91.04.330 Proceedings following verdict--Trial for new parties. [1911 c 11 § 21 ; 1909 ex.s. c 8 § 20 ; RRS § 9747.] Repealed by 1971 c 76 § 6.
91.04.340 Change in ownership——Procedure. [1911 c 11 § 22; 1909 ex.s. c 8 § 21 ; RRS § 9748.] Repealed by 1971 c 76 § 6.
91.04.350 Guardians ad litem. [1911 c 11 § 23; 1909 ex.s. c 8 § 22; RRS § 9749.] Repealed by 1971 c 76 § 6.
91.04.360 Finality of judgment——Costs——Waiver of appeal. [1911 c 11 § 24; 1909 ex.s. c 8 § 23; RRS § 9750.] Repealed by 1971 c 76 § 6.
91.04.370 Appeal. [1911 c 11 § 20; RRS § 9746.] Now codified as RCW 91.04.325.
91.04.380 Decree of appropriation. [1911 c 11 § 25; 1909 ex.s. c 8 § 24; RRS § 9751.] Repealed by 1971 c 76 § 6.
91.04.390 Dismissal of proceedings. [1911 c $11 \S 26 ; 1909$ ex.s. c 8 § 25 ; RRS § 9752.] Repealed by 1971 c 76 § 6.
91.04.400 Levy to pay costs on dismissal. [1911 c 11 § 29; RRS § 9755.] Now codified as RCW 91.04.425.
91.04.410 Conflicting claims——Procedure. [1911 c 11 § 27; 1909 ex.s. c 8 § 26; RRS § 9753.] Repealed by 1971 c 76 § 6.
91.04.420 Levy and collection of assessments. [1913 c 46 § 4; 1911 c 11 § $28 ; 1909$ ex.s. c 8 § 27; RRS § 9754.] Repealed by 1971 c 76 § 6.
91.04.425 Levy to pay costs on dismissal. [1911 c 11§ 29; 1909 ex.s. c 8 § 28; RRS § 9755 . Formerly RCW 91.04.400.] Repealed by 1971 c 76 § 6.
91.04.430 Assessments against public property. [1911 c 11 § 45; RRS § 9771.] Now codified as RCW 91.04.547.
91.04.440 Construction of works--Contracts--Bonds. [1913 c 46 § 5; 1911 c 11 § 30 ; 1909 ex.s. c 8 § 29 ; RRS § 9756.] Repealed by 1971 c 76 \& 6.
91.04.450 Change in plans-—Procedure. [1911 c 11 § 31; 1909 ex.s. c 8 § 30 ; RRS § 9757.] Repealed by 1971 c 76 § 6.
91.04.460 Payments on contract——Reserve. [1911 c 11 § 32; 1909 ex.s. c 8 § 31 ; RRS § 9758.] Repealed by 1971 c 76 § 6.
91.04.470 Maintenance levy. [1911 c 11 § 33; 1909 ex.s. c 8 § 32; RRS § 9759.] Repealed by 1971 c 76 § 6.
91.04.475 Organization and officers of board--Warrants. [1913 c 46 § 6; 1911 c 11 § $34 ; 1909$ ex.s. c 8 § 33 ; RRS § 9760 . Formerly RCW 91.04.160, part.] Repealed by 1971 c 76 § 6.
91.04.480 Bonds——Authorized——Sale——As legal security. [1913 c 46 § 7 ; 1911 c $11 \S 35 ; 1909$ ex.s. c 8 § 34 ; RRS § 9761. FORMER PART OF SECTION: 1911 c 11 § 37; 1909 ex.s. c 8 § 36; RRS § 9763. Now codified as RCW 91.04.495.] Repealed by 1971 c 76 § 6.
91.04.490 Bonds-_Form——Interest rate——Execution. [1970 ex.s. c 56 § $104 ; 1969$ ex.s. c 232 § $47 ; 1913$ c 46 § 8; 1911 c 11 § 36 ; 1909 ex.s. c 8 § 35 ; RRS § 9762.] Repealed by 1971 c 76 § 6.
91.04.495 Bonds——Exchangeable for warrants. [1911 c 11 § 37; 1909 ex.s. c 8 § 36 ; RRS § 9763. Formerly RCW 91.04.480, part.] Repealed by 1971 c 76 § 6.
91.04.500 Bonds--Assessments for payment-—Sinking fund. [1913 c 46 § 9; 1911 c 11 § 38 ; 1909 ex.s. c 8 § 37 ; RRS § 9764.] Repealed by 1971 c 76 § 6.
91.04.510 Bonds-_Call for payment. [1913 c 46 § 10; 1911 c 11 § $39 ; 1909$ ex.s. c 8 § 38 ; RRS § 9765.] Repealed by 1971 c 76 § 6.
91.04.520 Bonds-—Payment of coupons--"Interest fund." [1913 c 46 § 11 ; 1911 c 11 § $40 ; 1909$ ex.s. c 8 § 39; RRS § 9766.] Repealed by 1971 c 76 § 6.
91.04.530 Bonds——Registry. [1911 c 11 § 41; 1909 ex.s. c 8 § 40; RRS § 9767.] Repealed by 1971 c 76 § 6.
91.04.540 Payment of warrants. [1911 c 11 § 42; 1909 ex.s. c 8 § 41; RRS § 9768.] Repealed by 1971 c 76 § 6.
91.04.543 Separate findings or verdict on trial of issue. [1911 c 11 § 43; 1909 ex.s. c 8 § 42; RRS § 9769. Formerly RCW 91.04.280.] Repealed by 1971 c 76 § 6.
91.04.545 Eminent domain as to public lands. [1911 c 11 § 44; 1909 ex.s. c 8 § 43 ; RRS § 9770 . Formerly RCW 91.04.180.] Repealed by 1971 c 76 § 6.
91.04.547 Assessments against public property. [1911 c 11 § 45; 1909 ex.s. c 8 § 44; RRS § 9771 . Formerly RCW 91.04.430.] Repealed by 1971 c 76 § 6.
91.04.550 Fees for serving process. [1911 c $11 \S 46 ; 1909$ ex.s. c 8 § 45; RRS § 9772.] Repealed by 1971 c 76 § 6.
91.04.555 Compensation of commissioners--Judicial action-— Objections. [1911 c 11 § 47; 1909 ex.s. c 8 § 46; RRS § 9773.] Repealed by 1971 c 76 § 6.
91.04.560 Enforcement of chapter by court. [1911 c 11 § 48; 1909 ex.s. c 8 § 47; RRS § 9774.] Repealed by 1971 c 76 § 6.
91.04.565 Validation. [1911 c 11 § 49; RRS § 9775. Cf. 1911 c 10 § 1.] Repealed by 1971 c 76 § 6.
91.04.570 Authority of district to lease equipment. Cross-reference section. Decodified.
91.04.580 Refunding bonds. [1923 c 38 § 1; RRS § 9776-1.] Now codified as RCW 91.06.010.
91.04.590 Form, execution, etc., of bonds. [1923 c 38 § 2; RRS § 9776-2.] Now codified as RCW 91.06.020.
91.04.600 Levy and collection of assessments. [1923 c 38 § 3; RRS § 9776-3.] Now codified as RCW 91.06.030.
91.04.610 Notice of levy. [1923 c 38 § 4; RRS § 9776-4.] Now codified as RCW 91.06.040.
91.04.620 Publication of notice. [1923 c 38 § 5; RRS § 9776-5.] Now codified as RCW 91.06.050.
91.04.630 Payment in full within thirty days. [1923 c 38 § 6; RRS § 9776-6.] Now codified as RCW 91.06.060.
91.04.640 Payment of bonds--"Construction warrant and interest fund." [1947 c 222 § $1 ; 1923$ c 38 § 7; Rem. Supp. 1947 § 9776-7.] Now codified as RCW 91.06.070.
91.04.650 Call for payment. [1923 c 38 § 8; RRS § 9776-8.] Now codified as RCW 91.06.080.
91.04.660 Effect of sale of lands for taxes. [1923 c 38 § 9; RRS § 9776-9.] Now codified as RCW 91.06.090.
91.04.670 Registry of bonds. [1923 c 38 § 10 ; RRS § 9776-10.] Now codified as RCW 91.06.100.
91.04.900 Construction. [1911 c 11 § 50; RRS § 9776.] Repealed by 1971 c 76 § 6 .

## Chapter 91.08 <br> PUBLIC WATERWAYS

91.08.040 Petition--Contents. [1911 c 23 § 3, part; RRS § 9779, part.] Now codified in RCW 91.08.030.
91.08.050 Notice of filing——Discharge of proceedings. [1911 c 23 § 3, part; RRS § 9779, part.] Now codified in RCW 91.08.030.
91.08.470 Bonds may be issued. [(i) 1911 c 23 § 45 ; RRS § 9821 . Now codified as RCW 91.08.465. (ii) 1911 c 23 § 47; RRS § 9823.] Now codified as RCW 91.08.485.

# REVISED CODE OF WASHINGTON 

1976 Edition

## CERTIFICATE

The 1976 edition of the Revised Code of Washington, published officially by the Statute Law Committee, is, in accordance with the provisions of RCW 1.08.037, certified to comply with the current specifications of the committee.
(signed)
Robert L. Charette, Chairman,
STATUTE LAW COMMITTEE


[^0]:    Amendment 4 (1904)_-Art. 1 § 11 Religious Freedom-_ Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment. Provided, however, That this article shall not be so construed as to forbid the employment by the state of a chaplain for the state penitentiary, and for such of the state reformatories as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching

[^1]:    Amendment 29 (1953)_—Art. 2 § 33 Alien Ownership-_The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts, and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. [AMENDMENT 29, 1953 House Joint Resolution No. 16, p 853. Approved November 2, 1954.]

[^2]:    Appointment of governing boards of educational, reformatory and pe nal institutions: Art. 13 \& 1

[^3]:    Original text——Art. 7 § 4 No SUrrender of Power or Suspension of Tax on Corporate Property-The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

[^4]:    Original text——Art. 8, Sec. 1. Limitation of State DebtThe state may to meet casual deficits or failure in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time exceed four hundred thousand dollars ( $\$ 400,000$ ), and the moneys arising from the loans creating such debts shall be applied to the purpose for which they were obtained or to repay the debts so contracted, and to no other purpose whatever.

[^5]:    Original text——Art. 11 § 6 Vacancies in County, Etc., Offices, How Filled-The board of county commissioners in each county shall fill all vacancies occurring in any county, township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified.
    § 7 TENURE OF OFFICE LIMITED TO TWO TERMS. [Repealed by AMENDMENT 22, 1947 House Joint Resolution No. 4, p 1385 . Approved November 2, 1948.]

[^6]:    Amendment 23 (1948)_—Art. 11, Sec. 16 Combined City and

[^7]:    Original Art. 7 § 2 and Amendment 3 were stricken by Amendment

[^8]:    Text of Amendment $29 —$ _Art. $2 \S 33$ Alien Ownership-_The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided

[^9]:    Prior amendment of Art. 11 § 16, see Amendment 23.

[^10]:    "When and as the rules of court herein authorized shall be promulgated all laws in conflict therewith shall be and become of no further force and effect."

[^11]:    Commentary: Disciplinary measures may include reporting a

[^12]:    Commentary: The changing nature of some organizations and of their relationship to the law makes it necessary for a judge regularly to reexamine the activities of each organization with which he is affiliated to determine if it is proper for him to continue his relationship with it. For example, in many jurisdictions charitable hospitals are now more frequently in court than in the past. Similarly, the boards of some legal aid organizations now make policy

[^13]:    Cf.Rule 2 A

[^14]:    Comment: This rule establishes the procedure in a superior court hearing if the petition is transferred to that court for a reference hearing. The rule is consistent with ABA Standards Relating to PostConviction Remedies. The petitioner has the right to be present at the hearing. See ABA Standard 4.6(b). Normal rules of evidence apply. See ABA Standard 4.6(c). Reasonable discovery proceedings are available.

[^15]:    Comment: This rule clarifies which decisions are subject to review and the means of obtaining review.

[^16]:    Comment by the Court. Subdivision (e) follows and supersedes RPPP 38.04W and supersedes the proviso to RCW 4.44.100.

[^17]:    Comment by the Court. This rule follows FRCP 68.

[^18]:    Chapter T1 Scope, purpose and construction.
    Rule
    T1.01 Scope.
    Tl. 02 Purpose and construction.
    T1.03 Local court rules-Availability.
    T1.04 Definitions.

[^19]:    [Parallel Tables——p 48]

[^20]:    [Parallel Tables-—p 52]

[^21]:    28A.59.130 Quorum——Failure to attend meetings may result in vacation of office. [1969 ex.s. c 23 § 28A.59.130. Prior: 1909 c 97 p 292 § 13; RRS § 4802; prior: 1897 c 118 § $90 ; 1890$ p 390 § 17. Formerly RCW 28.62.130, 28.62.140.] Repealed by 1971 c 53 § 5.

[^22]:    Severability: See note following RCW 28A.58.435.

[^23]:    33.44.030 Resolution--Application to supervisor of banking. [1927 c 177 § la; 1917 c 154 § la; RRS § 3750.] Now codified in RCW 33.44.020.
    33.44.040 Investigation-—Decision——Appeal. [1927 c 177 § lb; 1917 c 154 § 1b; RRS § 3751.] Now codified in RCW 33.44.020.

[^24]:    48.09.030 Specific risks, property insurer. [1947 c 79 § .09.03; Rem. Supp. 1947 § 45.09.03.] Repealed by 1957 c 193 § 22.
    48.09.040 Requirements——Assessment property insurer. [1947 c 79 § .09.04; Rem. Supp. 1947 § 45.09.04.] Repealed by 1957 c 193 § 22.
    48.09.050 Requirements——Assessment farm property insurer. [1947 c 79 §.09.05; Rem. Supp. 1947 § 45.09.05.] Repealed by 1957 c 193 § 22.
    48.09.060 Requirements——Vehicle insurer. [1947 c 79 § .09.06; Rem. Supp. 1947 § 45.09.06.] Repealed by 1957 c 193 § 22.
    48.09.070 Requirements-—Life insurer. [1947 c 79 § .09.07; Rem. Supp. 1947 § 45.09.07.] Repealed by 1957 c 193 § 22.

[^25]:    [Disposition Table——p 152]

