

agriculture; stage, taxicab and for hire driving; restaurants, taverns, clubs, and establishments; employees supplying service to the public in hotels, clubs furnishing sleeping accommodations, apartment hotels; janitors, chambermaids, porters, bellmen, pinsetters, elevator operators and maintenance men employed in apartment houses, office buildings, stores, mercantile establishments, theaters and bowling alleys employing one or more employees; bunkhouses, kitchens, and eating houses in connection with extrahazardous occupations or conducted primarily for employees in extrahazardous occupations; transfer, drayage, and hauling; warehousing and transfer; fruit warehouse and packing houses; and work performed by salaried peace officers of the state, the counties, and the municipal corporations.

Note: See also section 9, chapter 308, Laws of 1959.

Passed the House February 27, 1959.

Passed the Senate February 26, 1959.

Approved by the Governor March 2, 1959.

CHAPTER 56.

[S. B. 19.]

PRISONERS—PROSECUTION FOR OTHER CRIMES.

AN ACT relating to the prosecution of persons committed to state penal institutions for other crimes committed within the state.

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

SECTION 1. (1) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of this state, and whenever during the continuance of the term of imprisonment there is pending in this state any untried indictment, information or complaint against the prisoner, he shall be brought to trial within one hundred twenty days

Disposition of untried indictments, etc., of prisoner—Procedure.

after he shall have caused to be delivered to the prosecuting attorney and the superior court of the county in which the indictment, information or complaint is pending written notice of the place of his imprisonment and his request for a final disposition to be made of the indictment, information or complaint: *Provided*, That for good cause shown in open court, the prisoner or his counsel shall have the right to be present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the superintendent having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the board of prison terms and paroles relating to the prisoner.

(2) The written notice and request for final disposition referred to in subsection (1) hereof shall be given or sent by the prisoner to the superintendent having custody of him, who shall promptly forward it together with the certificate to the appropriate prosecuting attorney and superior court by registered mail, return receipt requested.

(3) The superintendent having custody of the prisoner shall promptly inform him in writing of the source and contents of any untried indictment, information or complaint against him concerning which the superintendent has knowledge and of his right to make a request for final disposition thereof.

(4) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in subsection (1) hereof shall void the request.

Escape, voids
request.

SEC. 2. In the event that the action is not brought to trial within the period of time as herein provided,

Result of failure to try.

no court of this state shall any longer have jurisdiction thereof, nor shall the untried indictment, information or complaint be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

Mentally ill exclusion.

SEC. 3. The provisions of this act shall not apply to any person adjudged to be mentally ill.

Construction.

SEC. 4. This act shall not be construed as preempting the right of the superior court on the motion of the county prosecuting attorney from ordering the superintendent of a state penal or correctional institution to cause a prisoner to be transported to the superior court of the county for trial upon any untried indictment, information or complaint.

Passed the Senate February 5, 1959.

Passed the House February 25, 1959.

Approved by the Governor March 3, 1959.

CHAPTER 57.

[S. B. 48.]

PROBATE—SALE OF VENDEE'S INTEREST IN CONTRACT.

AN ACT relating to sales of vendee's interest in contract in probate by personal representative; and repealing sections 140 and 141, chapter 156, Laws of 1917 and RCW 11.56.190 and 11.56.200.

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

Repeal.

SECTION 1. Sections 140 and 141, chapter 156, Laws of 1917 and RCW 11.56.190 and 11.56.200 are each repealed.

Passed the Senate February 4, 1959.

Passed the House February 26, 1959.

Approved by the Governor March 3, 1959.