

Materialmen's  
lien—Notice  
that lien may  
be claimed.

addressed to the owner or reputed owner at his place of residence or reputed residence: *Provided, however,* That with respect to materials or supplies or equipment used in construction, alteration or repair of any single family residence or garage such notice must be given not later than ten days after the date of the first delivery of such materials or supplies or equipment. No materialmen's lien shall be enforced unless the provisions of this section have been complied with: *Provided,* That in the event the notice required by this section is not given within the time specified by this section, any lien or claim of lien shall be enforceable only for materials and supplies or equipment delivered subsequent to such notice being given to the owner or reputed owner, and such lien or claim of lien shall be secondary to any lien or claim of lien established where such notice was given within the time limits prescribed by this section.

Passed the Senate March 3, 1965.

Passed the House March 10, 1965.

Approved by the Governor March 20, 1965.

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CHAPTER 99.

[ Senate Bill No. 129. ]

FEDERAL COURT LOCAL LAW CERTIFICATE  
PROCEDURE ACT.

AN ACT relating to the jurisdiction of the supreme court of the state of Washington; and providing for federal court local law certificate procedure.

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

SECTION 1. As used in this act:

(1) The term "certificate procedure" shall mean the procedure authorized herein by which a federal court in disposing of a cause pending before it sub-

Federal court  
local law cer-  
tificate pro-  
cedure act.  
Definitions.

mits a question of local law to the supreme court for answer;

(2) The term "federal court" means any court of the United States of America including the supreme court of the United States, courts of appeal, district courts and any other court created by act of congress;

(3) The term "supreme court" shall mean supreme court of Washington;

(4) The term "record" shall mean: (a) A stipulation of facts approved by the federal court showing the nature of the case and the circumstances out of which the question of law arises or such part of the pleadings, proceedings and testimony in the cause pending before the federal court as in its opinion is necessary to enable the supreme court to answer the question submitted; (b) a statement of the question of local law certified for answer. The record shall contain a certificate under the official seal of the court, signed by the chief judge of a multi-judge federal court or judge of the district court utilizing certificate procedure stating that the record contains all matters in the pending cause deemed material for consideration of the local law question certified for answer;

(5) The term "supplemental record" shall mean the original or copies of any other portion of the proceedings, pleadings and testimony before the federal court deemed desirable by the supreme court in the determination of the local law question certified for answer. The supplemental record shall contain a certificate under the official seal of the court signed by the chief judge of such multi-judge federal court or judge of the district court, certifying that the supplemental record contains all additional matters requested;

(6) The term "opinion" shall mean the written opinion of the supreme court of Washington and shall

Federal court local law certificate procedure act.

include the certificate of the clerk of such court under seal of court stating that the opinion is in answer to the local law question submitted.

Question certified to supreme court—Opinion as answer.

SEC. 2. When in the opinion of any federal court before whom a proceeding is pending, it is necessary to ascertain the local law of this state in order to dispose of such proceeding and the local law has not been clearly determined, such federal court may certify to the supreme court for answer the question of local law involved and the supreme court shall render its opinion in answer thereto.

Certificate procedure—Provisions governing.

SEC. 3. Certificate procedure shall be governed by the following provisions:

(1) Certificate procedure may be invoked by a federal court upon its own motion or upon the motion of any interested party in the litigation involved if the federal court grants such motion.

(2) Certificate procedure shall include and be based upon the record and may include a supplemental record.

(3) Certificate procedure costs shall be equally divided between plaintiff and defendant, subject to reallocation as between or among the parties by the federal court involved.

(4) The appellant or moving party in the federal court shall file and serve upon its adversary its brief on the question certified within thirty days after the filing of the record in the supreme court. The appellee or responding party in the federal court shall file and serve upon its adversary its brief within twenty days after receipt of appellant's or moving party's brief and a reply brief shall be filed within ten days. Time for filing record, supplemental record or briefs may be extended for cause.

(5) Oral argument as in other causes on the merits may be had upon request of the supreme court or

upon application of any interested party in the certificate procedure.

(6) The supreme court shall forward to the federal court utilizing certificate procedure its opinion answering the local law question submitted.

(7) The supreme court may adopt rules of practice and procedure to implement or otherwise facilitate utilization of certificate procedure.

SEC. 4. This act may be cited as the "Federal court local law certificate procedure act." Short title.

Passed the Senate March 8, 1965.

Passed the House March 10, 1965.

Approved by the Governor March 20, 1965.

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## CHAPTER 100.

[ Senate Bill No. 149. ]

### DIRECTOR OF LICENSES—POWERS AND DUTIES.

AN ACT relating to state government; the department of licenses, the director and his power and duties; amending sections 43.24.010, 43.24.020, 43.24.060, 43.24.080 and 43.24.110, chapter 8, Laws of 1965 and RCW 43.24.010, 43.24.020, 43.24.060, 43.24.080 and 43.24.110; adding a new section to chapter 8, Laws of 1965 and chapter 43.24 RCW; and repealing sections 43.24.050, 43.24.070 and 43.24.100, chapter 8, Laws of 1965 and RCW 43.24.050, 43.24.070 and 43.24.100.

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

SECTION 1. Section 43.24.010, chapter 8, Laws of 1965 and RCW 43.24.010 are each amended to read as follows: RCW 43.24.010 amended.

The director of licenses shall have charge and general supervision of the department of licenses. Department of licenses. Authority of director—Personnel.

He may appoint such clerical and other assistants as may be necessary to carry on the work of the department and deputize one or more of such assistants to perform duties in the name of the director.