

NEW SECTION. Section 1. It shall be unlawful for any person under the age of eighteen to be the registered or legal owner of any motor vehicle: PROVIDED, That this act shall not apply to any person who is on active duty in the United States armed forces nor to any minor who is in effect emancipated: PROVIDED FURTHER, That this act shall not apply to any person who is the registered owner of a motor vehicle prior to the effective date of this act or who became the registered or legal owner of a motor vehicle while a nonresident of this state.

NEW SECTION. Sec. 2. It shall be unlawful for any person to convey, sell or transfer the ownership of any motor vehicle to any person under the age of eighteen: PROVIDED, That this section shall not apply to a vendor if the minor provides the vendor with a certified copy of an original birth registration showing the minor to be over eighteen years of age. Such certified copy shall be transmitted to the department of motor vehicles by the vendor with the application for title to said motor vehicle.

NEW SECTION. Sec. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than two hundred fifty dollars or by imprisonment in a county jail for not more than ninety days.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act are each added to chapter 12, Laws of 1961 and to Title 46 RCW.

Passed the House March 14, 1969.
Passed the Senate April 10, 1969.
Approved by the Governor April 19, 1969.
Filed in office of Secretary of State April 19, 1969.

CHAPTER 126
[Senate Bill No. 410]
PROBATE--PROOF OF WILLS

AN ACT Relating to probate law and procedure; amending section 11-20.020, chapter 145, Laws of 1965 and RCW 11.20.020; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 11.20.020, chapter 145, Laws of 1965 and RCW 11.20.020 are each amended to read as follows:

(1) Applications for the probate of a will and for letters testamentary, or either, may be made to the judge of the court having jurisdiction and the court may immediately hear the proofs and either probate or reject such will as the testimony may justify. Upon such hearing, the court shall make and cause to be entered a formal order, either establishing and probating such will, or refusing to establish and probate the same, and such order shall be conclusive except in the event of a contest of such will as hereinafter provided. All testimony in support of the will shall be reduced to writing, signed by the witnesses, and certified by the judge of the court.

(2) In addition to the foregoing procedure for the proof of wills, any or all of the attesting witnesses to a will may, at the request of the testator or, after his decease, at the request of the executor or any person interested under it, make an affidavit before any person authorized to administer oaths, stating such facts as they would be required to testify to in court to prove such will, which affidavit may be written on the will or may be attached to the will or to a photographic copy of the will. The sworn statement of any witness so taken shall be accepted by the court as if it had been taken before the court.

NEW SECTION. Sec. 2. This 1969 amendatory act shall take effect July 1, 1969.

Passed the Senate March 20, 1969.

Passed the House April 9, 1969.

Approved by the Governor April 17, 1969, with the exception of section 2 which is vetoed.

Filed in office of Secretary of State April 21, 1969.

NOTE: Governor's explanation of partial veto is as follows:

"...This bill permits wills to be proven by an affidavit of attesting witnesses stating the facts that the law now requires be testified to in open court. An affidavit in support of the will may be written on the will or attached to it. The court is authorized to accept such a sworn statement as if the witness had appeared and testified in court.

Section 2 provides that the act shall be effective July 1, 1969. This bill was drafted with the assumption that it would pass in the regular session. Section 2 was designed to postpone the effective date of the act.

Article II, Section 41, of our Constitution states that:

'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.'

Every law passed by the Legislature is subject to referendum except such laws as may be necessary for the immediate preservation of the public peace, health or safety, or the support of the state government and its existing public institutions.

July 1, 1969, is now less than ninety days away.

Between July 1, 1969, and the period expiring ninety days after the close of the First Extraordinary Session of the Forty-first Legislature, any affidavit based on this statute would be ineffective. Rather than to allow the confusion between the effective date stated in the bill and the constitutional effective date of Senate Bill No. 410, I have vetoed section 2.

The remainder of the bill is approved."