

CHAPTER 127

[House Bill No. 330]

GAME DEPARTMENT—LICENSE DOCUMENTS—UNLAWFUL POSSESSION,
PURCHASE—PENALTY

AN ACT Relating to the department of game; adding a new section to chapter 77.32 RCW; and prescribing penalties.

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

NEW SECTION. Section 1. There is added to chapter 77.32 RCW a new section to read as follows:

(1) It is unlawful to purchase, obtain, or possess or attempt to purchase or obtain a hunting, fishing, or trapping license, permit, tag, or other document issued by or under the authority of the department of game:

(a) By using false information; or

(b) After a notification by the department or a court of the revocation or forfeiture of an existing license, permit, tag, or other document: **PROVIDED**, That a person may purchase a license, permit, tag or other document that is not authorized by the same section of Title 77 RCW as the revoked document; or

(c) In excess of one license, permit, tag, or other document per license year except as authorized by statute or game commission regulation: **PROVIDED**, That a duplicate document may be acquired upon the filing of a notarized affidavit showing loss or destruction of the document.

(2) A person violating this section is guilty of a gross misdemeanor and upon conviction shall be punished by a fine of not less than two hundred fifty dollars and not more than one thousand dollars or by imprisonment in the county jail for not less than thirty days and not more than one year, or by both such fine and imprisonment.

Passed the House April 23, 1979.

Passed the Senate April 6, 1979.

Approved by the Governor May 4, 1979.

Filed in Office of Secretary of State May 4, 1979.

CHAPTER 128

[House Bill No. 338]

MARRIAGE—LEGAL REQUIREMENTS

AN ACT Relating to marriage; and amending section 1, chapter 107, Laws of 1953 as amended by section 3, chapter 230, Laws of 1963 and RCW 26.04.180; amending section 13 and 14, page 83, Laws of 1866 as last amended by section 29, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.210; amending section 419, chapter 249, Laws of 1909 and RCW 26.04.250; repealing section 1, chapter 174, Laws of 1909, section 1, chapter 16, Laws of 1909 ex. sess., section 1, chapter 149, Laws of 1959, section 27, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.030; and repealing section 2, chapter 174,

Laws of 1909, section 2, chapter 16, Laws of 1909 ex. sess., section 2, chapter 149, Laws of 1959, section 28, chapter 154, Laws of 1973, 1st ex. sess. and RCW 26.04.040.

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

Section 1. Section 1, chapter 107, Laws of 1953 as amended by section 3, chapter 230, Laws of 1963 and RCW 26.04.180 are each amended to read as follows:

The county auditor shall issue no license until the third full day following the filing of the application, exclusive of the date of filing. A marriage license issued pursuant to the provisions of this chapter shall become void if the marriage is not solemnized within ~~((thirty))~~ sixty days of the date of the issuance of the license, and the county auditor shall notify the applicant in writing of this requirement at the time of issuance of the license.

Sec. 2. Sections 13 and 14, page 83, Laws of 1866 as last amended by section 29, chapter 154, Laws of 1973, 1st ex. sess. and RCW 26.04.210 are each amended to read as follows:

The county auditor, before a marriage license is issued, upon the payment of a license fee as fixed in RCW 36.18.010 shall require each applicant therefor to make and file in his office upon blanks to be provided by the county for that purpose, an affidavit showing that ~~((such applicant is not feeble minded, an imbecile, insane, a common drunkard, or afflicted with pulmonary tuberculosis in its advanced stages. PROVIDED, That in addition, the affidavits of both applicants they are for such marriage license shall show that))~~ they are not afflicted with any contagious venereal disease. He shall also require an affidavit of some disinterested credible person showing that neither of said persons is an habitual criminal, and that the applicants are the age of eighteen years or over: PROVIDED, FURTHER, That if the consent in writing is obtained of the father, mother, or legal guardian of the person for whom the license is required, the license may be granted in cases where the female has attained the age of seventeen years or the male has attained the age of seventeen years. Such affidavit may be subscribed and sworn to before any person authorized to administer oaths. Anyone knowingly swearing falsely to any of the statements contained in the affidavits mentioned in this section shall be deemed guilty of perjury and punished as provided by the laws of the state of Washington.

Sec. 3. Section 419, chapter 249, Laws of 1909 and RCW 26.04.250 are each amended to read as follows:

Every person who shall solemnize a marriage when either party thereto is known to him to be under the age of legal consent ~~((or to be an idiot, insane person, habitual criminal or common drunkard;))~~ or a marriage to which, within his knowledge, any legal impediment exists, shall be guilty of a gross misdemeanor.

NEW SECTION. Sec. 4. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 174, Laws of 1909, section 1, chapter 16, Laws of 1909 ex. sess., section 1, chapter 149, Laws of 1959, section 27, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.030; and

(2) Section 2, chapter 174, Laws of 1909, section 2, chapter 16, Laws of 1909 ex. sess., section 2, chapter 149, Laws of 1959, section 28, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.040.

Passed the House April 23, 1979.

Passed the Senate April 11, 1979.

Approved by the Governor May 4, 1979.

Filed in Office of Secretary of State May 4, 1979.

CHAPTER 129

[House Bill No. 424]

JUSTICE COURTS—SERVICES FURNISHED TO CITIES—FILING FEE— ARBITRATION

AN ACT Relating to justice courts; and amending section 111, chapter 299, Laws of 1961 as amended by section 2, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.070.

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

Section 1. Section 111, chapter 299, Laws of 1961 as amended by section 2, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.070 are each amended to read as follows:

Except in traffic cases wherein bail is forfeited to a violations bureau, and except in cases filed in municipal departments established pursuant to chapter 3.46 RCW and except in cases where a city has contracted with another city for such services pursuant to chapter 39.34 RCW, in every criminal action filed by a city for an ordinance violation, the city shall be charged a ((four dollar)) filing fee determined pursuant to an agreement as provided for in chapter 39.34 RCW, the interlocal cooperation act, between the city and the county providing the court service. In such criminal actions the cost of providing services necessary for the preparation and presentation of a defense at public expense are not within the ((four dollar)) filing fee and shall be paid by the city. In all other criminal actions, no filing fee shall be assessed or collected: PROVIDED, That in such cases, for the purposes of RCW 3.62.010, four dollars or the agreed filing fee of each fine or penalty, whichever is greater, shall be deemed filing costs. In the event no agreement is reached between a municipal corporation and the county providing the court service within ninety days of the effective date of this 1979 act, the municipal corporation and the county shall be deemed to have entered into an agreement to submit the issue to arbitration pursuant to chapter 7.04 RCW, and the municipal corporation and the county shall be entitled to the same rights and subject to the same duties as other parties who have agreed to submit to arbitration pursuant to chapter 7.04 RCW. In