

bank, or trust company so depositing securities pursuant to this section shall be subject to such rules and regulations as, in the case of state chartered banks and trust companies, the supervisor of banking and, in the case of national banking associations, the comptroller of the currency may from time to time issue. A state bank, national bank, or trust company acting as custodian for a fiduciary shall, on demand by the fiduciary, certify in writing to the fiduciary the securities so deposited by such state bank, national bank, or trust company in such clearing corporation for the account of such fiduciary. A fiduciary shall, on demand by any party to a judicial proceeding for the settlement of such fiduciary's account or on demand by the attorney for such party, certify in writing to such party the securities deposited by such fiduciary in such clearing corporation for its account as such fiduciary.

This subsection shall apply to any fiduciary holding securities in its fiduciary capacity, and to any state bank, national bank, or trust company holding securities as a custodian, managing agent, or custodian for a fiduciary, acting on the effective date of this 1973 amendatory act or who thereafter may act regardless of the date of the agreement, instrument, or court order by which it is appointed and regardless of whether or not such fiduciary, custodian, managing agent, or custodian for a fiduciary owns capital stock of such clearing corporation.

NEW SECTION. Sec. 2. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 19, 1973.

Passed the Senate March 1, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 14, 1973.

CHAPTER 100
[House Bill No. 240]
ALCOHOLIC BEVERAGE CONTROL--USE--
LEGAL AGE LOWERED

AN ACT Relating to alcoholic beverage control; amending sections 1, 3, and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971

ex. sess. and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 36-A added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340; adding a new section to chapter 66.44 RCW; repealing section 2, chapter 49, Laws of 1965 and RCW 66.44.291; creating a new section; and repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

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

Section 1. Sections 1, 3, and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080 are each amended to read as follows:

Every person who:

(1) Shall admit to or allow to remain in any concert saloon, or in any place owned, kept, or managed by him where intoxicating liquors are sold, given away or disposed of--except a restaurant or dining room, any person under the age of eighteen years; or,

(2) Shall admit to, or allow to remain in any dance-house, public pool or billiard hall, or in any place of entertainment injurious to health or morals, owned, kept or managed by him, any person under the age of eighteen years; or,

(3) Shall suffer or permit any such person to play any game of skill or chance, in any such place, or in any place adjacent thereto, or to be or remain therein, or admit or allow to remain in any reputed house of prostitution or assignation, or in any place where opium or any preparation thereof, is smoked, or where any ((narcotic drugs)) controlled substance is used, any persons under the age of eighteen years; or,

(4) Shall sell or give, or permit to be sold or given to any person under the age of ((twenty-one)) nineteen years any intoxicating liquor, or to any person under the age of eighteen years any cigar, cigarette, cigarette paper or wrapper, or tobacco in any form; or

(5) Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years, any revolver or pistol;

Shall be guilty of a gross misdemeanor.

It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

Sec. 2. Section 1, chapter 38, Laws of 1967 and RCW 66.12.110 are each amended to read as follows:

A person (~~(twenty-one)~~) nineteen years of age or over may bring into the state from without the United States, free of tax and markup, for his personal or household use such alcoholic beverages as have been declared and permitted to enter the United States duty free under federal law.

Sec. 3. Section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040 are each amended to read as follows:

Except as otherwise provided by law, an employee in a state liquor store may sell liquor to any person over the age of (~~(twenty-one)~~) nineteen years for beverage purposes and may also sell to holders of permits such liquor as may be purchased under such permits.

Where there may be a question of a person's right to purchase liquor by reason of his age, such person shall be required to present any one of the following officially issued cards of identification which shows his correct age and bears his signature and photograph:

- (1) Liquor control authority card of identification of any state.
- (2) Driver's license of any state or "identocard" issued by the Washington state department of motor vehicles pursuant to RCW 46.20.117.
- (3) United States active duty military identification.
- (4) Passport.

The board may adopt such regulations as it deems proper covering the acceptance of such cards of identification.

No liquor sold under this section shall be delivered until the purchaser has paid for the liquor in cash.

Sec. 4. Section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180 are each amended to read as follows:

A card of identification shall be presented by the holder thereof upon request of any licensee for the purpose of aiding the licensee to determine whether or not such person is at least (~~(twenty-one)~~) nineteen years of age when such person desires to procure liquor from a licensed establishment.

Sec. 5. Section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210 are each amended to read as follows:

No licensee or the agent or employee of the licensee shall be

prosecuted criminally or be sued in any civil action for serving liquor to a person under ((~~twenty-one~~) nineteen) years of age if such person has presented a card of identification in accordance with RCW 66.20.180 as now or hereafter amended, and has signed a certification card as provided in RCW 66.20.190.

Such card in the possession of a licensee may be offered as a defense in any hearing held by the board for serving liquor to the person who signed the card and may be considered by the board as evidence that the licensee acted in good faith.

Sec. 6. Section 2, chapter 70, Laws of 1955 and RCW 66.44.270 are each amended to read as follows:

Except in the case of liquor given or permitted to be given to a person under the age of ((~~twenty-one~~) nineteen) years by his parent or guardian for beverage or medicinal purposes, or administered to him by his physician or dentist for medicinal purposes, no person shall give, or otherwise supply liquor to any person under the age of ((~~twenty-one~~) nineteen) years, or permit any person under that age to consume liquor on his premises or on any premises under his control. It is unlawful for any person under the age of ((~~twenty-one~~) nineteen) years to acquire or have in his possession or consume any liquor except as in this section provided and except when such liquor is being used in connection with religious services.

Conviction or forfeiture of bail for a violation of this section by a person under the age of ((~~twenty-one~~) nineteen) years at the time of such conviction or forfeiture, shall not be a disqualification of such person to acquire a license to sell or dispense any liquor after such person shall have attained the age of ((~~twenty-one~~) nineteen) years.

Sec. 7. Section 3, chapter 70, Laws of 1955 and RCW 66.44.280 are each amended to read as follows:

Every person under the age of ((~~twenty-one~~) nineteen) years who makes application for a permit shall be guilty of an offense against this title.

Sec. 8. Section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290 are each amended to read as follows:

Every person under the age of ((~~twenty-one~~) nineteen) years who purchases or attempts to purchase liquor shall be guilty of a violation of this title.

Sec. 9. Section 1, chapter 78, Laws of 1941 and RCW 66.44.300 are each amended to read as follows:

Any person who invites a minor into a public place where liquor is sold and treats, gives or purchases liquor for such minor, or permits a minor to treat, give or purchase liquor for him; or holds out such minor to be over the age of ((~~twenty-one~~) nineteen)

years to the owner of the liquor establishment shall be guilty of a misdemeanor.

Sec. 10. Section 36-A added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 245, Laws of 1943 and RCW 66.44.310 are each amended to read as follows:

(1) It shall be a misdemeanor,

(a) To serve or allow to remain on the premises of any tavern any person under the age of (~~twenty-one~~) nineteen years;

(b) For any person under the age of (~~twenty-one~~) nineteen years to enter or remain on the premises of any tavern;

(c) For any person under the age of (~~twenty-one~~) nineteen years to represent his age as being (~~twenty-one~~) nineteen or more years for the purpose of securing admission to or remaining on the premises of any tavern.

(2) The Washington state liquor control board shall have the power and it shall be its duty to classify the various licensees, as taverns or otherwise, within the meaning of this title, except bona fide restaurants, dining rooms and cafes serving commercial food to the public shall not be classified as taverns during the hours such food service is made available to the public.

Sec. 11. Section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340 are each amended to read as follows:

Employers holding class E and/or F licenses exclusively are permitted to allow their employees (~~7 between the ages of eighteen and twenty-one years;~~) eighteen years of age or over to sell beer or wine in, on or about any establishment holding a class E and/or class F license exclusively: (~~PROVIDED; That there is direct supervision by an adult twenty-one years of age or older in an adjacent check stand;~~) PROVIDED, That minor employees under the age of eighteen may make deliveries of beer and/or wine purchased from licensees holding class E and/or class F licenses exclusively, when delivery is made to cars of customers adjacent to such licensed premises but only, however, when the minor employee is accompanied by the purchaser.

NEW SECTION. Sec. 12. There is added to chapter 66.44 RCW a new section to read as follows:

Employers holding a class H license are permitted to allow their employees, who are eighteen years of age or older, to take orders for, to serve and sell liquor in any part of the licensed premises, and to perform clean-up work in any part of the licensed premises.

NEW SECTION. Sec. 13. The following acts or parts of acts are each hereby repealed:

(1) Section 2, chapter 49, Laws of 1965 and RCW 66.44.291; and
(2) Section 1, chapter 250, Laws of 1969 ex. sess. and RCW
66.44.315.

Passed the House February 17, 1973.

Passed the Senate March 1, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 15, 1973.

CHAPTER 101

[House Bill No. 320]

ORTING SOLDIERS' HOME--MEMBERSHIP ELIGIBILITY

AN ACT Relating to soldiers' and veterans' homes; and amending
section 72.36.040, chapter 28, Laws of 1959 as amended by
section 1, chapter 235, Laws of 1959 and RCW 72.36.040.

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

Section 1. Section 72.36.040, chapter 28, Laws of 1959 as
amended by section 1, chapter 235, Laws of 1959 and RCW 72.36.040 are
each amended to read as follows:

There is hereby established what shall be known as the "Colony
of the State Soldiers' Home." All of the following persons who
reside within the limits of Orting (~~((precinct))~~) school district and
have been actual bona fide citizens of this state for a period of
three years at the time of their application and who have personal
property of less than one thousand dollars and/or a monthly income
insufficient to meet their needs as determined by the standards of
the (~~((county welfare department))~~) department of social and health
services, may be admitted to membership in said colony under such
rules and regulations as may be adopted by the department.

(1) All honorably discharged (~~((soldiers; sailors and marines;~~
who have served the United States government in any of its wars;
and) veterans who have served in the armed forces of the United
States during wartime, members of the state militia disabled while in
the line of duty, and their (~~((wives; who were married and living with
their wives for five))~~) respective spouses with whom they have lived
for three years prior to application (~~((to))~~) for membership in said
colony (~~((or who; since said date; have married widows of soldiers who
were members))~~). Also, the spouse of a veteran or disabled member of
the state militia, who is eligible for membership in said colony, if
such spouse is the widow or widower of a veteran who was a member of
a soldiers' home or colony in this state or entitled to admission
thereto at the time of death: PROVIDED, That such ((soldiers;
sailors; and marines)) veterans and members of the state militia